

Ordinance No. 21-16

AN ORDINANCE
TO ABANDON TWO UNNAMED, UNOPENED ALLEYS BETWEEN U.S.
HWY 41A AND FIRST STREET WITHIN THE CORPORATE LIMITS
OF THE TOWN OF MONTEAGLE, TENNESSEE

WHEREAS the Town of Monteagle has agreed to abandon two unnamed, unopened alleys, the property for which it owns fee simple; and

WHEREAS the Monteagle Regional Planning Commission reviewed and recommended in favor of the abandoning the proposed alleyways at its regular meeting on October 4, 2016; and

WHEREAS the abandonment of alley property is necessary for the public welfare within the Town of Monteagle;

THEREFORE, BE IT ORDAINED by the Mayor and Board of Alderman that the Town of Monteagle hereby abandons the following two unnamed, unopened alleys within the corporate limits of the Town of Monteagle:

Alley #1

Being a 50' wide strip and extending from 1st Street down to the old railroad bed and being more particularly described as follows:

Beginning at a point in the South boundary of the Holloway tract (Deed 134, Page 788) at the Northeast corner of the herein described tract, said point being further described as being located South 78 degrees 22 minutes 25 seconds West, 14.51 feet from a 2" iron pipe found in the Southwest boundary of the 50' right-of-way of 1st Street, Thence from the POINT OF BEGINNING leaving Holloway South 10 degrees 49 minutes 12 seconds East, 281.53 feet to a point in the North boundary of the 100' railroad right-of-way, Thence with the railroad right-of-way North 89 degrees 24 minutes 00 seconds West, 51.01 feet to a point, Thence leaving the railroad right-of-way North 10 degrees 49 minutes 12 seconds West, 270.73 feet to a point in the South boundary of the said Holloway tract, Thence with Holloway North 78 degrees 22 minutes 25 seconds East, 50.00 feet to the POINT OF BEGINNING. Said tract contains 0.32 acres more or less as surveyed by Kurt M. Johnson, TN RLS #1632, dated September 25, 2016.

Alley #2

Being a 20' wide strip in the City of Monteagle, Tennessee and being more particularly described as follows:

Beginning at a point in the South boundary of the 30' right-of-way of 1st Street at the Northeast corner of the herein described tract, said point being located South 84 degrees 50 minutes 50 seconds West, 156.09 feet from a capped rebar found at the Northwest corner of the Monteagle Sunday School Assembly tract (Record Book, 40, Page 14), Thence from the POINT OF BEGINNING leaving 1st Street South 07 degrees 38 minutes 29 seconds East, passing through the North boundary of the Partin tract (Record Book 1028, Page 648)

at 209.39 feet in all a total distance of 257.97 feet to a point in the North boundary of the 100' railroad right-of-way, Thence with the said right-of-way North 89 degrees 24 minutes 01 seconds West, 20.21 feet to a point, Thence North 07 degrees 38 minutes 29 seconds West, passing through Partin's Northwest corner at 49.98 feet in all a total distance of 256.06 feet to a point in the said South boundary of 1st Street, Thence with First Street North 79 degrees 28 minutes 17 seconds East, 20.03 feet to the POINT OF BEGINNING. Said tract contains 0.12 acres more or less as surveyed by Kurt M. Johnson, TN RLS #1632, dated September 25, 2016.

The location and extents of Alley #1 and Alley #2 are shown on the Boundary Survey certified to Richard Partin dated October 4, 2016, shown in **Appendix A**.

BE IT FURTHER ORDAINED that ownership of the abandoned alley property is hereby separately and forever transferred to the individual abutting parcels, the extents to be demarcated by the current recorded parcel limits protruding to the alley centerline; provided, that the Town of Monteagle reserves the right to maintain any utility easements within the abandoned alleyways.

BE IT FURTHER ORDAINED that the Mayor of Monteagle is authorized and instructed to execute the abandonment on behalf of the Town.

FINALLY, BE IT FURTHER ORDAINED that this Ordinance shall take effect after its final passage, the public welfare requiring it.

First Reading: Oct. 24, 2016

Final Reading: January 30, 2017

Dail Appleby
Mayor, Town of Monteagle

Attest: Debbie Taylor
Town Recorder of Monteagle

Approved as to Form: Harvey Cameron
Town Attorney

