

# ORDINANCE

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KNOXVILLE TO CLOSE UNIMPROVED CAFEGO AVENUE WITHIN CITY BLOCK 26876, RUNNING FROM HACKMAN STREET TO ITS DEADEND AT MAYNARD GLENN FIELDS PARK, AND AUTHORIZING THE MAYOR TO EXECUTE QUITCLAIM DEEDS TO THE ADJACENT PROPERTY OWNERS.

ORDINANCE NO: \_\_\_\_\_

REQUESTED BY: Engineering Dept.

PREPARED BY: Law Dept.

APPROVED ON 1<sup>ST</sup>

READING: \_\_\_\_\_

APPROVED ON 2<sup>ND</sup>

READING: \_\_\_\_\_

APPROVED AS AN EMERGENCY

MEASURE: \_\_\_\_\_

MINUTE BOOK: \_\_\_\_\_ PAGE \_\_\_\_\_

**WHEREAS**, an adjoining property owner has requested closure of unimproved Cafego Avenue within City Block 26876, running from Hackman Street to its deadend at Maynard Glenn Fields Park, hereinafter more particularly described; and

**WHEREAS**, the Department of Engineering has approved said closure subject to the retention of any drainage and utility easements.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KNOXVILLE THAT:**

**SECTION 1:** Unimproved Cafego Avenue within City Block 26876 shall be closed subject to the retention of any drainage and utility easements, which closure is more particularly described as follows:

Situated within City Ward 26, lying within City Block 26873, in the City of Knoxville, Knoxville, TN, being all of unimproved Cafego Ave and being more generally described as follows:

**Bounded on the west** by the eastern right-of-way of Hackman St; **bounded on the north** by the property of The Baby Rocket Athletic Association, Inc. per Warranty Deed Book 1512, Page 635, Tax I.D. 109EA039; **bounded on the east** by the Maynard Glenn Fields Park, property of the State of Tennessee per Warranty Deed Book 692, Page 328, Tax I.D. 109EA042; **bounded on the south by** the property of Nicholas Guess per Deed Instrument Number 202407020000445, Tax I.D. 109EA038, said area being approximately 50 feet in width and 65 feet in length as it runs between Lots 114 and 113 as shown on the map of City Homes Subdivision, on file in the Knox County Register of Deeds as Map Book B, Slide 82A, Instrument Number 1944050600000000, and in the Technical Services/City Engineering Records as Map Number B-5234B.

Easements are reserved for all drainage facilities and utilities, if any are presently located in or within five (5) feet of the property described herein. If facilities or utilities are found not feasible to the site development or use, they may be removed and relocated, subject to City Engineering and/or other applicable easement holder review and approval.

The above is a general description derived from the referenced documents. No new boundary survey was performed for this description. No warranties of title or boundary certifications are given or implied herein.

**SECTION 2:** After the effective date of said closure, upon application of the adjacent property owners, the Mayor is hereby authorized to execute and deliver quitclaim deeds conveying the City's interest in the aforesaid closure in conformity with this Ordinance and as the interests of the adjacent property owners may appear.

**SECTION 3:** If any part, sentence, phrase, clause, term, word, section, subsection, or provision of this ordinance is declared by a court of competent jurisdiction to be unconstitutional, illegal, or, such decision shall not affect the validity of the ordinance as a whole or any part other than the part so declared to be unconstitutional, illegal, or invalid.

**SECTION 4:** This Ordinance shall take effect seventeen (17) days from and after its passage, the public welfare requiring it.

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Presiding Officer of the Council

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Recorder