

ORDINANCE

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KNOXVILLE TO CLOSE AN UNIMPROVED AND UNNAMED ALLEY OFF THE EASTERN SIDE OF WAVERLY STREET, 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 1ST

READING: _____

APPROVED ON 2ND

READING: _____

APPROVED AS AN EMERGENCY

MEASURE: _____

MINUTE BOOK: _____ PAGE _____

WHEREAS, an adjoining property owner has requested closure of an unimproved and unnamed alley off the eastern side of Waverly Street, running north of 2820 Waverly Street, Tax ID 093EF038, within City Block 23144, 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: An unimproved and unnamed alley off the eastern side of Waverly Street, running north of 2820 Waverly Street within City Block 23144 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 23, lying within City Block 23144, in the City of Knoxville, Knoxville, TN, being an unnamed alley and being more generally described as follows:

BEING ALL of an unnamed alley that is bounded on the west by the eastern right-of-way line of Waverly St; bounded on the north by the property of James W. Bond IV, per Deed Instrument Number 201802200049171, Tax I.D. 093EF040; bounded on the east by the western right-of-way of another unnamed alley as shown on the Map of West Lonsdale Tennessee, within Map Block 61 and running east of between Lots 717 and 718; bounded on the south by the property of Definity Investments, LLC per deed instrument number 202409200016145, Tax I.D. 093EF038, said alley being closed is shown on the said Map of West Lonsdale Tennessee, running between Lots 715, 716, 717, and 718 of Map Block 61.

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.

Presiding Officer of the Council

Recorder