

ORDINANCE

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KNOXVILLE TO CLOSE A PORTION OF O'NEAL STREET ABUTTING THE NORTH SIDE OF CITY BLOCK 19442, 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 applied to close a portion of O'Neal Street abutting the north side of City Block 19442, 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: A portion of O'Neal Street abutting the north side of City Block 19442 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 19, lying within City Block 19442, in the City of Knoxville, Knoxville, TN, being a portion of O'Neil St and being more generally described as follows:

BEING ALL of the portion of O'Neil St that is bounded on the south by the property of John R. Allen per Deed Instrument Number 200503300076759, Tax I.D. 081ID009,

being Lot 82 of Map Block 10 on the map of Rosedale Land and Improvement Co's Addition to Knoxville, Tenn. recorded as Instrument Number 195008310000000, Map Book B, Slide 236B; bounded on the west by the produced eastern line of an unnamed alley shown on the said Rosedale map; bounded on the north by Heiskell Ave and a determined new boundary line running parallel with and south of an existing sidewalk at an offset distance of 2 feet; bounded on the east by Minnesota Ave and a determined new boundary line west of and running parallel with an existing sidewalk at an offset distance of 2 feet.

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