

- d. An Ordinance 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.



CITY OF KNOXVILLE, TENNESSEE

City Council

AGENDA INFORMATION SHEET

AGENDA DATE: April 29, 2025
DEPARTMENT: Engineering Department
DIRECTOR or DESIGNEE: Tom Clabo

AGENDA SUMMARY

An Ordinance 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.

COUNCIL DISTRICT(S) AFFECTED

3rd

BACKGROUND

The applicant (Franco Irakoze, Definity Investments) requested closure of this alley running north of 2820 Waverly Street, Tax I.D. 093EF038, within the City of Knoxville.

Reason per application: The alley is not in use and remains unpaved. It is not needed for public access.

ESTIMATED PROJECT SCHEDULE

N/A

PRIOR ACTION/REVIEW

Approved on first reading at the 4/1/2025 Regular Meeting by a vote of 9-0.

FISCAL INFORMATION

N/A

AIS Prepared By: Aurin Lee - 215-4088

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

(1) Download and fill out this form at your convenience.
(2) Sign the application digitally (or print, sign, and scan).

(3) Either print the completed form and bring it to the
Knoxville-Knox County Planning offices
OR email it to applications@knoxplanning.org

Reset Form



Right-of-Way Closure

Street Alley

APPLICANT INFO

Date 1-30-25

Franco Irakoze

Applicant Name

Affiliation

March 18, 2025 (Tentatively)

Meeting Date (if applicable)

3-B-25-AC

File Number(s)

CORRESPONDENCE

All correspondence related to this application should be directed to the approved contact listed below.

Applicant Owner Option Holder Project Surveyor Engineer Architect/Landscape Architect

Franco Irakoze

Definity Investments

Name

Company

1327 W baxter ave

Knoxville

Tn

37921

Address

City

State

ZIP

865485023

Franco@definityinvestments.com

Phone

Email

CURRENT ROW INFO

Unnamed alley

N

N

Name of Right-of-Way

In use (Y/N)

Improved (Y/N)
(ex: paved)

REQUEST

From Waverly St at the northwest corner of 2820 Waverly St (parcel 093EF038)

Starting point of closure

(from street, alley, city block, lot, etc)

The northeast corner of 2820 Waverly St (parcel 093EF038), where it terminates at an unnamed alley

Ending point of closure

(to street, alley, city block, lot, etc)

Reason for Closure

Attach separate sheet if needed for explanation

I am requesting the permanent closure of the alley adjacent to my property at 2820 Waverly st. The alley is not in use and remains unpaved, making it unnecessary for public access. Given my plans to develop the lot, closing the alley would improve site efficiency, safety, and overall land use.

Provide Map Attach map showing limits of right-of-way proposed for closure.
(drawn to scale)

June 2023



CLOSURE OF PUBLIC RIGHT OF WAY, ZONING MAP

3-B-25-AC

Petitioner: Franco Irakoze, Definity Investments

Name of Street or Alley: Unnamed alley

To be closed from: Waverly Street

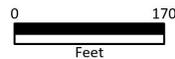
To be closed to: Unnamed alley

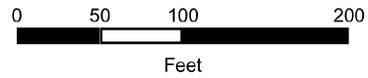
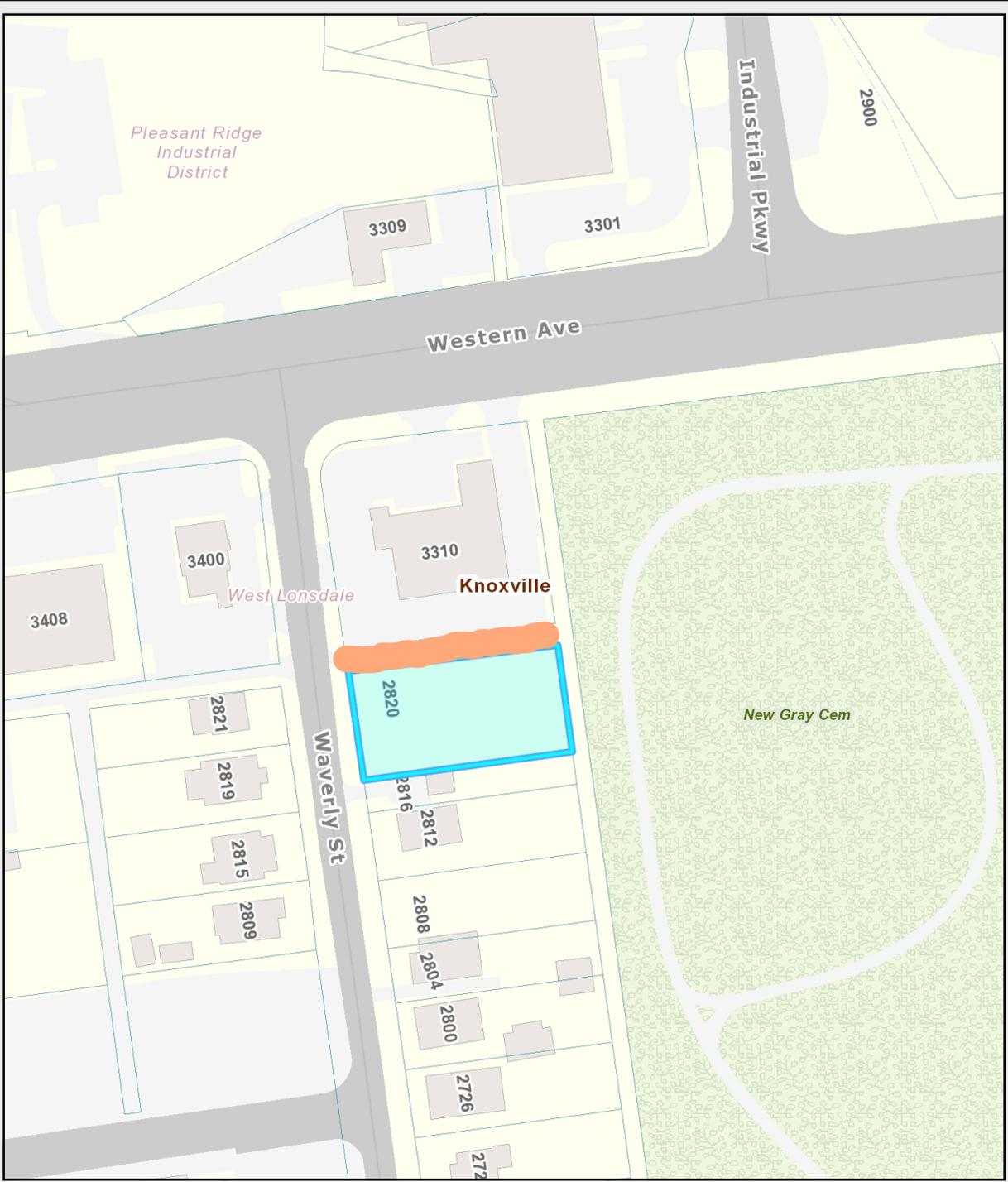
Original Print Date: 2/5/2025

*Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902*

Map No: 93

Jurisdiction: City

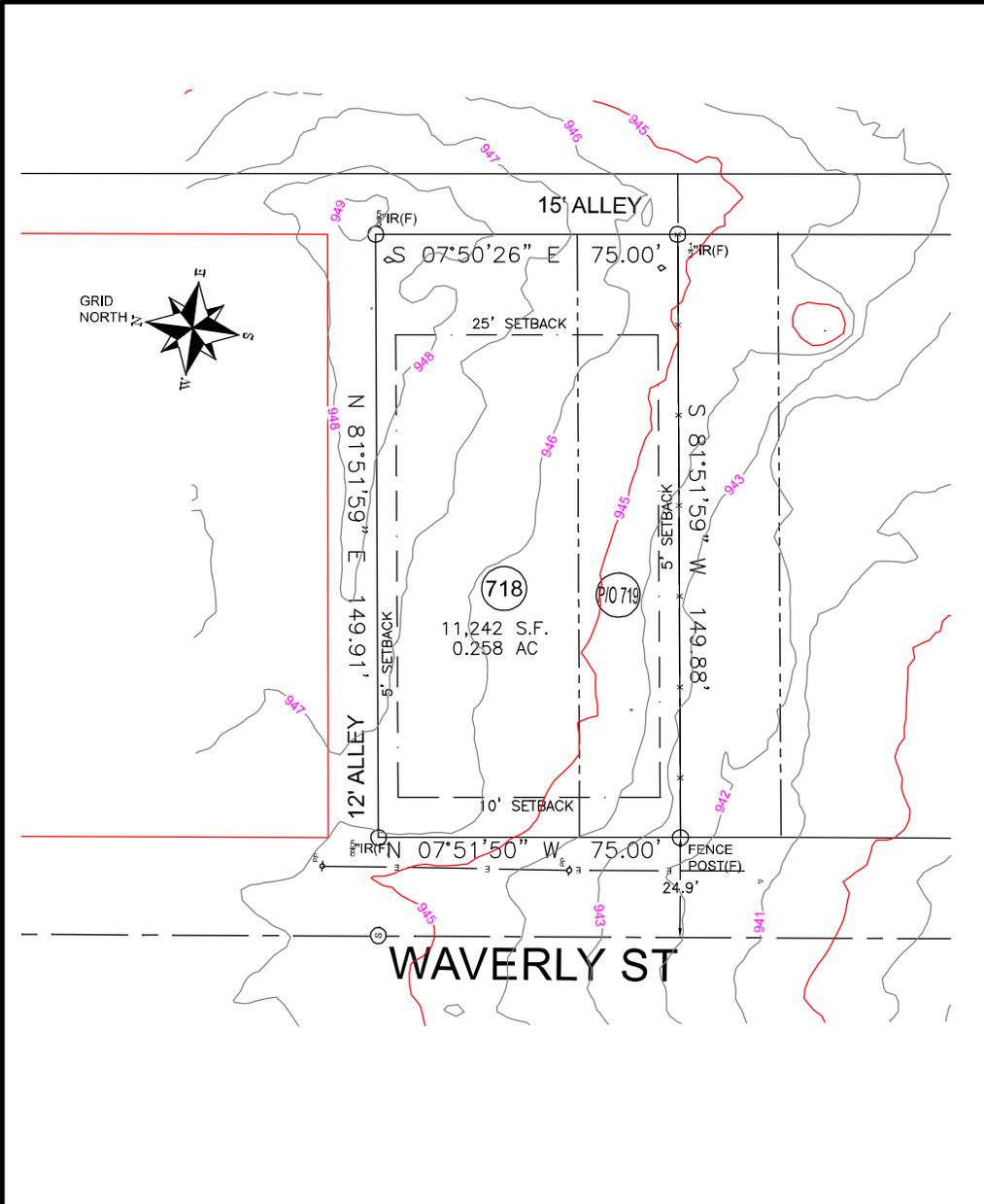




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Printed: 1/30/2025 9:47:43 AM



DATE: 08/22/24

BOUNDARY SURVEY

DRAWING NUMBER 455024

FOR DEFINITY INVESTMENTS LLC
 ADDRESS 2820 WAVERLY STREET
 DISTRICT 9th COUNTY KNOX
 LOT NO. 718 & P/O 719 BLOCK 61 W. LONSDALE S/D
 WARD 23rd CITY BLOCK 23144 DRAWN BY SWA
 MAP CAB. 202408080007829
 TAX MAP 093E GROUP F PARCEL 038.00
 WARRANTY DEED BK. 200402130077097
 MORTGAGE CO.
 TITLE CO.

SCALE 1" = 30'
 CITY KNOXVILLE STATE TN ZIP 37920
 ABBOTT LAND SURVEYING LLC
 STEVEN W. ABBOTT JR, RLS
 1109 E. WOODSHIRE DRIVE
 KNOXVILLE, TN 37922
 OFFICE: (865) 671-1149
 EMAIL: survmap@tds.net



THIS IS TO CERTIFY THAT THIS SURVEY MEETS THE MINIMUM STANDARDS FOR THE STATE OF TENNESSEE. THIS IS TO CERTIFY THAT ON THE DATE SHOWN, I MADE AN ACCURATE SURVEY OF THE PREMISES SHOWN HEREON USING THE LATEST RECORDED DEED AND OTHER INFORMATION FURNISHED TO ME, THAT THERE ARE NO EASEMENTS, ENCROACHMENTS OR PROJECTIONS EVIDENT OTHER THAN THOSE SHOWN. THE SURVEY WAS DONE UNDER THE AUTHORITY OF TCA 62-18-126; AND THE SURVEY IS NOT A GENERAL PROPERTY SURVEY AS DEFINED UNDER RULE 0820-3-07. THIS IS TO CERTIFY THAT I HAVE EXAMINED THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD MAP AND FOUND THE DESCRIBED NOT TO BE LOCATED IN A SPECIAL FLOOD HAZARD AREA.



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