

- x. An Ordinance to close a portion of Hannah Avenue between City Blocks 09248 and 09265, and authorizing the Mayor to execute quitclaim deeds to the adjacent property owner.



CITY OF KNOXVILLE, TENNESSEE

City Council

AGENDA INFORMATION SHEET

AGENDA DATE: June 10, 2025

DEPARTMENT: Engineering Department

DIRECTOR or DESIGNEE: Tom Clabo

AGENDA SUMMARY

An Ordinance to close a portion of Hannah Avenue between City Blocks 09248 and 09265, and authorizing the Mayor to execute quitclaim deeds to the adjacent property owner.

COUNCIL DISTRICT(S) AFFECTED

6th

BACKGROUND

The subject area is a portion of Hannah Avenue beginning at Blackstock Avenue and ending 60 feet east of Heins Street.

The applicant (A.G. Heins Company, Inc.) requested the closure because applicant owns property on both sides of the right-of-way and public ingress/egress is not needed in the area.

Engineering has no objections to the closure subject to retention of easements for all drainage facilities and utilities, if there are any current facilities, located in or within five (5) feet of the property described herein. No easements are reserved if there are no current facilities within the closure area. If any existing facilities or utilities are found not feasible to the site development or use, they may be removed and relocated, subject to City Engineering or other applicable easement holder review and approval.

ESTIMATED PROJECT SCHEDULE

N/A

PRIOR ACTION/REVIEW

Planning Application (attached)

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 A PORTION OF HANNAH AVENUE BETWEEN CITY BLOCKS 09248 AND 09265, AND AUTHORIZING THE MAYOR TO EXECUTE QUITCLAIM DEEDS TO THE ADJACENT PROPERTY OWNER.

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 a portion of Hannah Avenue between City Blocks 09248 and 09265, starting at Blackstock Avenue and ending 60 feet east of Heins Street, 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 Hannah Avenue between City Blocks 09248 and 09265 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 09, lying between City Blocks 09265 and 09248, in the City of Knoxville, Knoxville, TN, being a portion Hannah Avenue and being more generally described as follows:

BEING ALL of the portion of Hannah Avenue that is bounded on the north by the property of A.G. Heins Company, Inc. shown as Lot 96R on the map of the Resubdivision of H. W. Swan's Addition Parcels 094LA006-094LA020 recorded in the Knox County Register of Deeds as Instrument Number 201605100065072 and in the Technical Services/City Engineering Records as Map Number 09265-A; bounded on the east by the western public right-of-way line of Blackstock Ave; bounded on the south by the property of A.G. Heins Company, Inc. per Deed Instrument Number 19510620000011 (Warranty Deed Book 864, Page 505), Tax I.D. 094LA021; bounded on the west by a line produced running perpendicular from the northern line of the said property of A.G. Heins Company, Inc. Tax I.D. 094LA021 and being a distance of 60 feet east from the centerline intersection of Hannah Ave and Heins St, said 60 feet distance is being reserved as public right-of-way in conjunction with 60 feet reserved from a partial closure of Heins Street to facilitate a public right-of-way turnaround.

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



Right-of-Way Closure

☒ Street

☐ Alley

APPLICANT INFO

Date8-20-24

H.G. Heins Company Inc.

owner

Applicant Name

Affiliation

Meeting Date (if applicable)

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

Rusty Baksa

Land Development Solutions

Name

Company

310 Simmons Rd. Suite K

Knoxville

Tn

37922

Address

City

State

ZIP

865 671-2281

rbaksa@ldstn.com

Phone

Email

CURRENT ROW INFO

Hannah Ave

Name of Right-of-Way

In use (Y/N)

Improved (Y/N)
(ex: paved)

REQUEST

Hannah Ave (from Blackstock Ave)

Starting point of closure

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

(Ending at 60 ft east of Heins Street)

Ending point of closure

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

Reason for Closure

Attach separate sheet if needed for explanation

Owner owns parcels on both sides of roads (no public roads are needed)

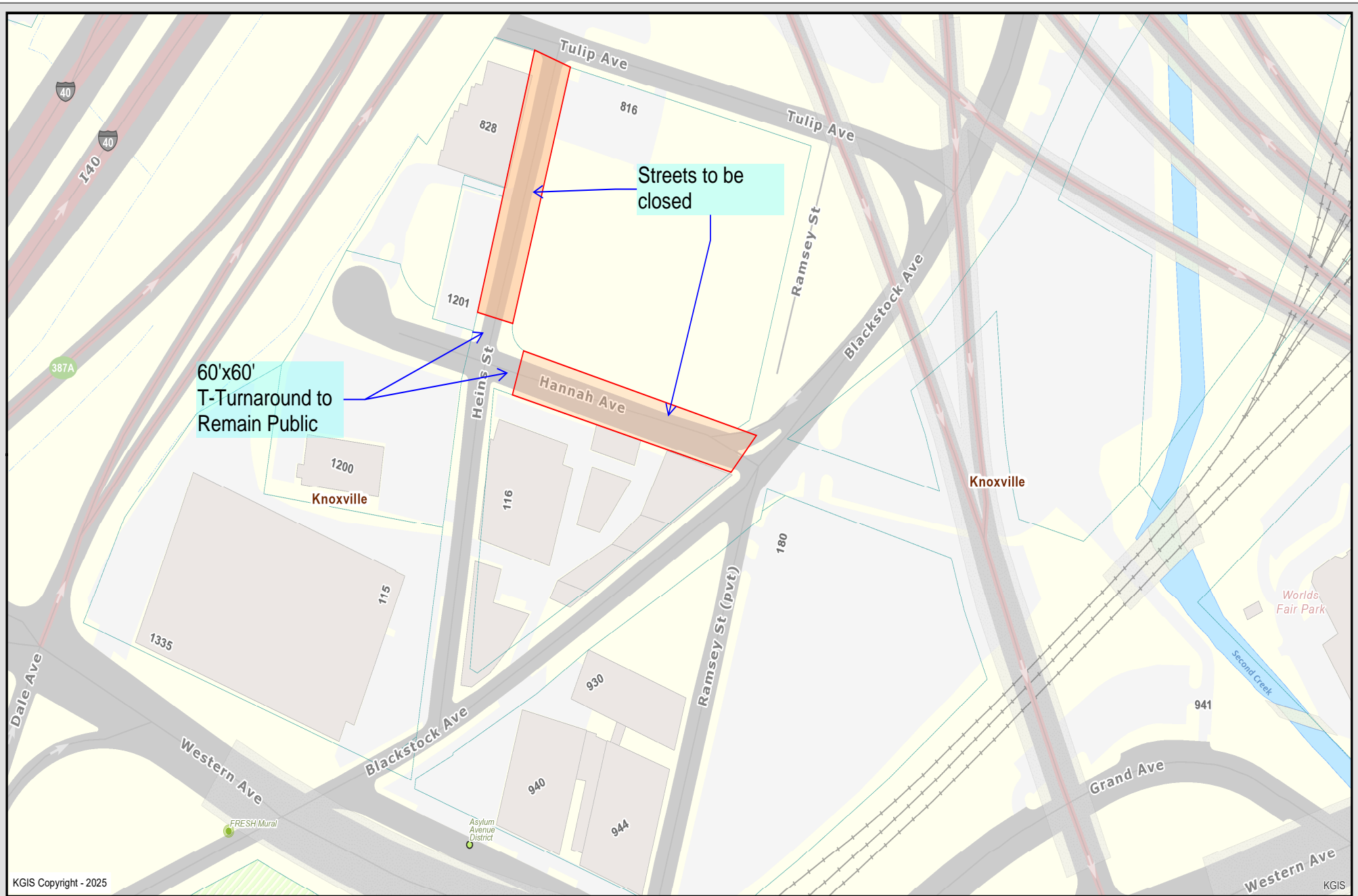
		Fee 1	Total
Map Number	City Council District	Fee 2	
Planning Sector		Fee 3	

AUTHORIZATION *By signing below, I certify I am the property owner, applicant or the owners authorized representative.*

Staff Signature _____ Please Print _____ Date _____

All owners and holders of option on property abutting the proposed closure must sign the list below and express their opinion about this closure. A map showing the location and addresses of these properties must accompany this application.

If more space is needed, attach additional sheets.

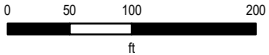


Hannah Ave & Heins St Closures

Knoxville - Knox County - KUB Geographic Information System



Printed: 4/10/2025 at 2:23:43 PM



KGIS makes no representation or warranty as to the accuracy of his map and its information nor to its fitness for use. Any user of this map product accepts the same AS IS, WITH ALL FAULTS, and assumes all responsibility for the use thereof, and further covenants and agrees to hold KGIS harmless from any and all damage, loss, or liability arising from any use of this map product.

Right-of-Way Closure - Review Comments

APPLICANT

Applicant: **H.G. Heins Company Inc.**

Date Filed: **10/1/2024**

File Number: **11-B-24-SC**

Jurisdiction: **City Council District 5**

REQUEST

Right-of-Way: **Hannah Ave.**

Type: **Street**

In use (Y/N): **Yes**

Improved (Y/N): **Yes**

Starting point of closure: **Blackstock Ave.**

Ending point of closure: **60 ft east of Heins St.**

Between (City block or lot, where appropriate): **Tulip Ave.**

And (City block or lot, where appropriate): **Western Ave.**

Applicant's Reason for Closure:

Owner owns the parcels on both sides of the road, so no public roads are needed.

REVIEW COMMENTS

BACKGROUND:

The applicant is requesting closure of the Hannah Avenue right-of-way from Heins Street to Blackstock Avenue. The portion of Hannah Avenue to the east of the requested closure is controlled by the TN Department of Transportation (TDOT) and would not be considered a remnant of leftover right-of-way should this request be approved. A portion of the Hannah Avenue right-of-way from Heins Street to the northwest terminus at the I-40 right-of-way was closed in 2017 (O-249-2017). The subject right-of-way provides legal access to 2 parcels also owned by the applicant. These parcels would remain accessible if the Hannah Avenue right-of-way were to be closed. If approved for closure, the right-of-way will be combined with the adjacent parcels and converted to private property. This request is accompanied by a request to close the Heins Street right-of-way, which intersects with Hannah Avenue (11-A-24-SC).

COMMENTS:

The reviewing departments and organizations had these comments:

- Planning: Since the applicant owns all abutting properties, Planning has no objections to the closure.
- City of Knoxville Engineering: With the addition of reserving a 60-foot portion of Hannah Ave to remain as an area for a public turnaround, City Engineering has no objections to the closure. Should this right-of-way be closed, the City will reserve easements for all drainage facilities and utilities, if there are any current facilities, located in or within five (5) feet of the property described herein. No easements are reserved if there are no current facilities within the closure area. If any existing 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.
- Addressing: The proposed ROW closure will cause two addresses to be reassigned. If approved by City Council, new addresses will be assigned based on access to the buildings. A copy of the review was mailed to the owner on 10/23/2024 for the address reassignment.

- Fire Department: Approved for fire dept access.
- KUB: We have reviewed our records and find that we have existing utility facilities located within the subject right-of-way. The approximate locations of these facilities are indicated on the enclosed prints. However, KUB does not release and hereby retains all easements and rights for existing utility facilities, whether or not shown on these prints. Should this right-of-way be closed, KUB will require the following permanent easements for its utility facilities.
 - Electric – 10 feet on each side of the centerline of the overhead lines, 20 feet total width
 - Sewer – 7.5 feet on each side of the centerline of the sewer line, 15 feet total width
 - Water – 7.5 feet on each side of the centerline of the water line, 15 feet total width
- AT&T: AT&T would request that they retain a 10-ft easement in place along the existing pole line on the South side of Hannah Ave. between Hiens St and Blackstone Ave.
- TDOT: The roadway closure requested for review has no impact to state owned ROW. Therefore, TDOT takes no exception to the request.