

ORDINANCE 2016-4

AN ORDINANCE TO CLOSE, VACATE AND ABANDON
A PORTION OF THE RIGHT OF WAY OF A ___ STREET CALLED REDWING AVENUE
AT THE REAR OF 121 WESTHAMPTON PLACE AND 400 SUNNYSIDE DRIVE.

WHEREAS:

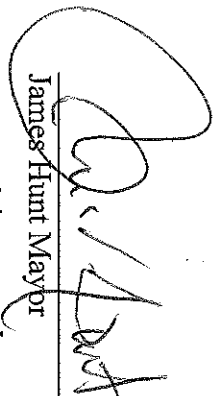
1. There is shown on the recorded plan of Deux Properties of record in Plat Book 6900, page 227, Register's Office for Davidson County, Tennessee, (the "Deux Properties Subdivision") a ___ foot street called Redwing Avenue, across the west property line (the "Right of Way") that terminates at the northern boundary line of Lot 2 of the Deux Properties Subdivision; and There is shown on the Plan of Re-subdivision of Lots Nos. 20-23 and the southerly 50 feet of Lot 24 as shown on the unrecorded plan of Honeywood Subdivision, of record in Plat Book 5200, page 324, Register's Office of Davidson County, Tennessee, a ___ foot street called Redwing Avenue, across the east property line (the "Right of Way") that terminates at the northern said lot and is coterminous with the Right of Way depicted as the boundary of Lot 2 of the Deux Properties Subdivision.
2. The dedication of the Right of Way has never been accepted by the City of Belle Meade, utilized by the Public, nor improved as a Public Street.
3. The owners of Lot 2 of the Deux Properties, the street address for which is 121 Westhampton Place, parties have requested that the City abandon the same as a public right-of-way across their Lot, and their lot only, which request the Commissioners deem to be in order.

NOW, THEREFORE, BE IT ORDAINED by the City of Belle Meade as follows:

Section 1. The Right of Way, as described above, is hereby declared closed, vacated and abandoned.

Section 2. Any and all public utility or other easements in said right-of-way are hereby retained by the City of Belle Meade, its agents, servants and/or contractors, and utility companies operating under franchises from the City of Belle Meade, or from the Metropolitan Government of Nashville and Davidson County, Tennessee, for the right to enter, construct, operate, maintain, repair, rebuild, enlarge and patrol its now existing and/or future utilities, including sewer, water and drainage facilities, together with their appurtenances, and for the doing of any and all things necessary and incidental thereto.

Section 3. This Ordinance shall take effect upon the expiration of fifteen (15) days following its adoption.



James Hunt Mayor


Kemisha Sadler, City Recorder

Passed on first reading, April 27, 2016.

Approved by Municipal Planning Commission, May 17, 2016.

Passed on second reading, May 18, 2016.