

ORDINANCE 2002-5

AN ORDINANCE TO CLOSE, VACATE AND ABANDON AN UNIMPROVED RIGHT OF WAY AS SHOWN ON THE RECORDED PLAN OF B. E. WOODARD'S WARNER PARK SUBDIVISION AND TO RETAIN AN EASEMENT IN THE SAME FOR PRESENT AND FUTURE USE BY SEWERS AND OTHER UTILITIES

WHEREAS:

- 1. There is shown on the recorded plan of B. E. Woodard's Warner Park Subdivision, as of record in Book 1130, page 87, Register's Office for Davidson County, Tennessee, an unimproved right of way, ten (10) feet in width and extending from Chickering Road on the east to East Brookfield Avenue on the west, the same being bounded by lots 29 and 38 on the north and by lots 28 and 39 on the south (the "Right of Way").
- 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 right of way.
- 3. The parties owning property abutting both sides of the Right of Way have requested that the City abandon the same as a public right-of-way, which request the Commissioners deem to be in order.

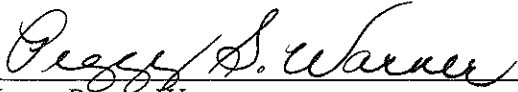
NOW, THEREFORE, BE IT ORDAINED by the City of Belle Meade as follows:

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.

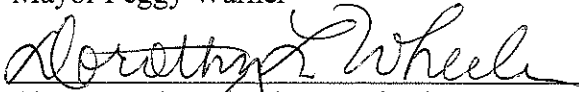
Section 3. This Ordinance shall take effect upon the expiration of fifteen (15) days following its adoption.

Passed on first reading
May 15, 2002



Mayor Peggy Warner

Passed on second reading
June 26, 2002



City Recorder Dorothy L. Wheeler