

ORDINANCE 2003-7

AN ORDINANCE TO CLOSE, VACATE AND ABANDON A
PORTION OF A RIGHT OF WAY AS SHOWN ON THE MAP OF A SUBDIVISION OF LOTS
NOS.19, 20, AND 21, BELLE MEADE SECOND ADDITION, AND TO RETAIN AN
EASEMENT IN THE SAME FOR PRESENT AND FUTURE USE BY WATER
DRAINAGE FACILITIES, TELEPHONE AND OTHER UTILITIES

WHEREAS:

1. There is shown on the recorded Map of the Subdivision of Lots Nos. 19, 20 and 21, Belle Meade Second Addition, as of record in Book 421, Page 172, Register's Office for Davidson County, Tennessee, a right of way, five (5) feet in width between Lots Nos. 11 and 12, which right of way extends in a westerly direction from Belle Meade Boulevard 296.2 feet along the north side of Lot No. 11 and 296.3 feet along the south side of Lot No. 12 to the rear line of Lots Nos. 11 and 12 and contains an underground storm water drainage culvert and telephone service to Lots 11 and 12 (the "Right of Way"); and
2. The dedication of the Right of Way has never been accepted by the City of Belle Meade; the Right of Way has never been improved or utilized by the public as a right of way; and
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 has been recommended to the Board of Commissioners by the Belle Meade Planning Commission;

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 telephone, water and drainage facilities, together with their appurtenances, and for the doing of any and all things necessary and incidental thereto.

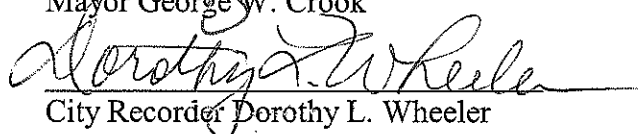
Section 3. This Ordinance shall take effect upon the expiration of fifteen (15) days following its adoption.

Passed on First Reading
October 16, 2003

Passed on Second Reading
November 19, 2003



Mayor George W. Crook



City Recorder Dorothy L. Wheeler