



AGENDA

**BOARD OF MAYOR AND ALDERMEN
CALLED BUSINESS MEETING
Monday, December 19, 2022, 4:30 p.m.
City Hall, 415 Broad St., Boardroom, 3rd Floor**

Board of Mayor and Aldermen

Mayor Patrick W. Shull, Presiding
Vice Mayor Colette George
Alderman Betsy Cooper
Alderman Darrell Duncan

Alderman Paul W. Montgomery
Alderman Tommy Olterman
Alderman James Phillips

City Administration

Chris McCartt, City Manager
Michael Borders, Assistant City Manager
Bart Rowlett, City Attorney
Lisa Winkle, City Recorder/Treasurer
Tyra Copas, Human Resources Director
John Morris, Budget Director
Floyd Bailey, Chief Information Officer

Ryan McReynolds, Deputy City Manager
Jessica Harmon, Assistant City Manager
Dale Phipps, Police Chief
Scott Boyd, Fire Chief
Adrienne Batara, Public Relations Director
John Rose, Economic Development Director

I. CALL TO ORDER

II.A. PLEDGE OF ALLEGIANCE TO THE FLAG

II.B. INVOCATION

III. ROLL CALL

COMMENT

Citizens may speak on agenda items. When you come to the podium, please state your name and address and sign the register that is provided. You are encouraged to keep your comments non-personal in nature, and they should be limited to five minutes. A total of thirty minutes is allocated for public comment during this part of the agenda.

IV. BUSINESS MATTERS REQUIRING FIRST READING

1. An Ordinance to Amend an Ordinance that Abandoned a Section of a Stormwater Sewer Easement Located off of Tay Station (AF: 385-2022) (Bart Rowlett)
 - Ordinance – First Reading

V. ADJOURN



AGENDA ACTION FORM

An Ordinance to Amend an Ordinance that Abandoned a Section of a Stormwater Sewer Easement Located off of Tay Station

To: Board of Mayor and Aldermen
From: Chris McCart, City Manager *CM*

Action Form No.: AF-385-2022 Final Adoption: December 20, 2022
Work Session: December 19, 2022 Staff Work By: Bart Rowlett
First Reading: December 19, 2022 Presentation By: Bart Rowlett

Recommendation:

Approve the Ordinance.

Executive Summary:

The board approved Ordinance No. 7046 at the second reading on October 18, 2022 which was an ordinance to abandon a section of a stormwater Sewer Easement located off of Tay Station in the West Gate area of West Stone Drive.

Due to a scrivener’s error the book, page number, and legal description for the recorded easement contained in Ordinance No. 7046 was incorrect. This Ordinance will amend the previous ordinance to correct these errors.

Attachments:

- 1. Ordinance

	<u>Y</u>	<u>N</u>	<u>O</u>
Cooper	—	—	—
Duncan	—	—	—
George	—	—	—
Montgomery	—	—	—
Olterman	—	—	—
Phillips	—	—	—
Shull	—	—	—

ORDINANCE NO. _____

AN ORDINANCE TO AMEND ORDINANCE NUMBER 7046 ABANDONING A SECTION OF A STORMWATER SEWER EASEMENT LOCATED OFF OF TAY STATION SITUATED IN THE CITY OF KINGSPORT, TWELFTH CIVIL DISTRICT OF SULLIVAN COUNTY; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

WHEREAS, the board adopted Ordinance No. 7046 on second reading at its October 18, 2022 meeting abandoning a stormwater easement located in the 12th Civil District of Sullivan County; and

WHEREAS, following adoption of Ordinance No. 7046 it was discovered that as a result of a scrivener's error the deed book, page number, and legal description for the recorded easement was incorrect; and

WHEREAS, this ordinance amends Ordinance Number 7046 to correct the scrivener's error.

BE IT ORDAINED BY THE CITY OF KINGSPORT, as follows:

SECTION I. The city hereby amends Ordinance Number 7046 to correct information related to the abandoned easement, said easement to be abandoned being of record in Deed Book 651c Page 267 and more particularly described as follows:

SITUATED in the Twelfth (12th) Civil District of Sullivan County, Tennessee, and being more particularly described as follows:

BEING a parcel of land 12 feet in width, 6 feet on either side of a centerline described as follows:

TO FIND THE POINT OF BEGINNING, commence at a concrete monument located at the intersection of the northwesterly right-of-way line of West Stone Drive (U.S. Highway 11-W and State Highway No. 1) with the northeasterly right-of-way line of Interstate Highway 181 and corner to Outsite #1 (Developers Corporation property); thence along the common line of the northeasterly right-of-way line of Interstate Highway 181 and Outsite #1, N. 59° 08' 45" W., 34.04 feet to the point of BEGINNING; thence across Outsite #1, two calls as follows: N. 72° 42' E., 42.25 feet to the point of intersection with "B" line; N. 57° 42' W., 107.62 feet to a point in the common property line of Outsite #1 and Outsite #2 (Developers Corporation property); thence across the said Outsite #2, three calls as follows: N. 57° 42' W., 4.66 feet to a point; N. 27° 53' E., 90.22 feet to a point; and N. 20° 40' W., 69.40 feet to a point in the common property line of the said Outsite #2 and Tract 1 (Ed H. Street, Jr. and Judy R. Street property); thence across the said Tract 1, to calls as follows: N. 20° 40' W., 219.12 feet to a point; N. 22° 06' E., 237.57 feet to a point in the southwesterly right-of-way line of Plantation Road, said point being located S. 18° 21' E., 412.46 feet, as measured along the said southwesterly right-of-way line of Plantation Road from the common corner of Tract 1 and Model City Associates.

BEING a portion of the same property conveyed to the City of Kingsport, Tennessee, a municipal corporation, by Deed of Easement from Ed H. Street, Jr., Judy R. Street and Developers Corporation, a Tennessee corporation, of record in Book 651C, Page 267, in

the Register's Office for Sullivan County, Tennessee, dated December 22, 1988, and recorded on December 28, 1988.

SECTION II. That this ordinance shall take effect from and after its date of passage as the law directs, the welfare of the City of Kingsport, Tennessee, requiring it.

PATRICK W. SHULL, Mayor

ATTEST:

ANGELA MARSHALL, Deputy City Recorder

APPROVED AS TO FORM:

RODNEY B. ROWLETT, III, City Attorney

PASSED ON 1ST READING: _____

PASSED ON 2ND READING: _____