

ORDINANCE 98-5

AN ORDINANCE PROVIDING THE PERMANENT CLOSING OF AN UNUSED AND ABANDONED EASEMENT FOR PUBLIC UTILITIES AND DRAINAGE PURPOSES LOCATED ON AND RUNNING THROUGH PROPERTY OF FRANKLIN ROAD ACADEMY ON THE EASTERLY SIDE OF FRANKLIN ROAD, AS MORE PARTICULARLY DESCRIBED IN DEED BOOK 6570, PAGE 727, R.O.D.C., TN.; WHICH EASEMENT IS SHOWN ON THE PLAN ATTACHED HERETO PREPARED BY LITTLEJOHN ENGINEERING ASSOCIATES.

WHEREAS, a petition was filed by interested and affected property owners with the Municipal Planning Commission of Oak Hill, Tennessee, seeking the official closing and abandonment of a unused and abandoned easement for public utilities running through property of Franklin Road Academy on the easterly side of Franklin Road;

WHEREAS, said Municipal Planning Commission has recommended to the Commissioners of Oak Hill that said right of way be officially closed and abandoned; and

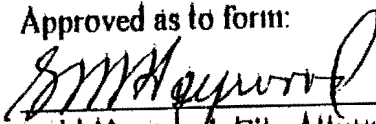
WHEREAS, after written notice by the City Manager to all affected property owners and the holding of a public meeting at the time and place set out in said notice, the Commissioners of the City of Oak Hill find that said easement is unopened and unused and it is unlikely that it will ever be used; and is not a means of ingress or egress to any property owner; and the Commissioners have determined that the closing of said easement will be in the best public interest:

Section 1. Now therefore, be it ordained by the Commissioner of the City of Oak Hill that the easement above described be and the same is hereby abandoned and closed for public utility and drainage purposes, forever;

Section 2. Be it further resolved, that this Ordinance take affect after final adoption; the public welfare requiring it.

First Reading: October 15, 1998
 Second Reading: December 10, 1998

Approved as to form:



 E. M. Haywood, City Attorney