

ORDINANCE NO.2022-06

AN ORDINANCE ABANDONING AN UNOPENED STREET LOCATED WITHIN
THE CITY OF LAFOLLETTE

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND
ALDERMAN OF THE CITY OF LAFOLLETTE, TENNESSEE, as follows:

That an unopened right of way is located within the within said City identified as a
portion of S. 9th Street. Said portion of S. 9th Street is located between W. Chestnut
Street and W. Elm Stret.

That said unopened right of way is not improved and is not used by the City as a right of
way or street.

That said right of way provides no access or means of ingress or egress to any property.

That the City has no use for said right of way and it has no monetary value.

That the City of LaFollette desires to abandon said right of way;

That the abandonment of said right of way would not land lock any other property;

That the City agrees to abandon said right of way and declare the same as surplus
property. The City further agrees to evenly convey the abandoned right of way to the
adjoining property owners.

That the City shall retain a right of way in favor of LaFollette Utility Board for the
installation and maintenance of city installed utilities.

That the subject right of way adjoins the following parcels:

- (a). Frances L. Kurowicki, Parcel ID No. 094B-E-037.00
- (b). Steve Carroll, Parcel ID No. 094B-E-009.00
- (c). Lisa Roberson, Parcel ID No.094B-E-038.00
- (d). Curtis Heatherly & Lisa Heatherly, Parcel ID No. 094B-E-007.03

Wherefore, the City hereby abandons said unopened right of way described as follows:

Beginning at a point located along the common corner of the W Chestnut Street. and S
9th Street right of ways and said point being the corner of the Steve Carroll property
(Book 518, Page 541); thence leaving the W. Chestnut Street right of way and running
with the Carroll, Roberson and Kurowicki properties in an easterly direction,
approximately 437 feet to a point located along the W Elm Street right of way; thence in
a southwesterly direction with the W. Elm Street right of way approximately 85 feet to to

a point of intersection of S. 9th Street and W. Elm Street and along the Roberson property; thence running west approximately 437 feet along the Roberson and Heatherly properties to a point located along W. Chestnut Street; thence with W. Chestnut Street approximately 85 feet to the beginning point.

A. **Conflict with Other Ordinances.** In case of conflict between this ordinance or any part thereof, and the whole or part of any existing or future ordinance of the City of LaFollette, the most restrictive shall in all cases apply.

B. **Validity.** If any section, clause, provision, or portion of this Ordinance shall be held to be in doubt or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of this Ordinance which is not of itself invalid or unconstitutional.

C. **Effective Date.** This ordinance shall become effective upon passage and publication, the public welfare requiring it.

Passed 1st reading, April 5, 2022, 2022.

Passed 2nd reading, April 5, 2022, 2022.

Passed 3rd reading, May 10, 2022, 2022.

Phillip Fauman
MAYOR
[Signature]
RECORDER

Councilperson, Mr. Hoskins, moved the adoption of the foregoing Ordinance on first reading, second by Councilperson Mrs. Solomon, upon roll call the vote on said motion was as follows:

AYE: Mr. Hoskins
Mr. Kitts
Mrs. Solomon

NAY: