

ORDINANCE 2021-17

ORDINANCE ABANDONING THE UNUSED RIGHT-OF-WAY FOR AN UNNAMED ALLEY EAST OF WILKINSVILLE ROAD AND APPROXIMATELY 250' SOUTH OF GLENCOE WAY, AND QUIT CLAIM THE CITY'S ABANDONED RIGHT-OF-WAY TO THE ADJOINING PROPERTY OWNER

WHEREAS, Article II, Section 2.02 of the City Charter empowers the City of Millington to acquire or receive and hold, maintain, improve, sell, lease, mortgage pledge or otherwise dispose of real property; and,

WHEREAS, the Millington Municipal Planning Commission of the City of Millington, Tennessee, after reviewing the attached Exhibit "A" at their meeting on September 20, 2021, and recommended to the City of Millington Board of Mayor and Aldermen to approve the abandonment of said right-of-way and transfer to the adjoining property owner, pursuant to Sections 13-4-104 of the Tennessee Code Annotated; and,

WHEREAS, the Board of Mayor and Aldermen after consideration of recommendations of the City staff are of the opinion that it is proper, necessary and in the best interests of the health, safety, morals and general welfare of the City to abandon a certain portion of the unused right-of-way described on Exhibit "A" and quit claim the said abandoned right-of-way to the adjoining property owners.

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of the City of Millington, Tennessee, that a certain portion of the unused right-of-way for the unnamed alley described in the attached Exhibit "A" be abandoned and the City does henceforth close, abandon, relinquish and quitclaim any and all title it may have, either legal or equitable, in the underlying right-of-way to the adjoining property owners. Furthermore, Terry Jones in his capacity as Mayor is hereby authorized to execute any and all deeds, documents or agreements to transfer the said underlying right of way, subject to the review and approval of the City Attorney.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon its final passage, the public welfare requiring it.

Public Hearing: October 11, 2021

First Reading: October 11, 2021

Final Reading: October 18, 2021

Terry G. Jones, Mayor

Karen Findley, City Clerk

Exhibit A

This alley is 20' wide, 150' long and is located east of Wilkinsville Road and approximately 250' south of Glencoe Way, as shown on the Shelby Mall Commercial Subdivision Phase II recorded in Plat Book 193, page 30 of the Shelby County Register. A portion of this plat is shown below.

