



**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION
CITY OF KNOXVILLE CLOSURE OF PUBLIC RIGHT-OF-WAY**

▶ **FILE #:** 3-A-06-SC **AGENDA ITEM #:** 6
POSTPONEMENT(S): 3/9/2006-5/11/2006 **AGENDA DATE:** 6/8/2006

▶ **APPLICANT:** STANLEY F. HAMILTON

TAX ID NUMBER: 69 A F 001
JURISDICTION: Council District 5
SECTOR PLAN: North City
GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)
ZONING: R-2 (General Residential)

▶ **RIGHT-OF-WAY TO BE CLOSED:** Carl Street
▶ **LOCATION:** Between west right-of-way of E. Inskip Dr. and Dead-end (Approximately 235 feet)

IS STREET:
(1) IN USE?: No
(2) IMPROVED (paved)?: No

▶ **APPLICANT'S REASON FOR CLOSURE:** To combine with adjoining property.

DEPARTMENT-UTILITY REPORTS: The City Engineering Department has objected to a partial closure , but would support closure of the entire street section; subject to any required easements.

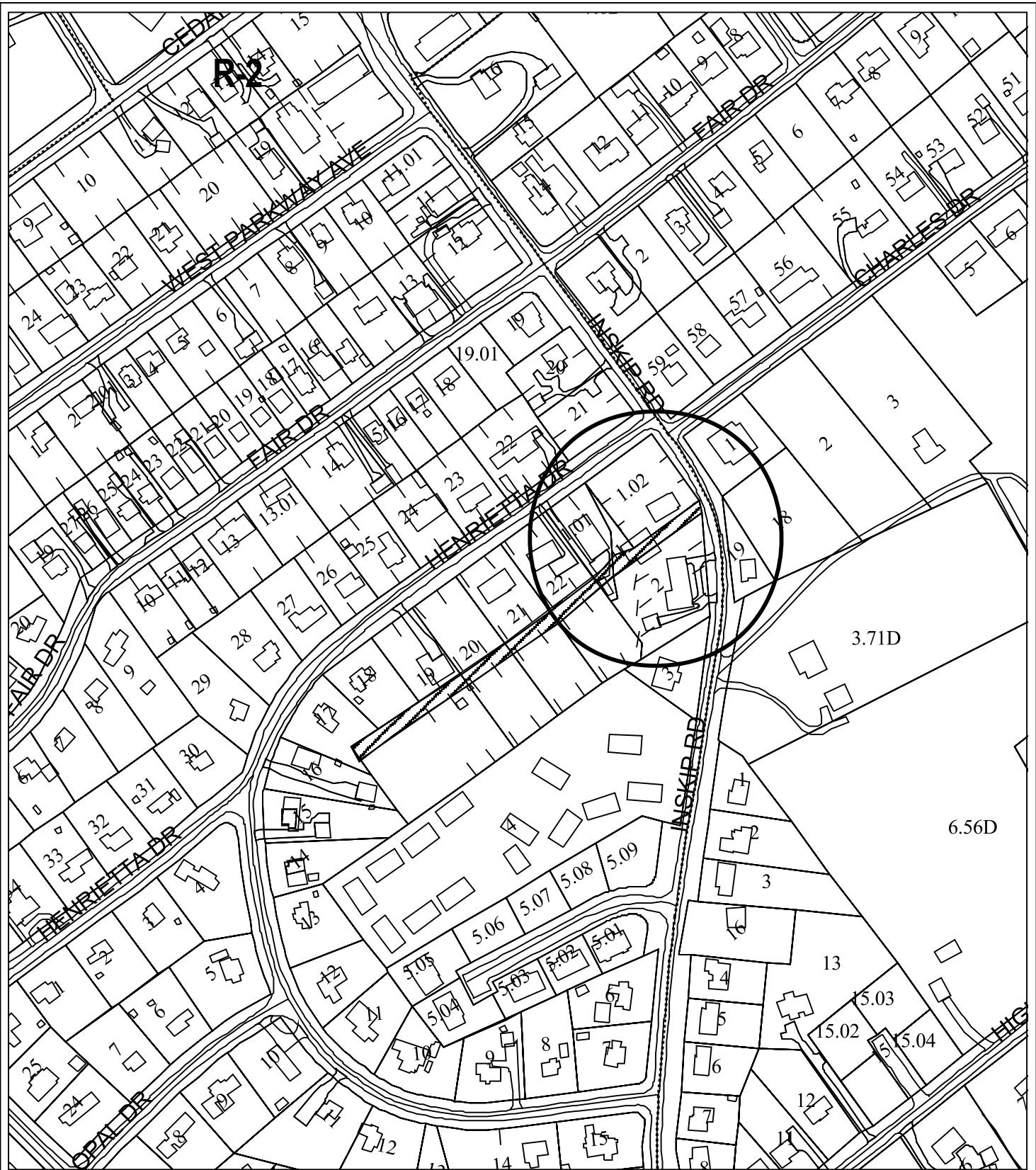
STAFF RECOMMENDATION:

▶ **APPROVE the closure of this unopened right-of-way for its entire length**
Closing the entire "paper" street is needed to clear title to adjoining properties to this right-of-way. The applicant and staff have contacted all the adjoining property owners to determine their support for the closure.

COMMENTS:

The property's on both sides of this paper right-of-way, as well as the right-of-way itself, are included in the deeds of the parcels fronting on the south side of Henrietta Dr., and the west side of Inskip Rd. Closing this right-of-way and having the city convey a quit claim deed for the appropriate portion of right-of-way is the first step in clearing these titles.

If approved, this item will be forwarded to Knoxville City Council for action on 7/5/2006 and 8/1/2006. If denied, MPC's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.



**3-A-06-SC
CLOSURE OF PUBLIC RIGHT OF WAY**

Petitioner: Stanley F. Hamilton

Map No: 69

Jurisdiction: City

Name of Street or Alley: Carl Street
 To be closed from: West right-of-way of E. Inskip Dr.
 To be closed to : Deadend (Approximately 235 feet)

Original Print Date: 02/23/06 Revised: 06/01/06
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



CITY OF KNOXVILLE

BILL HASLAM MAYOR



Engineering Division

Stephen J. King, P.E.

Director

February 20, 2006

Mr. Ken Pruitt, Principal Planner
Metropolitan Planning Commission
Suite 403, City-County Building
Knoxville, Tennessee 37901

FEB 21 2006

METROPOLITAN PLANNING
COMMISSION

SUBJECT: Request to Close Carl Street
MPC File #3-A-06-SC / City Block 38770

Dear Mr. Pruitt,

This is a request by Mr. Stanley Hamilton to close "Carl Street" from Inskip Road westerly about 275 feet to its dead end. A plat of Wassman's Subdivision recorded in Map Bk. 7, Pg. 100 shows this "street" actually to be a 20-foot alley named "Carl Avenue."

Ever since this area was annexed around 1962, the City ward map has shown this as a public alley that extends westerly about 780 feet from Inskip Road until it dead-ends into Lot 12 of Inskip Homes Subdivision (Map Bk. 14, Pg. 158). Over the years, the westernmost 500 feet or so appears to have been included in conveyances of adjoining properties.

To the best of my knowledge, none of this alley has ever been closed by City Council. This could cause title problems for adjoining claimants. Therefore, with the condition that Mr. Hamilton amends his application to include all of Carl Avenue (780 feet, more or less), City Engineering will not object to this request.

If you have any questions, please call. You can reach me at 215-2148.

Sincerely,

Floyd R. Smith, R.L.S.

Technical Services Administrator

C: Stephen J. King, P.E., Director, Engineering Division
Brent Johnson, P.E., R.L.S., Deputy Director, Engineering Division
Mark Geldmeier, P.E., Chief, Traffic Engineering Section
Tom Clabo, P.E., Chief, Civil Engineering Section
David McGinley, P.E., Stormwater Section, Eng. Division
File

kp060220 cls carl ave 3-A-06-SC doc



Knoxville Utilities Board



February 9, 2006

Mr. Ken Pruitt
Knoxville-Knox County
Metropolitan Planning Commission
Suite 403, City-County Building
Knoxville, Tennessee 37902

Dear Mr. Pruitt:

Re: Right-of-Way Closure Request 3-A-06-SC

We have reviewed our records and, as far as we have been able to determine, KUB has no existing utility facilities located within the subject right-of-way and we have no objection to the requested closure. However, KUB does not release and hereby retains all easements and rights for existing utility facilities, whether or not identified in our research.

If you have any questions regarding this matter, please call me at 558-2735.

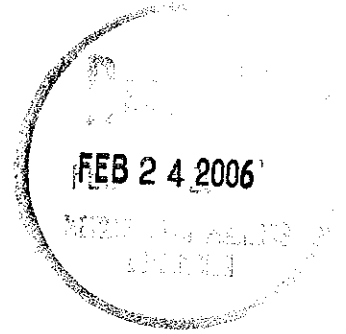
Sincerely,

Pat Patterson
Engineering

PP:ggt

BELLSOUTH

BellSouth Telecommunications, Inc.
9733 Parkside Drive
Knoxville, TN 37922



February 21, 2006

TO: Metropolitan Planning Commission

FROM: Walter M. Primm
BellSouth
9733 Parkside Dr.
Knoxville, TN 37922

SUBJECT: STANLEY F. HAMILTON – Closure of Carl Street from Inskip Drive to deadend, approximately 235 feet. Council District 5, North City Sector – 3-A-06-SC

BellSouth has facilities in this area. The closing will be satisfactory as originally proposed with an easement to maintain and replace our plant as needed in the area in question.

Thank you,

A handwritten signature in black ink, appearing to read "Walter M. Primm". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Walter M. Primm