



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

▶ **FILE #:** 4-A-11-SC

AGENDA ITEM #: 5

AGENDA DATE: 4/14/2011

▶ **APPLICANT:** RALPH SMITH/PLS

TAX ID NUMBER: 58 B F 013 058BG002, 058BG00208
JURISDICTION: Council District 4
SECTOR PLAN: North City
GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)
ZONING: R-1 (Low Density Residential)
WATERSHED: First Creek

▶ **RIGHT-OF-WAY TO BE CLOSED:** Tillery St

▶ **LOCATION:** Between Fountain Road right-of-way and approximately 350 ft. northwest to corner of Tax Parcel 058BF013

IS STREET:

(1) IN USE?: No

(2) IMPROVED (paved)?: No

▶ **APPLICANT'S REASON FOR CLOSURE:** To allow resubdivision of property with addition of right-of-way to new lots

DEPARTMENT-UTILITY REPORTS: No objections have been received by staff as of April 1, 2011.

STAFF RECOMMENDATION:

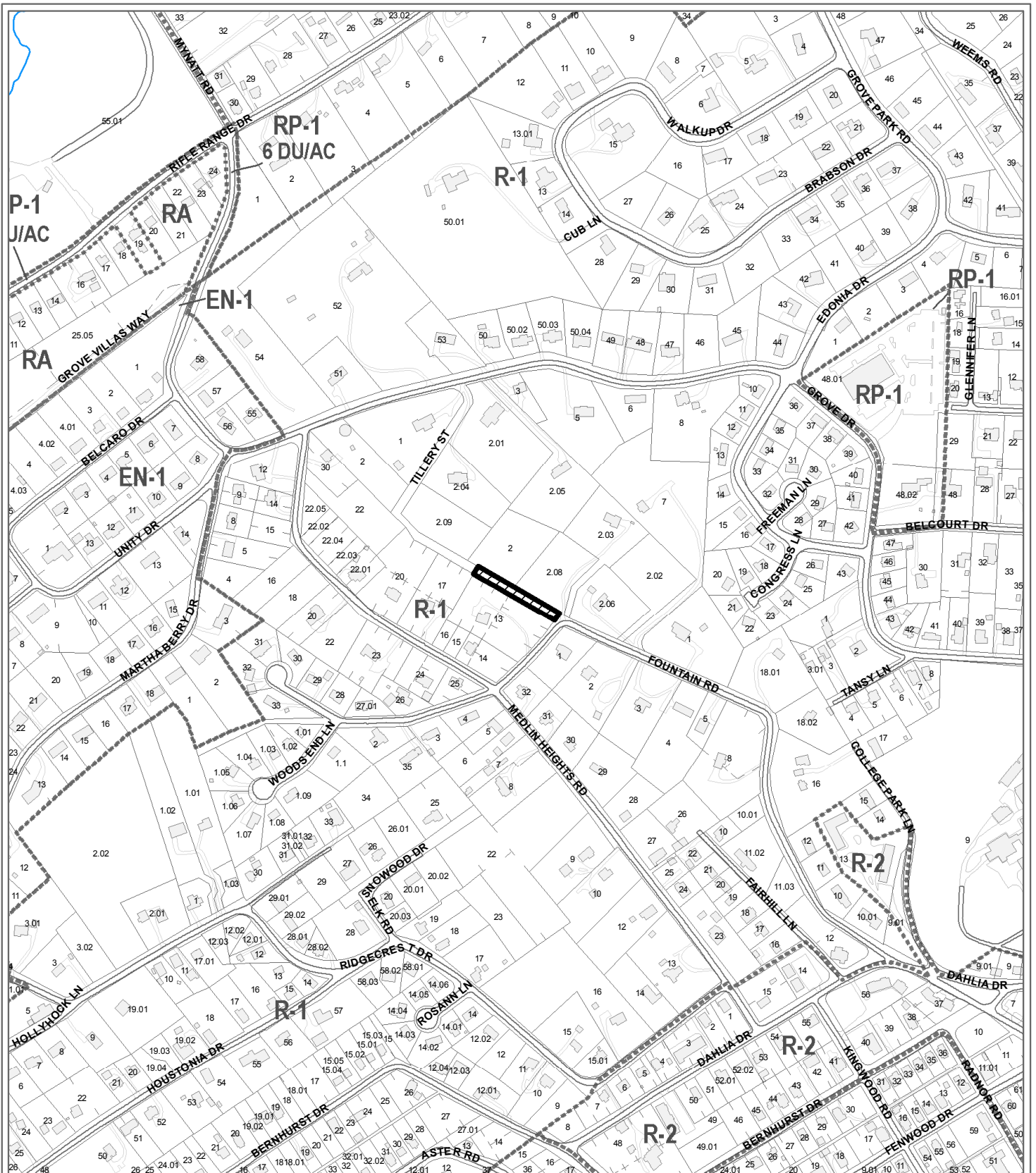
▶ **RECOMMEND** that City Council **APPROVE** the closure of this portion of Tillery St., subject to any required easements and subject to the 3 conditions specified in the attached March 29, 2011 letter from City Engineering.

Staff has received no objections to this closure. The staff has received signatures from the adjacent property owners indicating their agreement with this proposal.

COMMENTS:

With the conditions noted by City Engineering, the applicant will be required to record a plat to consolidate all the adjacent parcels and eliminate land-locked property caused by this closure. Staff has received no objections to this closure. The staff has received signatures from the adjacent property owners indicating their agreement with this closure.

If approved, this item will be forwarded to Knoxville City Council for action on 5/17/2011 and 5/31/2011. 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.



**4-A-11-SC
CLOSURE OF PUBLIC RIGHT OF WAY**

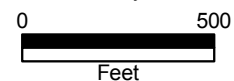
Name of Street or Alley: Tillery St
 To be closed from: Fountain Road right-of-way
 To be closed to: Approximately 350 ft. northwest to corner of Tax Parcel 058BF013

Original Print Date: 3/24/2011 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Ralph Smith/PLS

Map No: 58

Jurisdiction: City



4-A-11-SC-cor-cityeng



CITY OF KNOXVILLE

DANIEL I. BROWN, MAYOR

Stephen J. King, P.E.

Director of Public Works

Brently J. Johnson, P.E., R.L.S.

Deputy Director of Engineering

March 29, 2011

Mr Mike Brusseau, Senior Planner
Metropolitan Planning Commission
Suite 403, City County Building
Knoxville, Tennessee 37901



SUBJECT: Request to Close a Portion of Tillery Street (MPC# 4-A-11-SC)
City Blocks 36500 and 36520

Dear Mr. Brusseau:

The subject portion of Tillery Street is an unopened public right-of-way. It is bounded on the north by two tax parcels: CLT#058-B-G-002, owned by Kenneth A. Carringer and CLT#058-B-G-002.08, owned by Kenneth D. McFarland and Linda L. Phillips. It is bounded on the south by one tax parcel: CLT#058-B-F-013, also owned by Mr. Carringer.

Parcel #013 consists of all or a portion of ten (10) separate platted lots in Medlin Heights Subdivision (Map Book 11, Pg. 105). Parcel #002 consists of a single 1.08-acre platted lot (Map Cab L, Slide 324A). Parcel #002.08 appears to have never been platted.

If the subject right-of-way is closed, some of the subject Medlin Heights lots will become landlocked, and the 1.08-acre lot will no longer have access to Fountain Road. Therefore, the Engineering Department can support this request only with the following conditions:

1. Mr. Carringer shall record a subdivision plat that resubdivides his property so that none of it is land-locked and that all of it has legal access, both ingress and egress, to Fountain Road;
2. McFarland and Phillips shall record a subdivision plat showing that their property has legal road frontage along Fountain Road; and
3. The ordinance that closes this right-of-way shall state that the closure shall not become effective until:
 - A) the above plat(s) has been recorded with the Knox County Register of Deeds;
 - B) the Engineering Department has been sent a memo to the City Recorder verifying that all conditions have been met; and
 - C) the plat(s) shall be recorded within one year of City Council's approval, otherwise the closure shall be deemed to be null and void, and of no effect.

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: Lisa Hatfield, Attorney, Law Department
David McGinley, P.E., Engineering Planning Chief
File

mb110329cls TillerySt doc

400 MAIN STREET, SUITE 480, KNOXVILLE, TENNESSEE 37902

OFFICE: 865-215-2148 • FAX: 865-215-2631

EMAIL: BJOHNSON@CITYOFKNOXVILLE.ORG

WWW.CITYOFKNOXVILLE.ORG

MPC April 14, 2011

Agenda Item #5



4-A-11-SC-COR-KUB

Knoxville Utilities Board



March 21, 2011

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

Dear Mr. Brusseau:

**Re: Right-of-Way Closure Request 4-A-11-SC
Block No. 36500
CLT No. 58**

We have reviewed our records and find that we have existing utility facilities located within the subject right-of-way. The approximate location of these facilities is indicated on the enclosed prints. However, KUB does not release and hereby retains all easements and rights for existing utility facilities, whether or not shown on these prints.

Should this right-of-way be closed, KUB will require the following permanent easement for its utility facility.

Sewer – 7.5 feet on each side of the centerline of the wastewater line, 15 feet total width
Water – 7.5 feet on each side of the centerline of the water line, 15 feet total width

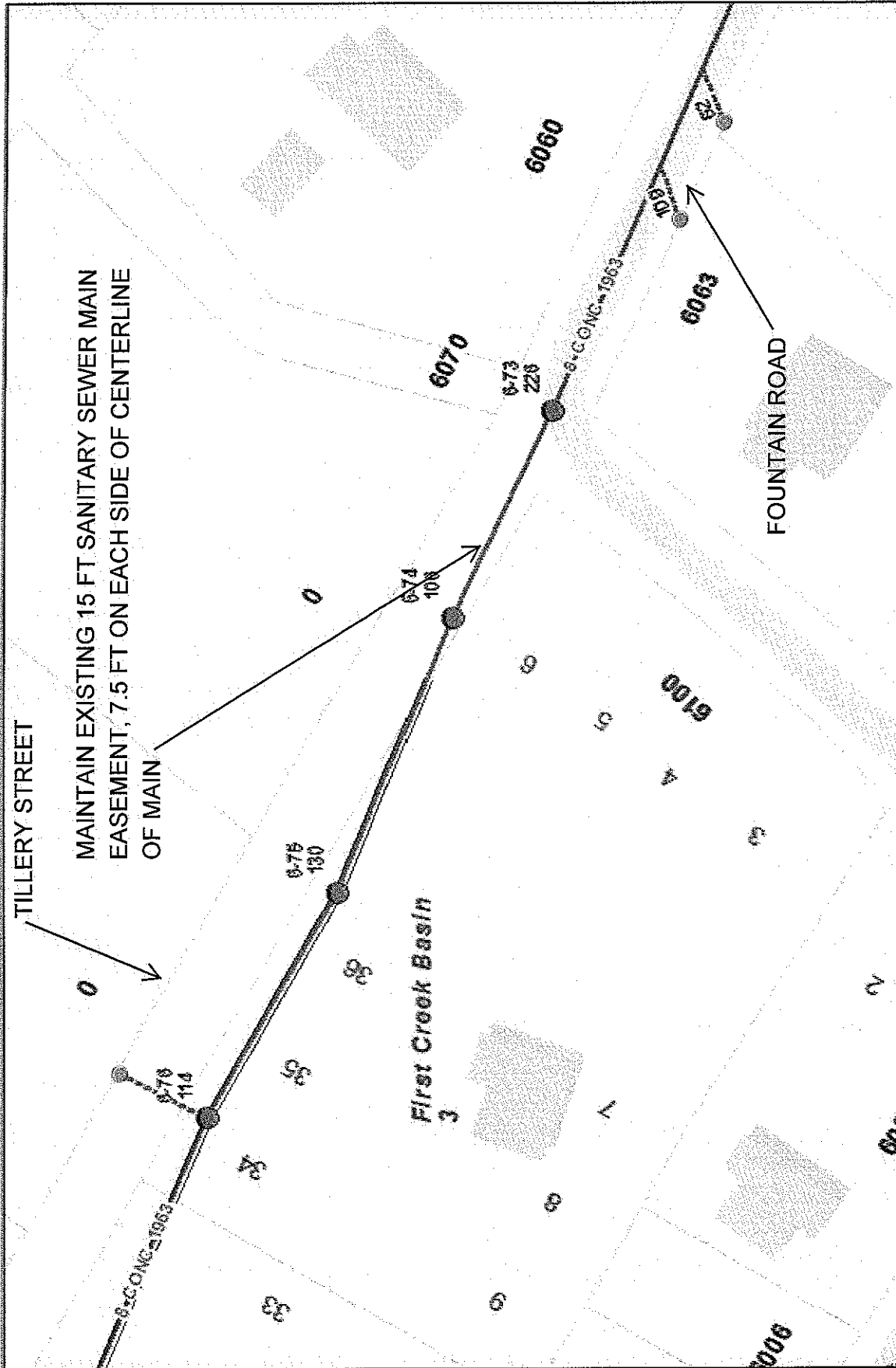
So long as these conditions are met, KUB has no objection to the closure of this right-of-way. If you have any questions regarding this matter, please call me at (865) 558-2291.

Sincerely,

Greg L. Patterson, P.E.
Engineering

glp/ggt

Enclosure



TILLERY STREET

MAINTAIN EXISTING 15 FT SANITARY SEWER MAIN EASEMENT, 7.5 FT ON EACH SIDE OF CENTERLINE OF MAIN

First Creek Basin

FOUNTAIN ROAD



KYOKAWA ENGINEERS & ARCHITECTS
 PRODUCT WARRANTY: THIS MAP WAS PRODUCED FROM THE LANDSWAY INFORMATION SYSTEM MAINTAINED BY KUB. THIS MAP SHOULD NOT BE RELIED ON FOR ENGINEERING, DESIGN, OR SURVEYING WORK OR OTHER SIMILAR TYPE USES. THE INFORMATION ON THIS MAP IS SITED AND HAS NO WARRANTY OF MERCHANTABILITY OR FITNESS FOR USE FOR A PARTICULAR PURPOSE, EXPRESS OR IMPLIED.

Closure of Tillery Street 350' NW ROW from Fountain Rd Intersection

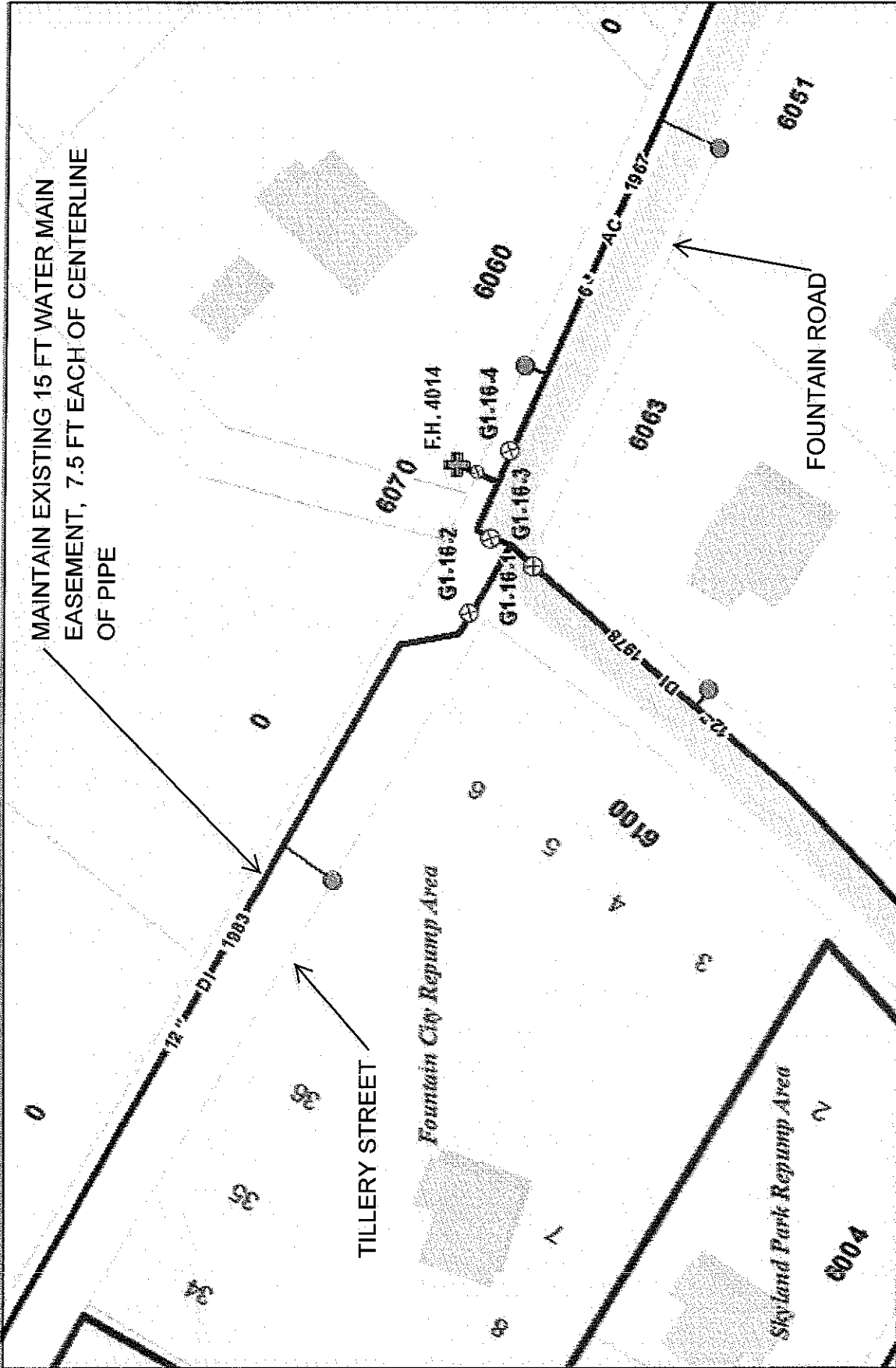
File No. 4-A-11-50 CLT No. 58 City Block No. 38500 Ward 36 Sewer Utility

126 Feet

Printed: 03/15/2011 10:33 AM



MAINTAIN EXISTING 15 FT WATER MAIN
EASEMENT, 7.5 FT EACH OF CENTERLINE
OF PIPE



Printed: 03/21/2011 10:38 AM



Closure of Tillery Street 350' NW ROW from Fountain Rd Intersection

File No. 4-A-11-80 CLT No. 58 City Block No. 35800 Ward 36 Water Utility

128 Feet



Product Warning: This map was produced from the Landbase Information system maintained by KUB. This map should not be relied on for engineering, design, or surveying work or other similar type uses. The information on this map is dated and has no warranty of MERCHANTABILITY or warranty for fitness of use for a particular purpose, express or implied. This map is produced, printed, and distributed as is, with all faults.

NAMES OF ALL PROPERTY OWNERS INVOLVED OR HOLDERS OF OPTION ON SAME MUST BE LISTED BELOW:

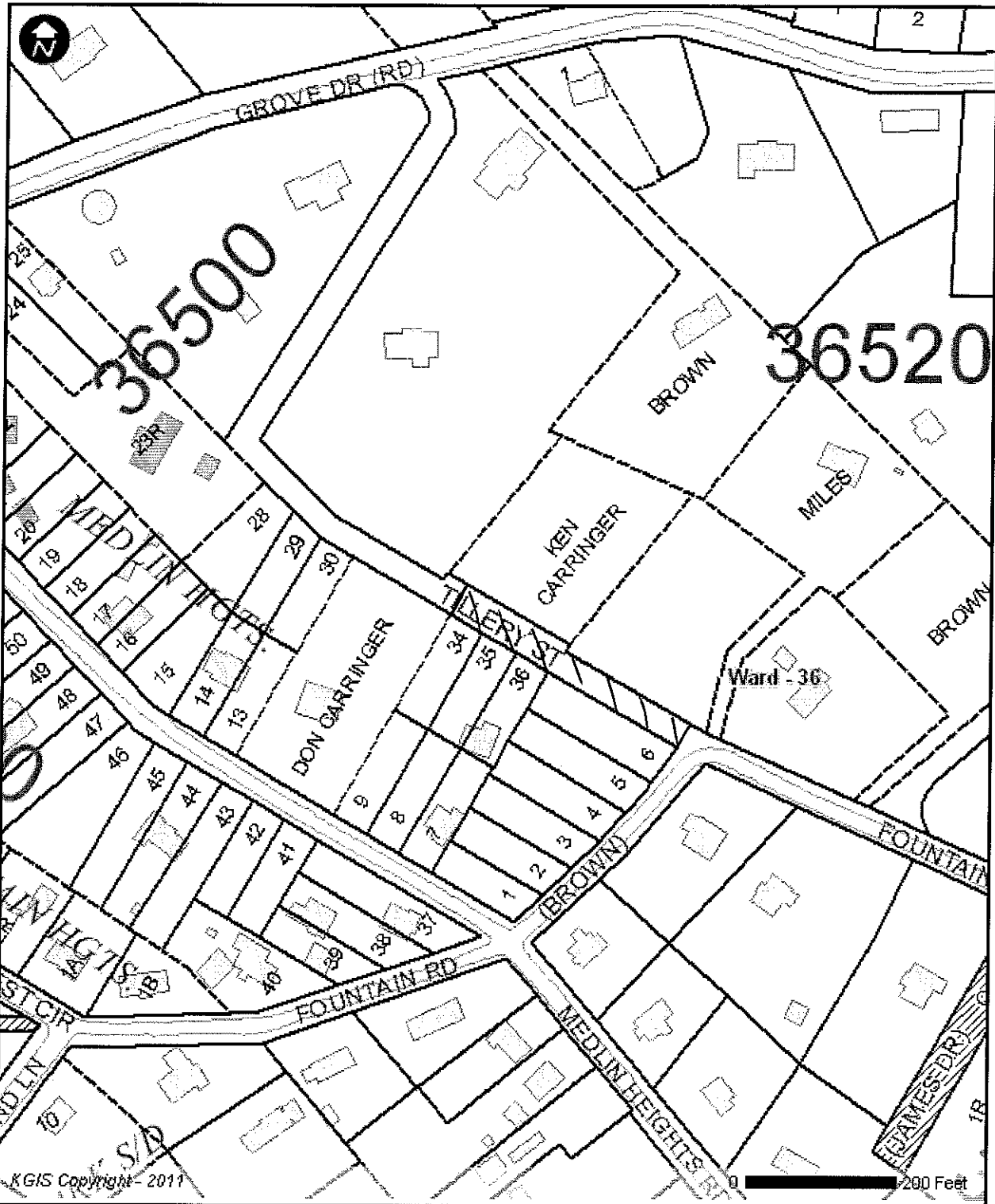
Please Print or Type in Black Ink:

(If more space is required attach additional sheet.)

Name	Address	City	State	Zip	Parcel(s) No.	Owner	Option
* Kenneth A. Carringer	6100 Fountain	Knox	TN	37918	058B69002	✓	
* Kenneth D. McFarland	6060 Fountain	Knox	TN	37918	058BF013	✓	
DON H. CARRINGER	6012 Medlin Hts Rd.	Knoxville	TN	37918			
Don H. Carringer							
Bryan T. Campbell	6024 Medlin Hts Rd	Knox		37918			
Richard G. Carlson	6036 Medlin Hts Rd	Knox		37918			
William D. Shipps	6060 Medlin Hts Rd.	Knox		37918			
Lin L. McMahon	6018 Medlin Hts Rd	Knox		37918			
David K. Brinkley	6233 Grove Dr.	Knox		37918			
James M. Pate Jr.	6315 Grove Dr.	Knox		37918			
Donald W. Curtis	6229 Grove Dr	Knox		37918			

1
10
2
3
4
5
6
7
8
9
10

THESE NO LONGER APPLY
TO CLOSURE



[Enter Title Here]
 [Enter Subtitle Here]
 [Enter Notes Here]

KGIS - 606 Main St - Suite 150 - Knoxville, TN 37772 - www.kgis.org Printed: 2/28/2011 at 2:20 PM

Disclaimer: KGIS makes no representation or warranty as to the accuracy of this map and its information nor to its fitness for use. Any user of this map product accepts the same AS IS, WITH ALL FAULTS, and assumes all responsibility for the use thereof and further covenants and agrees to hold KGIS harmless from any and all damage, loss or liability arising from any use of this map product