

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

▶ **FILE #:** 6-A-17-SC

**AGENDA ITEM #:** 10

**AGENDA DATE:** 6/8/2017

▶ **APPLICANT:** **MACKEY BROWNLEE**

TAX ID NUMBER: 95 A M 00401

[View map on KGIS](#)

JURISDICTION: Council District 6

SECTOR PLAN: Central City

GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)

ZONING: I-2 (Restricted Manufacturing and Warehousing)

WATERSHED: First Creek

▶ **RIGHT-OF-WAY TO BE CLOSED:** **E Magnolia Ave**

▶ **LOCATION:** **Between Hall of Fame Drive and northeast corner of parcel 095AM00401**

IS STREET:

(1) IN USE?: No

(2) IMPROVED (paved)?: No

▶ **APPLICANT'S REASON FOR CLOSURE:** **TDOT agreement to deed surplus right-of-way that is a result of the relocation of E. Magnolia Ave. at N. Hall of Fame Dr. This part of the old E. Magnolia Ave. right-of-way is owned by the City of Knoxville and must be closed prior to private usage.**

DEPARTMENT-UTILITY REPORTS: No objections from any departments or utilities have been received by staff as of the date of this report.

**STAFF RECOMMENDATION:**

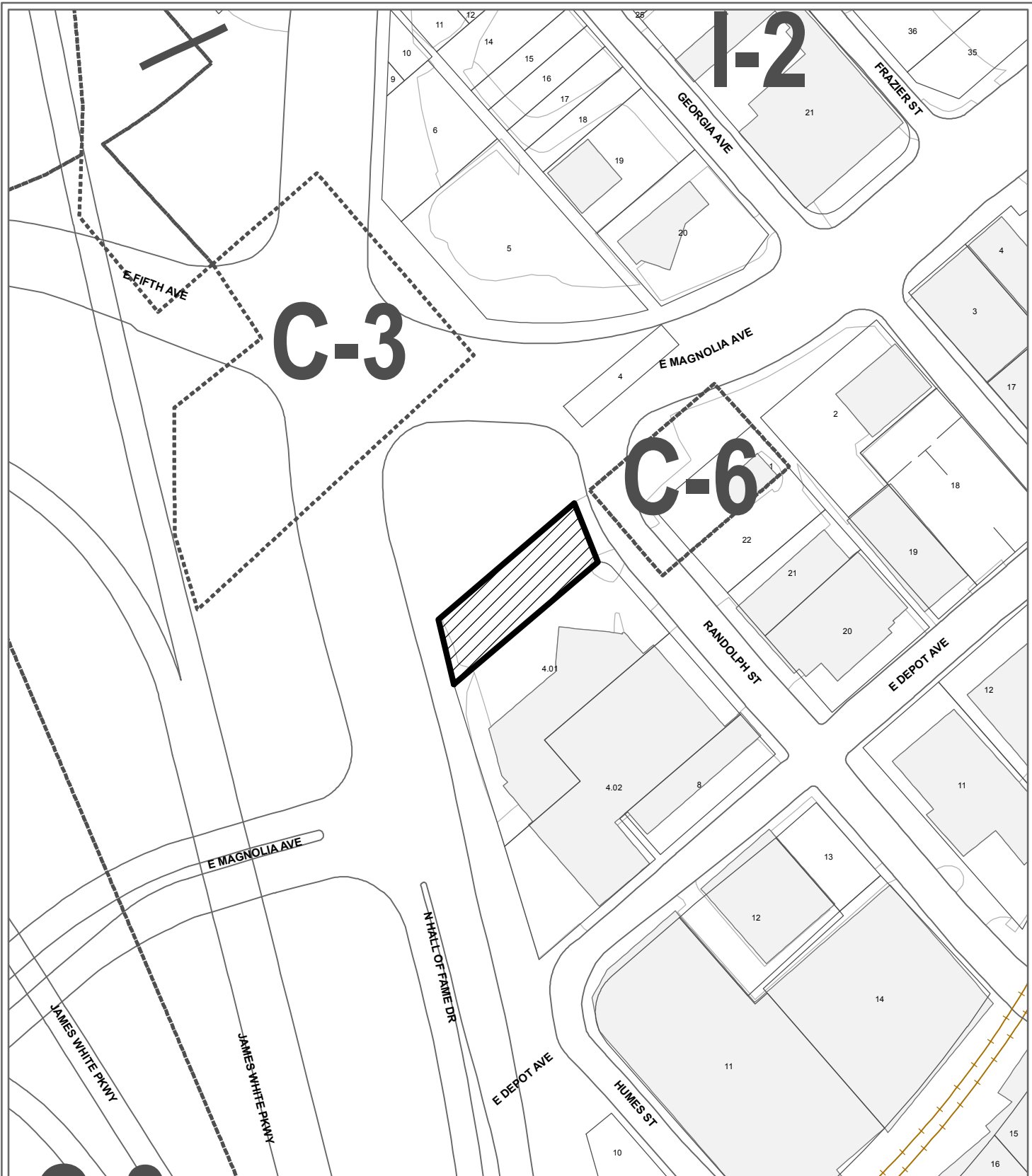
▶ **RECOMMEND that City Council APPROVE the closure of the requested portion of East Magnolia Avenue, subject to any required easements.**

Staff has received no objections from reviewing departments or utilities to this closure.

**COMMENTS:**

If approved for closure, the right-of-way will be combined with the adjacent tract and converted to private property. The applicant owns all of the adjacent parcels adjacent to the proposed right-of-way to be closed. Having not received any objections to the closure, MPC staff recommends approval, as requested.

If approved, this item will be forwarded to Knoxville City Council for action on 7/6/2017 and 7/18/2017. 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.



**6-A-17-SC  
CLOSURE OF PUBLIC RIGHT OF WAY**

Name of Street or Alley: E Magnolia Ave  
 To be closed from: Hall of Fame Drive  
 To be closed to: northeast corner of parcel 095AM00401

Original Print Date: 5/17/2017      Revised:  
 Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

Petitioner: Brownlee, Mackey

Map No: 95  
 Jurisdiction: City





# CITY OF KNOXVILLE

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**Engineering**  
James R. Hagerman, P.E.  
Director of Engineering

May 25, 2017

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

**SUBJECT:** Closure of a portion of E Magnolia Ave  
MPC File # 6-A-17-SC; Nearby City Block 07221

Mr. Brusseau:

The City Engineering Department has no objections to close the above described right-of-way area. However, should this right-of-way be closed, the City will reserve easements for all drainage facilities and utilities, if any, located in or within five (5) feet of the property described herein.

Sincerely,

Benjamin D. Davidson, PLS, Technical Services Administrator  
Department of Engineering  
Ph: 865-215-2148



Knoxville Utilities Board

6-A-17-SC - cor - KUB



May 25, 2017

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 6-A-17-SC  
Block No. 07221  
CLT No. 95  
Parcel No. 095AM00401**

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.

- Electric – 10 feet on each side of the centerline of the electric line, 20 feet total width
- 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

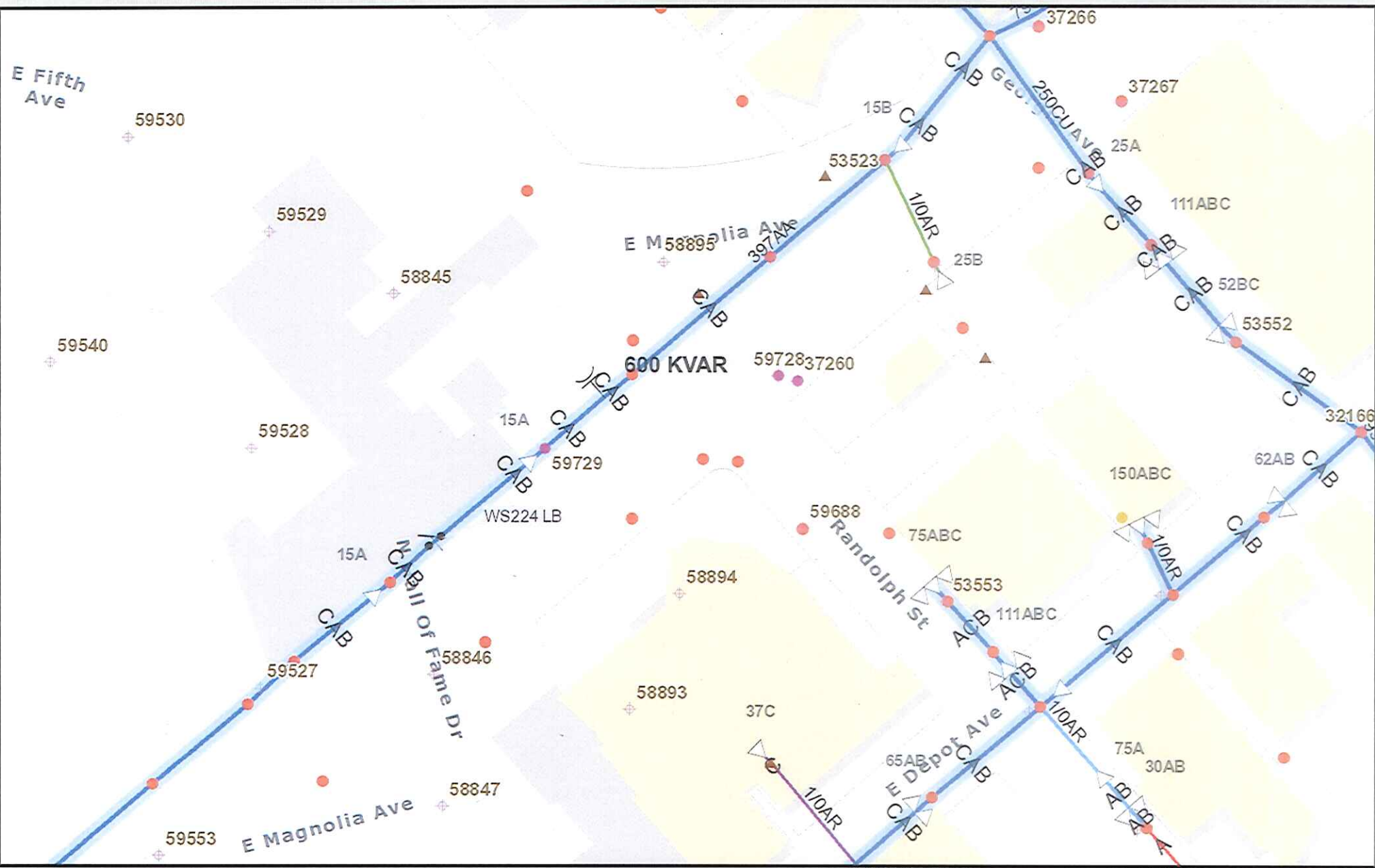
So long as these conditions are met, KUB has no objection to the closure of this right-of-way. If you have any questions regarding this matter, please call me at (865) 558-2291.

Sincerely,

Christian G. Wiberley  
Engineering

CGW/ggt

Enclosure



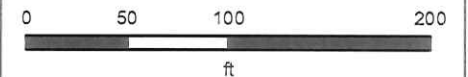
**6-A-17-SC E Magnolia Ave at Hall of Fame Dr (Electric)**

City Block # 07221 CLT Map #95 Parcel #095AM00401

**Knoxville Utilities Board**

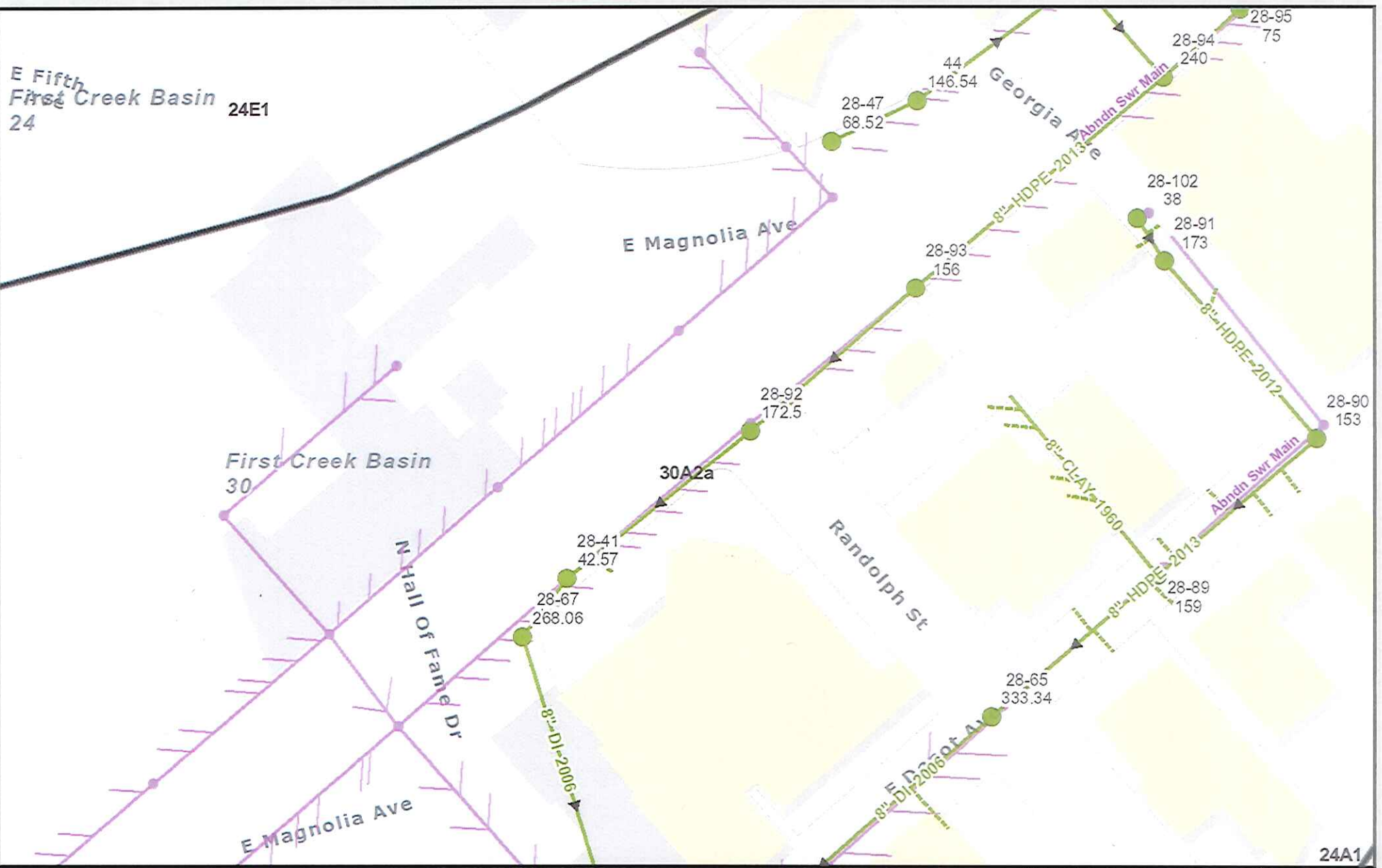


Printed: 5/23/2017 at 8:35:19 AM



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E Fifth  
First Creek Basin 24E1  
24



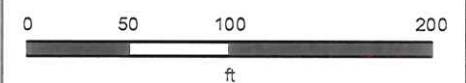
### 6-A-17-SC E Magnolia Ave at Hall of Fame Dr (Sewer)

City Block # 07221 CLT Map #95 Parcel #095AM00401

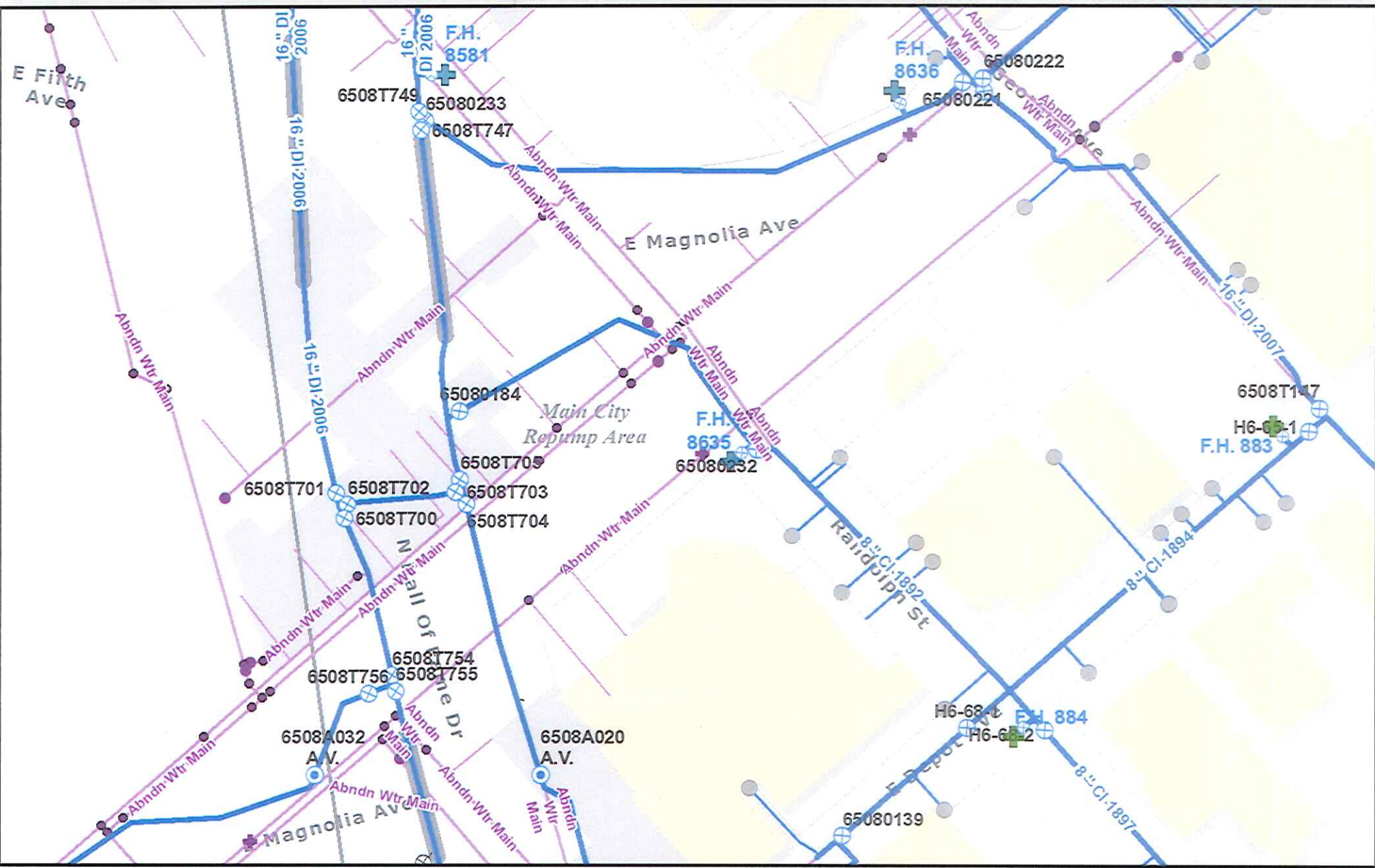
### Knoxville Utilities Board



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**6-A-17-SC E Magnolia Ave at Hall of Fame Dr (Water)**

City Block # 07221 CLT Map #95 Parcel #095AM00401

**Knoxville Utilities Board**

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## Fire Prevention Bureau

City of Knoxville  
400 Main Street, Suite 539  
Knoxville, TN 37902

6-A-17-SC.cor  
CityFire



### Memorandum

Date: May 10, 2017  
To: Mike Brusseau  
From: Sonny Partin, Deputy Fire Marshal  
Subject: Request for Information on Right of Way Closures, Fire Department Review

Road Name	Review Status	Comments
1. Magnolia and Hall of Fame	Approved	None



# RIGHT-OF-WAY CLOSURE

Name of Applicant: Mackey Brownlee

Date Filed: 4-24-17 Fee Paid: \$750 File Number: 6-A-17-SC

Map Number: 195 Zoning District: I-2  City  County Sector: 6

Jurisdiction:  City 6<sup>th</sup> Councilmanic District



### INFORMATION:

Name of Right-of-Way: OLD MAGNOLIA AVE.

Type of Right-of-Way:  Street  Alley

#### Location of Right-of-Way:

BETWEEN (City Block or Lot where appropriate) 07221 (095AM00401)

AND (City Block or Lot where appropriate) TDOT Right-of-Way for E Magnolia Ave.

Right-of-Way is: In Use  Yes  No Improved (example: paved)  Yes  No

Reason for Closure: TDOT agreement to Deed Surplus R.O-W that is a result of the relocation of E. Magnolia Ave at N. Hall of Fame Dr. This part of the old E. Magnolia Ave is owned by the City of Knoxville and must be closed first.

### TO BE CLOSED:

From: (Street, Alley, Other)  
N HALL OF FAME DR.

To: (Street, Alley, Other)  
RA-DOLPH STREET

### ALL CORRESPONDENCE RELATING TO THIS APPLICATION SHOULD BE SENT TO:

Name: (Print) KEN ADAMS Address 600 EAST MAGNOLIA City KNOXVILLE TN State TN Zip 37917 Phone 546-4881 Fax PHONE

### AUTHORIZATION OF APPLICATION:

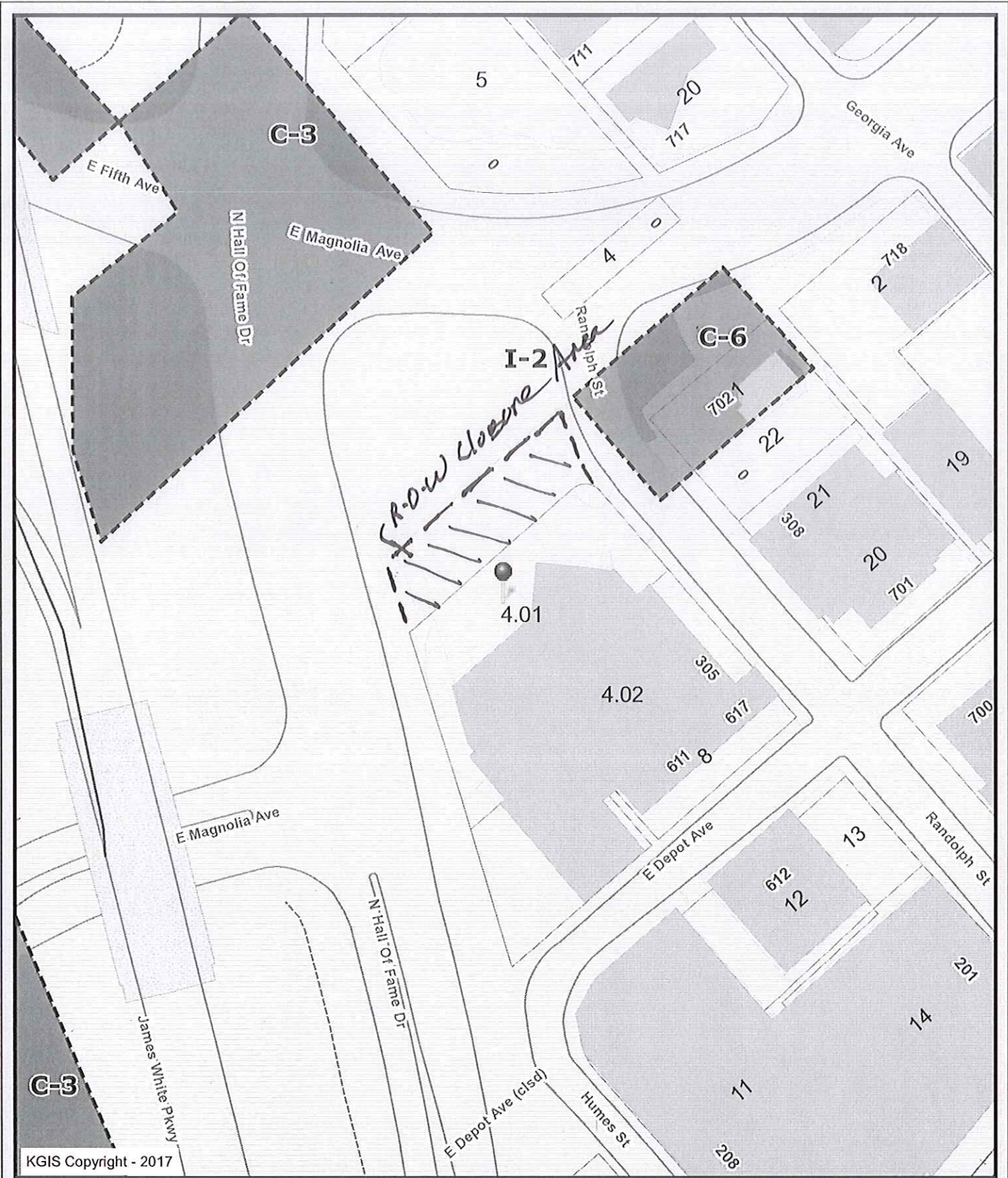
I hereby certify that I am the authorized applicant, or representing the applicant and ALL property owners involved in this request or holders of option on same.

Signature: [Signature]

Name: (Print) Mackey Brownlee Address Pobox 1583 City Knoxville State TN Zip 37901 Phone 865-679-4432 Fax

APPLICATION ACCEPTED BY: Thomas Buehler



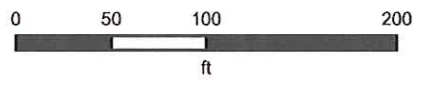


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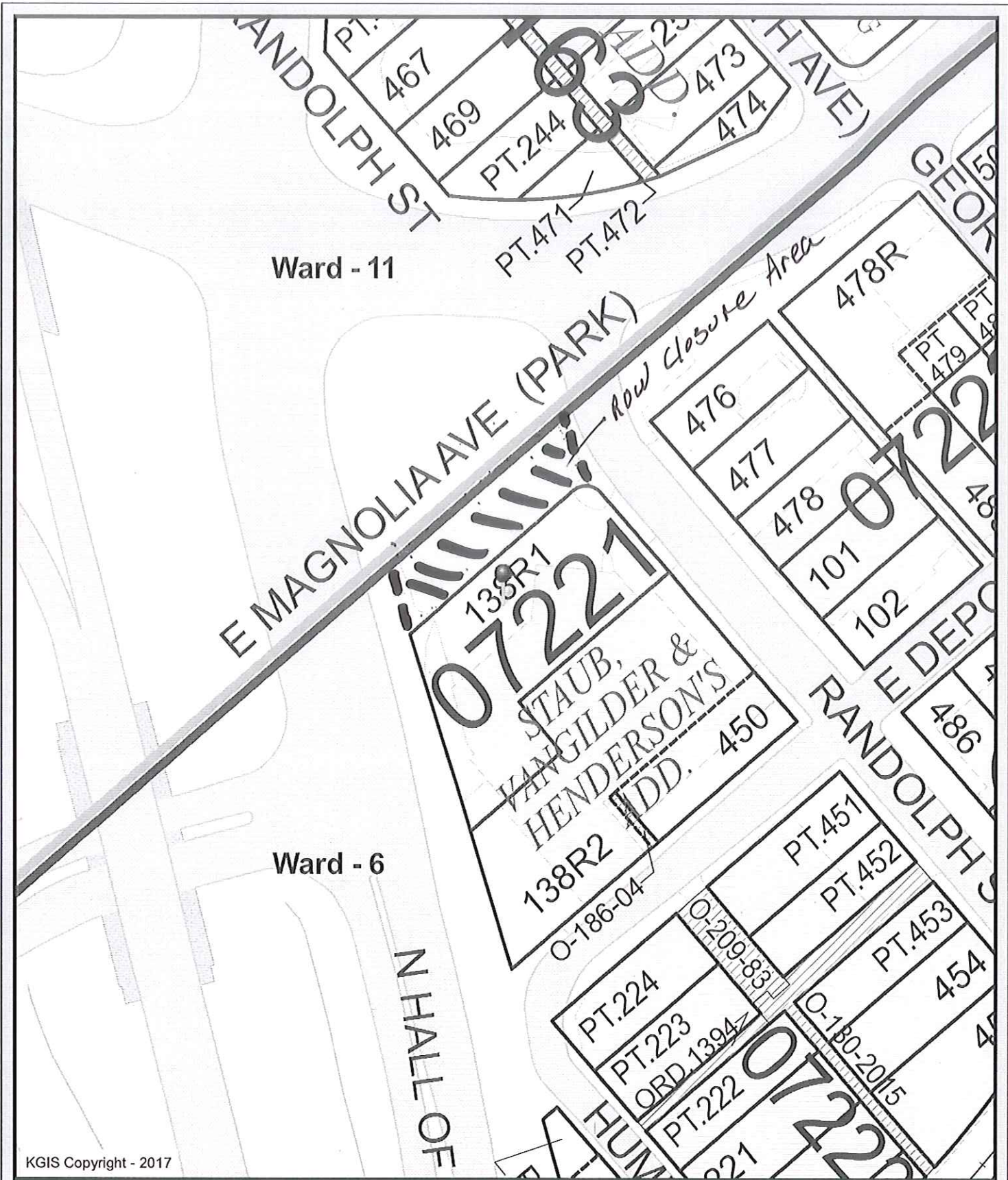
### Letter Portrait

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### Knoxville - Knox County - KUB Geographic Information System



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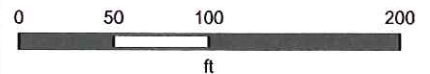


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Letter Portrait

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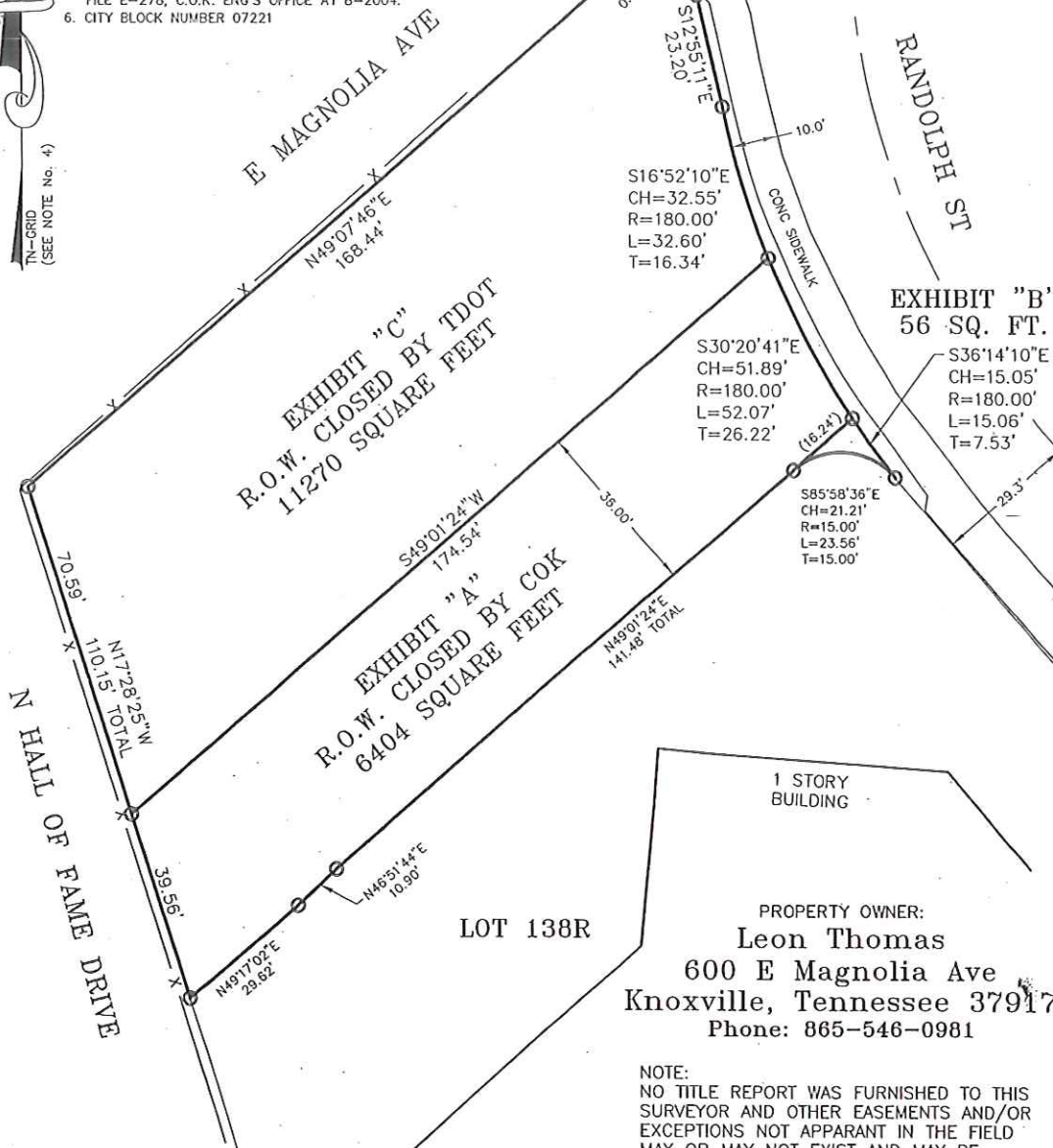
Knoxville - Knox County - KUB Geographic Information System



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**NOTES:**

1. IRON PINS SET AT ALL CORNERS, BY THIS SURVEY, UNLESS OTHERWISE NOTED.
2. CLT TAX MAP 95A "M" PARCELS 4.
3. DEED REFERENCE -- PARCEL 4: 200504200083204 (THOMAS)
4. GRID NORTH IS BASED ON A BEARING OF S49°02'08"W BETWEEN C.O.K. CONTROL POINT No. 0101 TO 0049. (DISTANCES HAVE NOT BEEN REDUCED TO GRID)
5. MAP REFERENCE: STAUB, VANGILDER, & HENDERSON ADD TO KNOXVILLE AS RECORDED IN C.O.K. ENG'S OFFICE AT B-6029(012), ALSO REFER TO SNEED KING ADD OT KNOXVILLE, RECORDED IN CHANCERY COURT FILE E-278, C.O.K. ENG'S OFFICE AT B-2004.
6. CITY BLOCK NUMBER 07221



**EXHIBIT "C"**  
R.O.W. CLOSED BY TDOT  
11270 SQUARE FEET

**EXHIBIT "A"**  
R.O.W. CLOSED BY COK  
6404 SQUARE FEET

**EXHIBIT "B"**  
56 SQ. FT.

1 STORY BUILDING

PROPERTY OWNER:  
**Leon Thomas**  
600 E Magnolia Ave  
Knoxville, Tennessee 37917  
Phone: 865-546-0981

NOTE:  
NO TITLE REPORT WAS FURNISHED TO THIS SURVEYOR AND OTHER EASEMENTS AND/OR EXCEPTIONS NOT APPARANT IN THE FIELD MAY OR MAY NOT EXIST AND MAY BE REVEALED BY A TITLE SEARCH BY A TITLE ATTORNEY.

EXHIBIT OF:  
**Magnolia Avenue R.O.W.**  
LOT 138R  
Staub, Vangilder, & Henderson  
Addition to Knoxville  
District 2, Knox County, Tennessee  
Ward 6, Knoxville, Tennessee

Ward	6	City	KNOXVILLE
District	6	County	KNOX
Plat Cab:	200411100039746	Slide	-
Deed Book	200504200083204	Page	-
CLT #	095A"M"	Parcel	004
Scale	1"=30'	Date	12/29/2009
Drawn By	R. LYNCH	City Block	07221
Project #	3176-1		



Certification of Class and Accuracy of Survey.  
I hereby certify that this is a category 1 survey and the ratio of precision of the unadjusted survey is 1/15,000 as shown thereon.

*[Signature]*  
Surveyor

**LYNCH SURVEYS LLC**  
SUBDIVISIONS | AS-BUILTS | SITE DESIGN  
4405 COSTER RD. KNOXVILLE, TENN. 37912  
865-584-2630 FAX 865-622-2021 WWW.LYNCHSURVEY.COM

Tenn. Reg. No. 2447



STATE OF TENNESSEE  
DEPARTMENT OF TRANSPORTATION  
REGION 1 RIGHT OF WAY OFFICE  
P. O. BOX 58  
KNOXVILLE, TENNESSEE 37901  
(865) 594-2496

JOHN C. SCHROER  
COMMISSIONER

BILL HASLAM  
GOVERNOR

March 16, 2017

Ken Adams

**Re: Request to Purchase Surplus Property**

Dear Mr. Adams :

In response to your recent inquiry concerning the purchase of property from the State of Tennessee, I am enclosing an application, information explaining the Department's procedure for selling surplus property, and a copy of Tennessee Code Annotated § 12-2-112. Please note that any incidental costs will be your responsibility should you decide to proceed with your request. You should also note that this application will be rejected and returned to you if all required information is not completely and accurately provided.

If I can be of any further assistance, please contact me at (865)594-2465 or [tim.webster@tn.gov](mailto:tim.webster@tn.gov).

Sincerely,

Tim Webster  
Excess Land Coordinator, Region I

Certified Mail No. **hand delivered**

Enclosure

cc: file

Revised: 12/17/2013