



CITY OF KNOXVILLE CLOSURE OF PUBLIC RIGHT-OF-WAY

▶ FILE #: 3-B-23-SC

AGENDA ITEM #: 6

AGENDA DATE: 3/9/2023

▶ APPLICANT: CENTRAL BAPTIST CHURCH OF BEARDEN

TAX ID NUMBER:	121 N/A	<u>View map on KGIS</u>
JURISDICTION:	Council District 2	
SECTOR PLAN:	West City	
GROWTH POLICY PLAN:	N/A (Within City Limits)	
ZONING:	N/A	
WATERSHED:	Fourth Creek	

▶ RIGHT-OF-WAY TO BE CLOSED: A portion of Anderson Dr

▶ LOCATION: Between Henry Chiles Street and the western terminus of Anderson Street

IS STREET:	
(1) IN USE?:	Yes
(2) IMPROVED (paved)?:	Yes

▶ APPLICANT'S REASON FOR CLOSURE: Central Baptist is currently purchasing the property where Anderson Drive terminates and will own property on all sides of Anderson Drive and Henry Chiles Street. Public access to Henry Chiles Street is not needed to access the portion of Anderson Drive remaining open. A turnaround will be provided.

DEPARTMENT-UTILITY REPORTS:

STAFF RECOMMENDATION:

▶ Approve the request to close a portion of Anderson Drive from its intersection with Henry Chiles Street to its western terminus, subject to 2 conditions, since staff has received no objections and closure would not adversely affect surrounding properties.

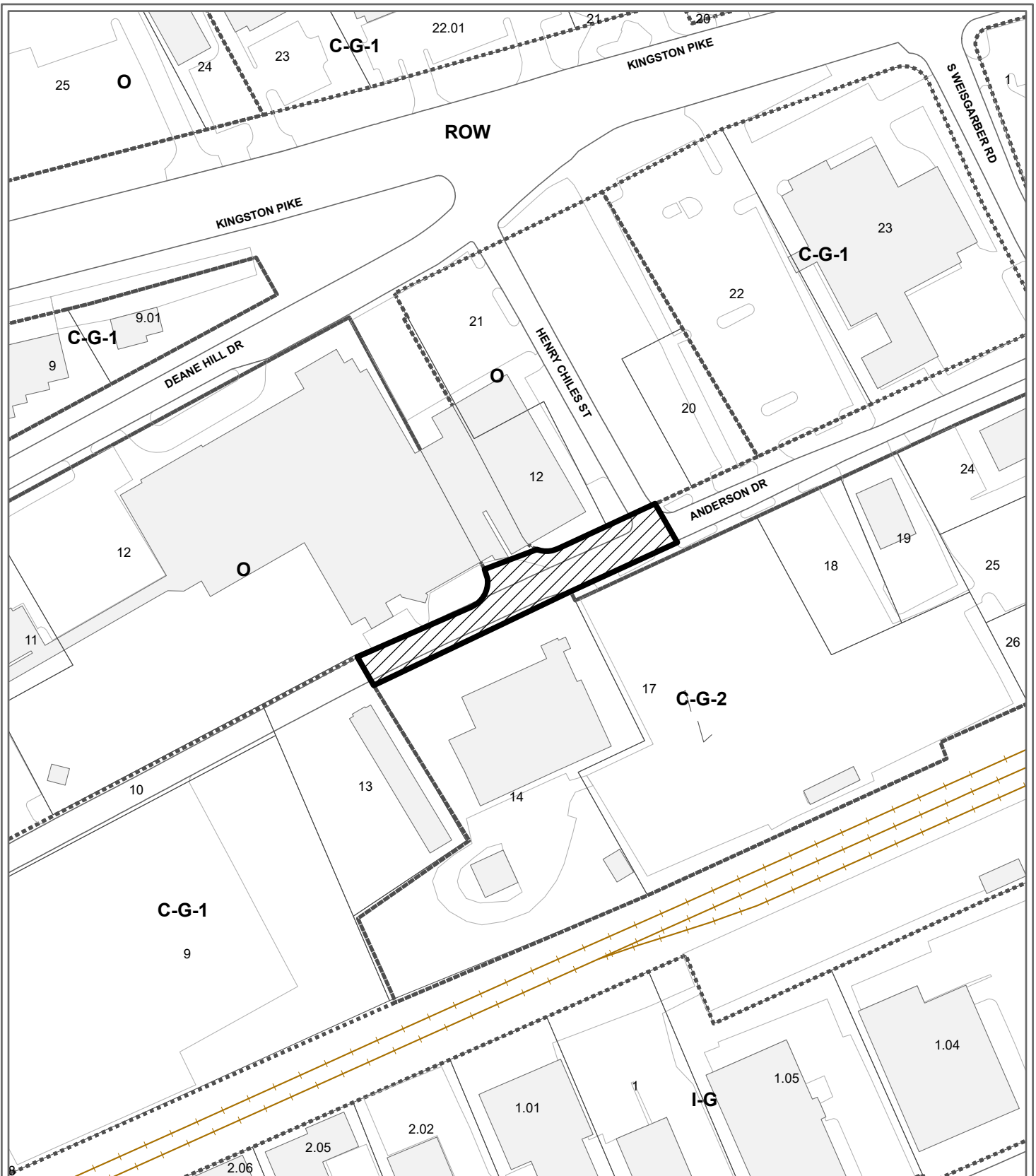
COMMENTS:

1. This is a request to close a section of Anderson Drive from its intersection with Henry Chiles Street to its western terminus. Anderson Drive currently provides indirect vehicular connectivity between Deane Hill and S Northshore Drive (via Henry Chiles Street, S Weisgarber Road and Wilda Place).
2. The businesses on the eastern portion of Anderson Drive would be accessible via S Weisgarber Road if this request were approved. A turnaround area is to be provided for the new western terminus of Anderson Drive so that incoming traffic has public right-of-way in which to turn around and exit back onto S Weisgarber Road.
3. Staff has received no objections from the general public.
4. The following departments and organizations had these comments:
 - a. The City Engineering Department has no objections to close the above-described right-of-way areas

provided the following conditions, subject to City Engineering approval, are met:

- i. The closure area (of Anderson Drive) shall exclude the proposed turnaround area, or an approvable turnaround area, not to exceed the area shown on the exhibit "Turnaround Design" included in the application for closure. This excluded area shall remain open public right-of-way to accommodate the turnaround area.
 - ii. 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. If facilities or utilities are found not feasible to the site development or use, they may be removed and relocated, subject to City Engineering and/or other applicable easement holder review and approval.
- b. KUB: We have reviewed our records and find that we have existing utility facilities located within the subject right-of-way. The approximate locations of these facilities are 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 easements for its utility facilities.
- i. Gas: 7.5 feet on each side of the centerline of the gas line, 15 feet total width
 - ii. Electric (overhead) – 10 feet on each side of the centerline of the electric line, 20 feet total width
 - iii. Electric (underground): 7.5 feet on each side of the centerline of the electric line, 15 feet total width
 - iv. Sewer: 7.5 feet on each side of the centerline of the sewer line, 15 feet total width
 - v. Water: 7.5 feet on each side of the centerline of the water line, 15 feet total width
- c. TDOT had no comments.
- d. AT&T had no comments.
- e. The City of Knoxville Fire Department had no comments.

If approved, this item will be forwarded to Knoxville City Council for action on 4/4/2023 and 4/18/2023. If denied, Knoxville-Knox County Planning Commission'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 a Planning Commission decision in the City.



**3-B-23-SC
CLOSURE OF PUBLIC RIGHT OF WAY**

Petitioner: Central Baptist Church of Bearden

Name of Street or Alley: Portion of Anderson Dr
 To be closed from: Henry Chiles Drive
 To be closed to: Western terminus of Anderson Drive

Map No: 121
 Jurisdiction: City
 0 40
 Feet

Original Print Date: 2/14/2023 Revised:
 Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902



FEBRUARY 7, 2023

Knoxville Utilities Board
Steve Borden, Regional Director, TN Dept. of Transportation
Harold Cannon, Director, Department of Engineering
Steve King, Department of Engineering
Sonny Partin, Fire Marshall
Shannon Sims, AT&T
James W. Wagner, AT&T
Ben Davidson, Department of Engineering
Charlotte Goforth, Department of Engineering

From: Michelle Portier, Principal Planner, Knoxville-Knox County Planning

RE: REQUEST CLOSURE OF A PORTION OF ANDERSON DRIVE FROM HENRY CHILES STREET TO THE WESTERN TERMINATION POINT OF ANDERSON DRIVE (3-B-22-SC)

Please give us the following information in writing regarding this proposed closure, adding any conditions you wish considered with this request:

- 1 Is there any present or anticipated future need for this street/alley which in your opinion would warrant retaining it for public use?
- 2 What present use does it serve?
- 3 What future use is anticipated?
- 4 If closed (vacated), would easements meet your needs?
- 5 If easement will meet needs, please state easements required.
- 6 If your department opposes vacating the ROW, please indicate the rationale.

This request will be considered by the Knoxville-Knox County Planning Commission on March 9, 2022. A map showing the street or alley in question is attached for your information.

PLEASE NOTE: Failure to reply to our office by Tuesday, February 21, 2023 will be considered as no objection by your agency.

C: Jeff Welch, Executive Director, Knoxville-Knox County Planning
Attachment: Application



CITY OF KNOXVILLE

Engineering
Benjamin D. Davidson, PLS
Technical Services Administrator

February 20, 2023

Knoxville-Knox Planning
City-County Building, Suite 403
Knoxville, Tennessee 37902

SUBJECT: Closure of a portion of Anderson Dr
MPC File # 3-B-23-SC

The City Engineering Department has no objections to close the above-described right-of-way areas provided the following conditions, subject to City Engineering approval, are met:

1. Subject to City Engineering approval, the closure area shall exclude the proposed turnaround area, or an approvable turnaround area, not to exceed the area shown on the exhibit "Turnaround Design" included in the application for closure. This excluded area shall remain open public right-of-way to accommodate the turnaround area.
2. 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. If facilities or utilities are found not feasible to the site development or use, they may be removed and relocated, subject to City Engineering and/or other applicable easement holder review and approval.

Sincerely,

Benjamin D. Davidson, PLS, Technical Services Administrator
Technical Services/Department of Engineering
Ph: 865-215-2103



February 21, 2023

Michelle Portier
Knoxville-Knox County
Metropolitan Planning Commission
Suite 403, City-County Building
Knoxville, Tennessee 37902

Dear Ms. Portier:

Re: Right-of-Way Closure Request 3-B-23-SC

We have reviewed our records and find that we have existing utility facilities located within the subject right-of-way. The approximate locations of these facilities are 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 easements for its utility facilities.

Gas – 7.5 feet on each side of the centerline of the gas line, 15 feet total width

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

Electric (underground) – 7.5 feet on each side of the centerline of the electric line, 15 feet total width

Sewer – 7.5 feet on each side of the centerline of the sewer line, 15 feet total width

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

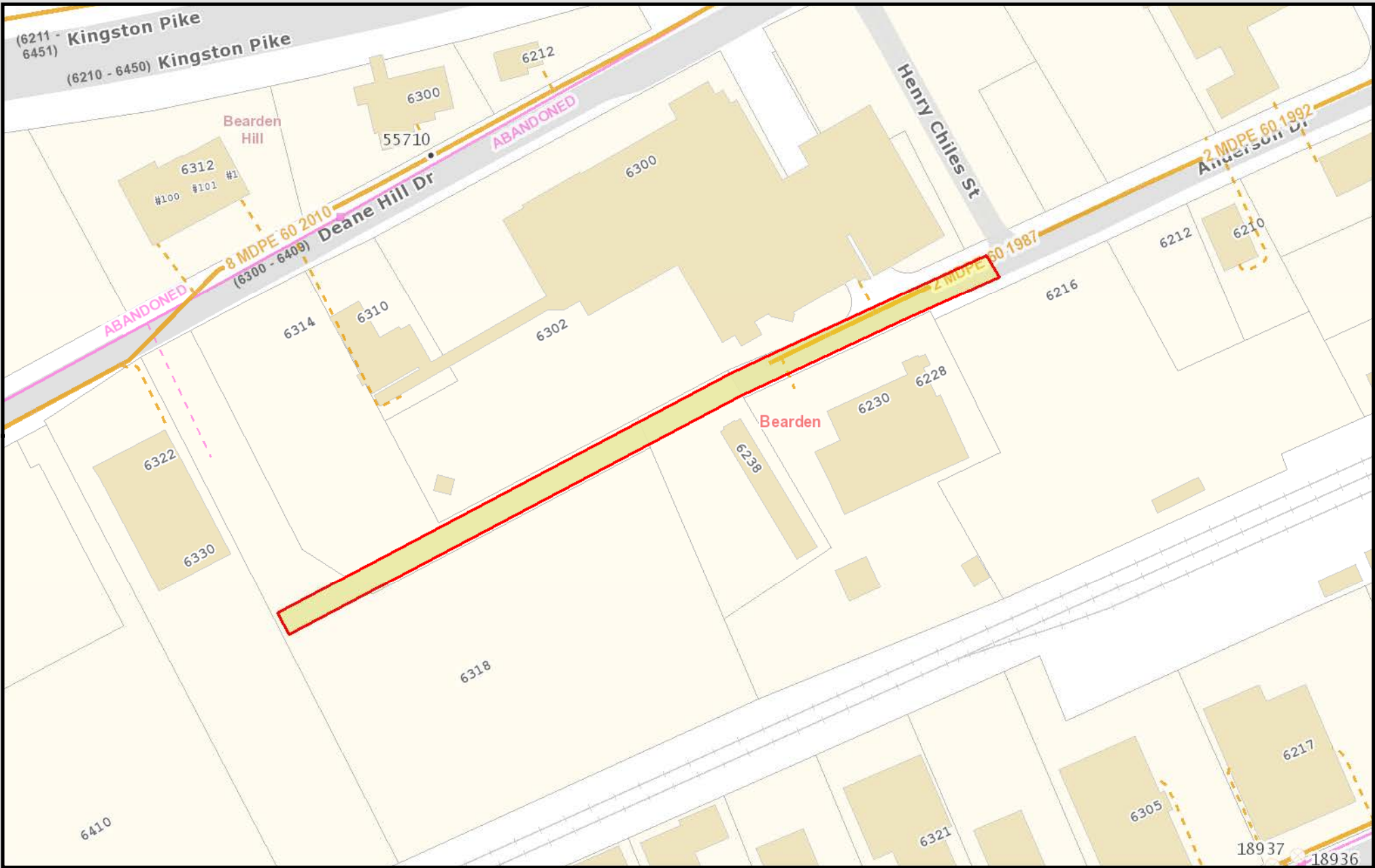
If you have any questions regarding this matter, please call me at (865) 558-2483.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Wiberley", is written over a light blue horizontal line.

Christian Wiberley, PE
Engineering

CGW

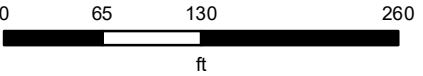


File No. 3-B-23-SC (Gas)

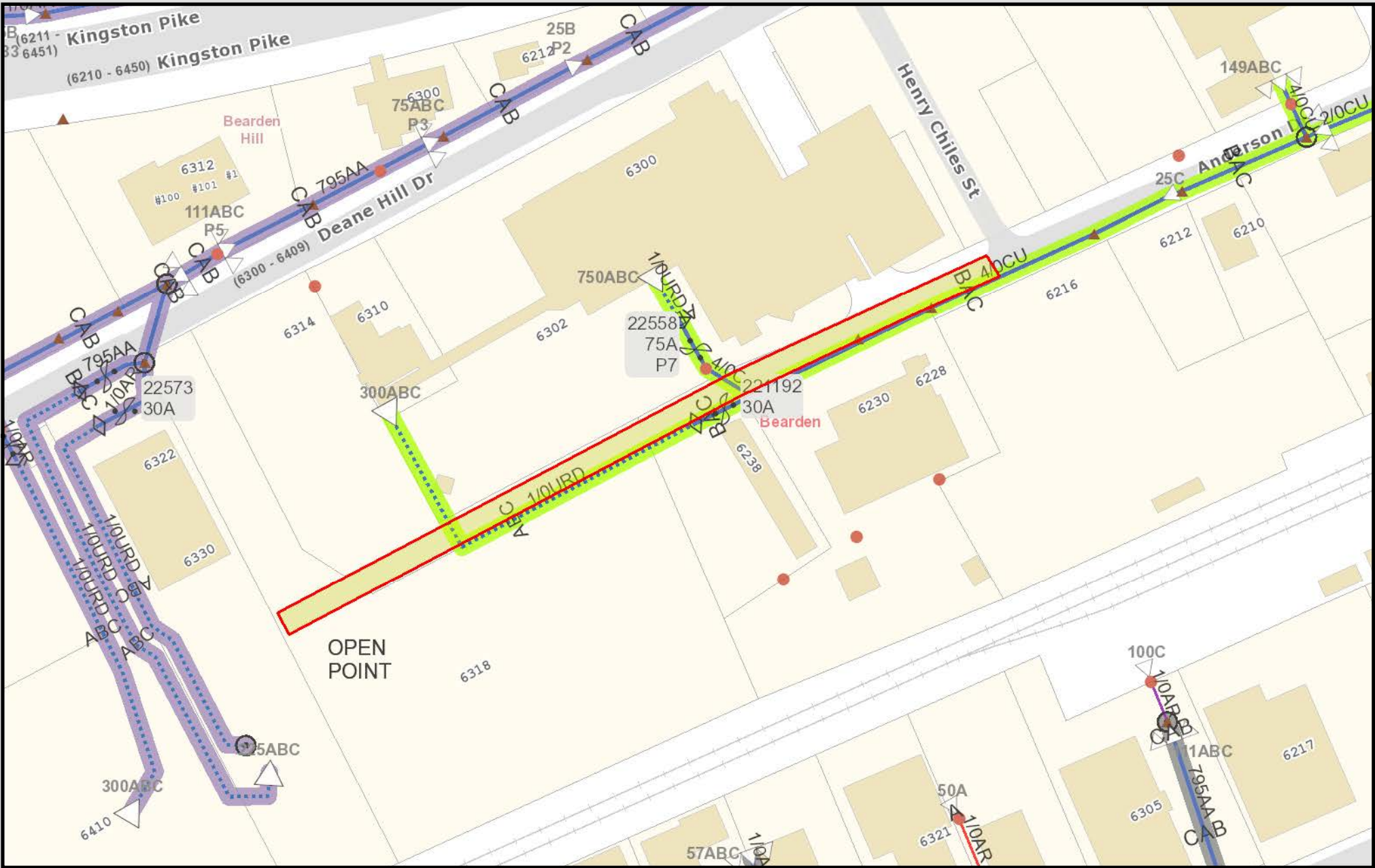
Knoxville Utilities Board



Printed: 2/21/2023 at 9:17:18 AM



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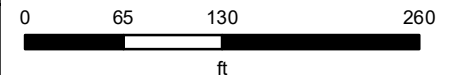


File No. 3-B-23-SC (Electric)

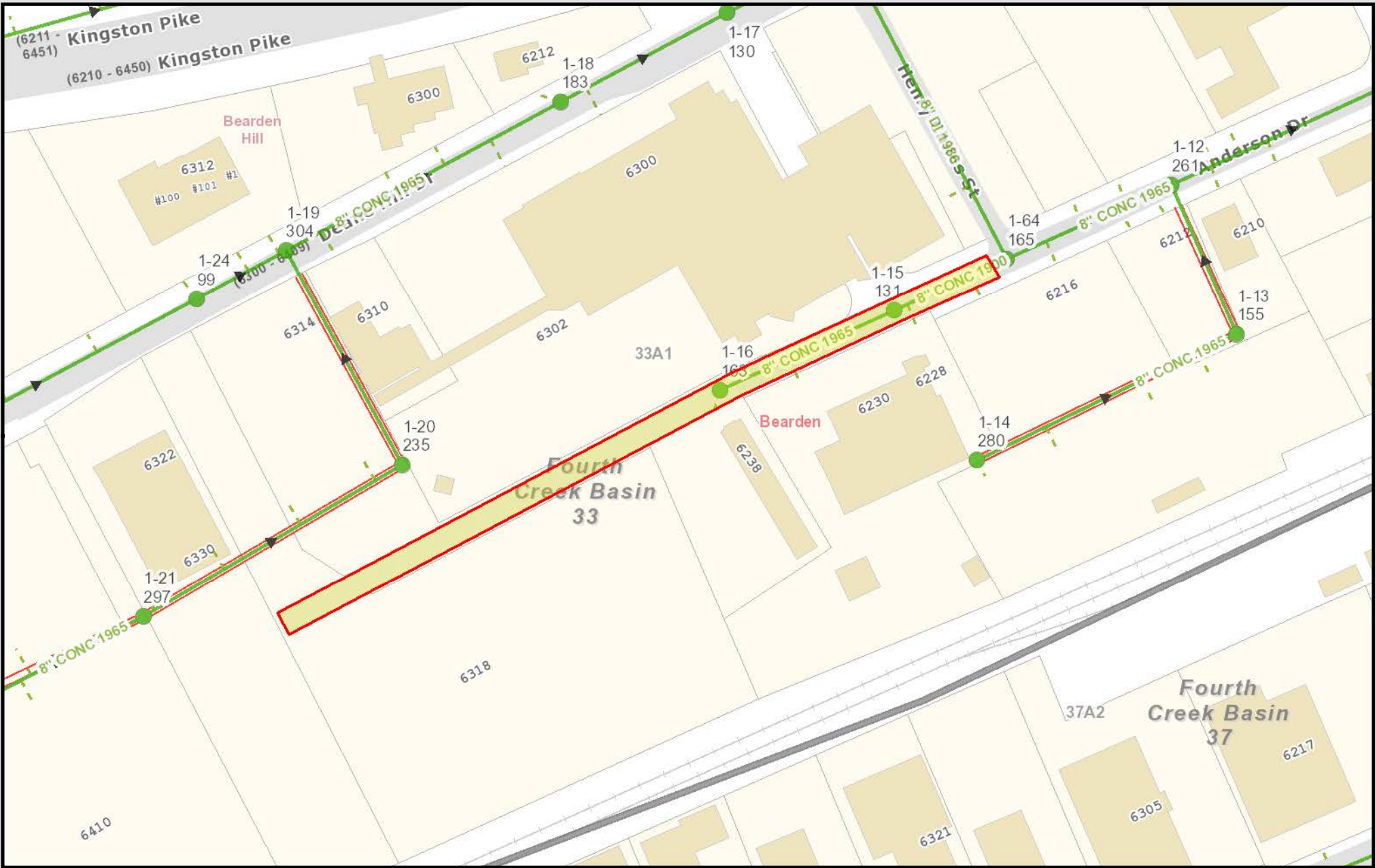
Knoxville Utilities Board



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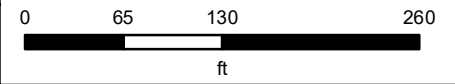


File No. 3-B-23-SC (Sewer)

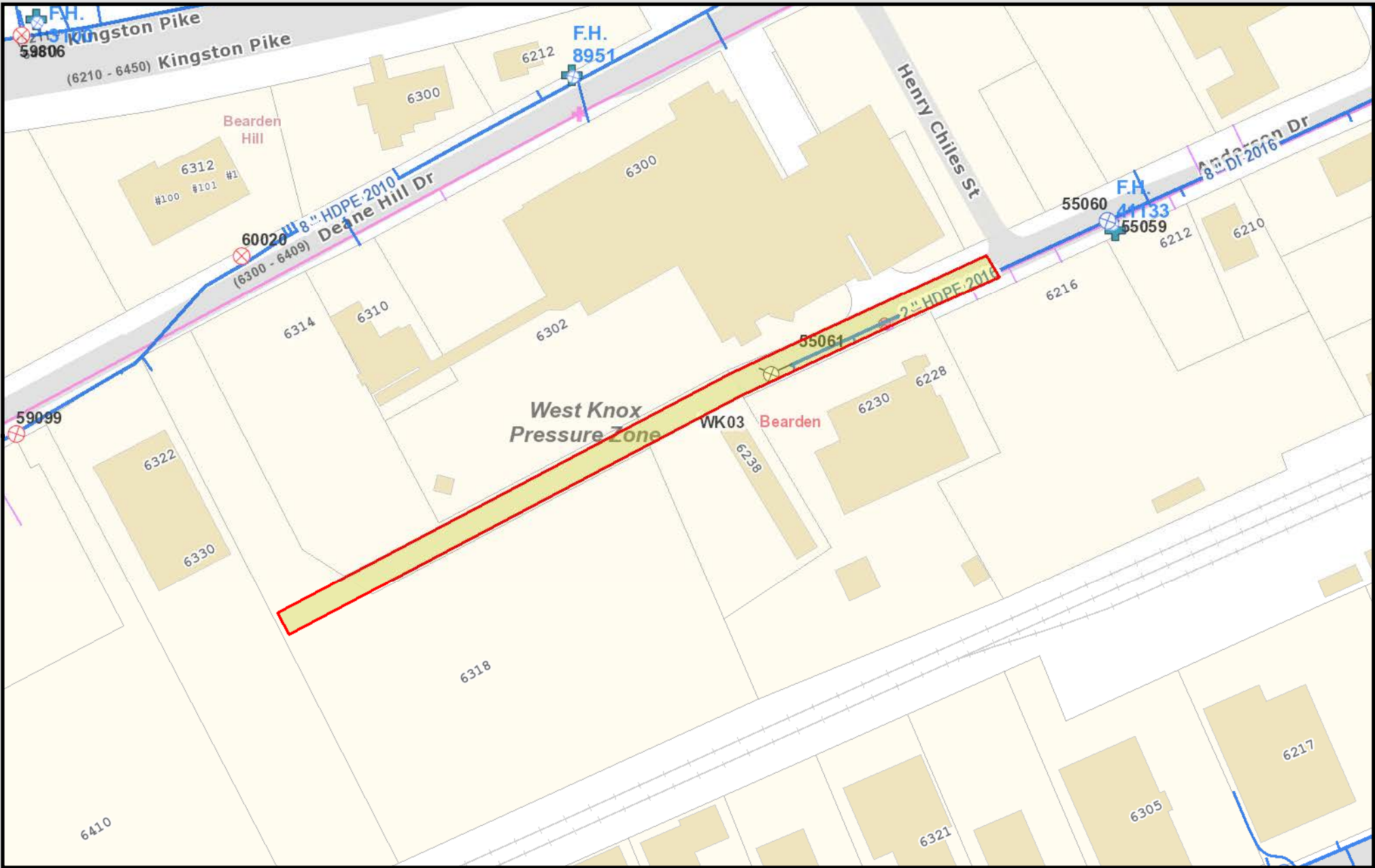
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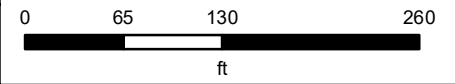


File No. 3-B-23-SC (Water)

Knoxville Utilities Board



Printed: 2/21/2023 at 9:16:45 AM



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Jessica Kitts <jessica.kitts@knoxplanning.org>

ROW Closures for March 2023: 3-A-23-SC and 3-B-23-SC

Steve Borden <Steve.Borden@tn.gov>
To: Jessica Kitts <jessica.kitts@knoxplanning.org>

Tue, Feb 21, 2023 at 12:22 PM

Jessica,

Operations has no comment on either of the ROW closure requests for March 2023 referenced in the trailing email.

Sincerely,

Steven M. Borden, P.E.
Director/Assistant Chief Engineer
TDOT – Region 1

as

From: Jessica Kitts <jessica.kitts@knoxplanning.org>

Sent: Tuesday, February 7, 2023 9:05 AM

To: Sonny Partin <spartin@knoxvilletn.gov>; Tom Clabo <tclabo@knoxvilletn.gov>; Dori Caron <dori.caron@knoxplanning.org>; Christian Wiberley <Christian.Wiberley@kub.org>; Charlotte Goforth <cgoforth@knoxvilletn.gov>; Amy Brooks <abrooks@knoxvilletn.gov>; dbrace@knoxvilletn.gov; Harold Cannon <hcannon@knoxvilletn.gov>; Chris Howley <chowley@knoxvilletn.gov>; James Wagner <JW904s@att.com>; Steve Borden <Steve.Borden@tn.gov>; Michelle Portier <michelle.portier@knoxplanning.org>; egill@knoxvilletn.gov; Jeff Welch <jeff.welch@knoxplanning.org>; Ben Davidson <bdavidson@knoxvilletn.gov>; Steve King <sking@knoxvilletn.gov>; Jay Frazier <jf092g@att.com>

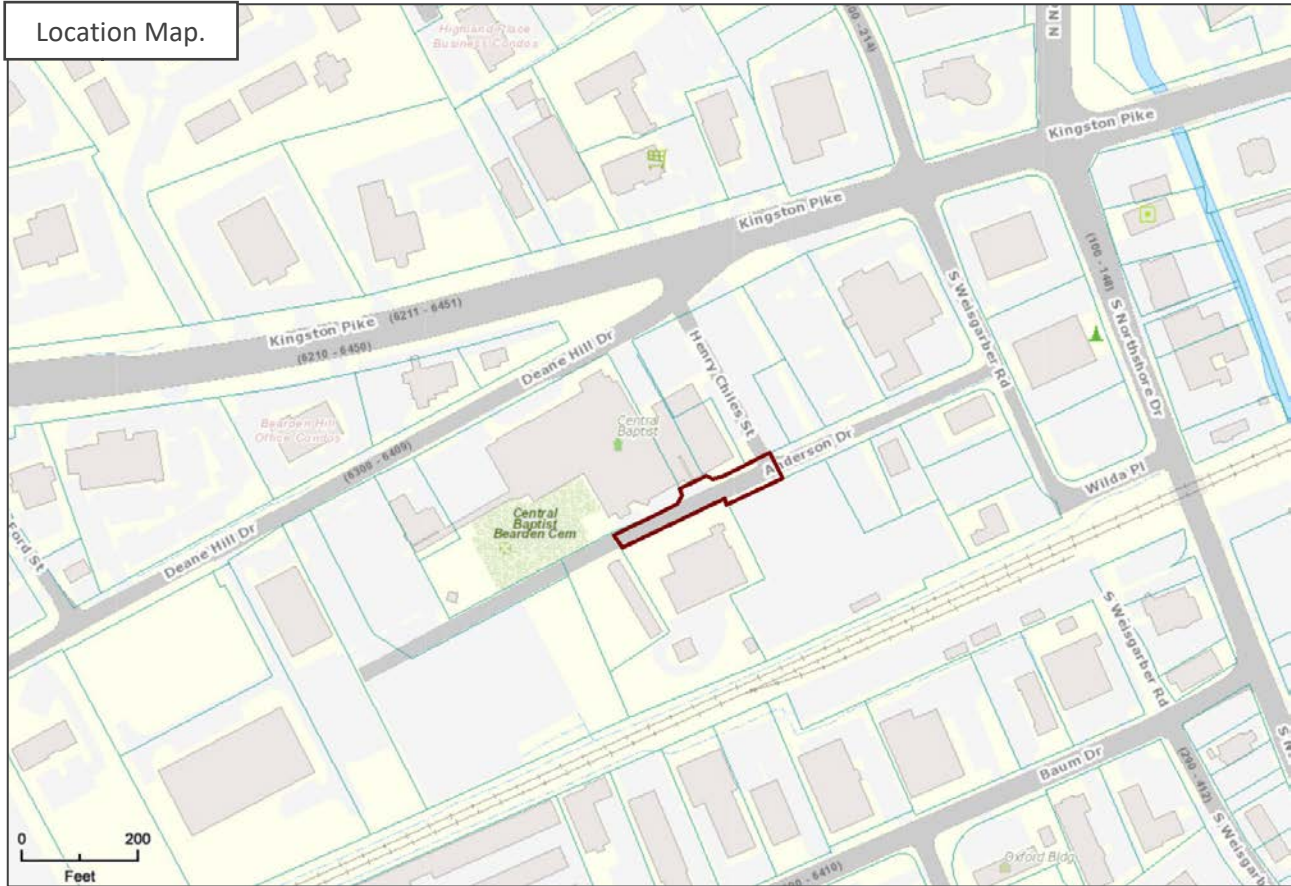
Subject: [EXTERNAL] ROW Closures for March 2023: 3-A-23-SC and 3-B-23-SC

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

[Quoted text hidden]

3-B-23-SC
Exhibit A. Contextual Images

Location Map.



Aerial Map.





RIGHT-OF-WAY CLOSURE

Name of Applicant: Central Baptist Church of Bearden

Date Filed: _____ Fee Paid: 2/7/2023 File Number: 3-B-23-SC

Map Number: 121 Zoning District: 0 and C-G-2 City County Sector: West City

Jurisdiction: City Knoxville, District 2, Andrew Roberts Council District

INFORMATION:

Name of Right-of-Way: Portion of Anderson Drive

Type of Right-of-Way: Street Alley

Location of Right-of-Way: Between the S. Weisgarber Rd. & the eastern lot line of parcel 121AB013

BETWEEN (City Block or Lot where appropriate) Anderson Drive (City Block 47580)

AND (City Block or Lot where appropriate) to west termination point

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

Reason for Closure: Central Bearden is purchasing the property into which Anderson Drive terminates and, therefore, will own the property on all sides of Anderson. Public access will no longer be needed.

TO BE CLOSED:

From: (Street, Alley, Other)
Anderson Drive from
Henry Chiles

To: (Street, Alley, Other)
End of Anderson Drive

ALL CORRESPONDENCE RELATING TO THIS APPLICATION SHOULD BE SENT TO:

Kelly Rose, Executive Pastor 6300 Deane Hill Dr.
Name: (Print) Kelly Rose Address 6300 Deane Hill Dr. City Knoxville, TN State TN Zip 37919 Phone 615-251-1234 Email krose@cbebearden.org

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: Kelly Rose

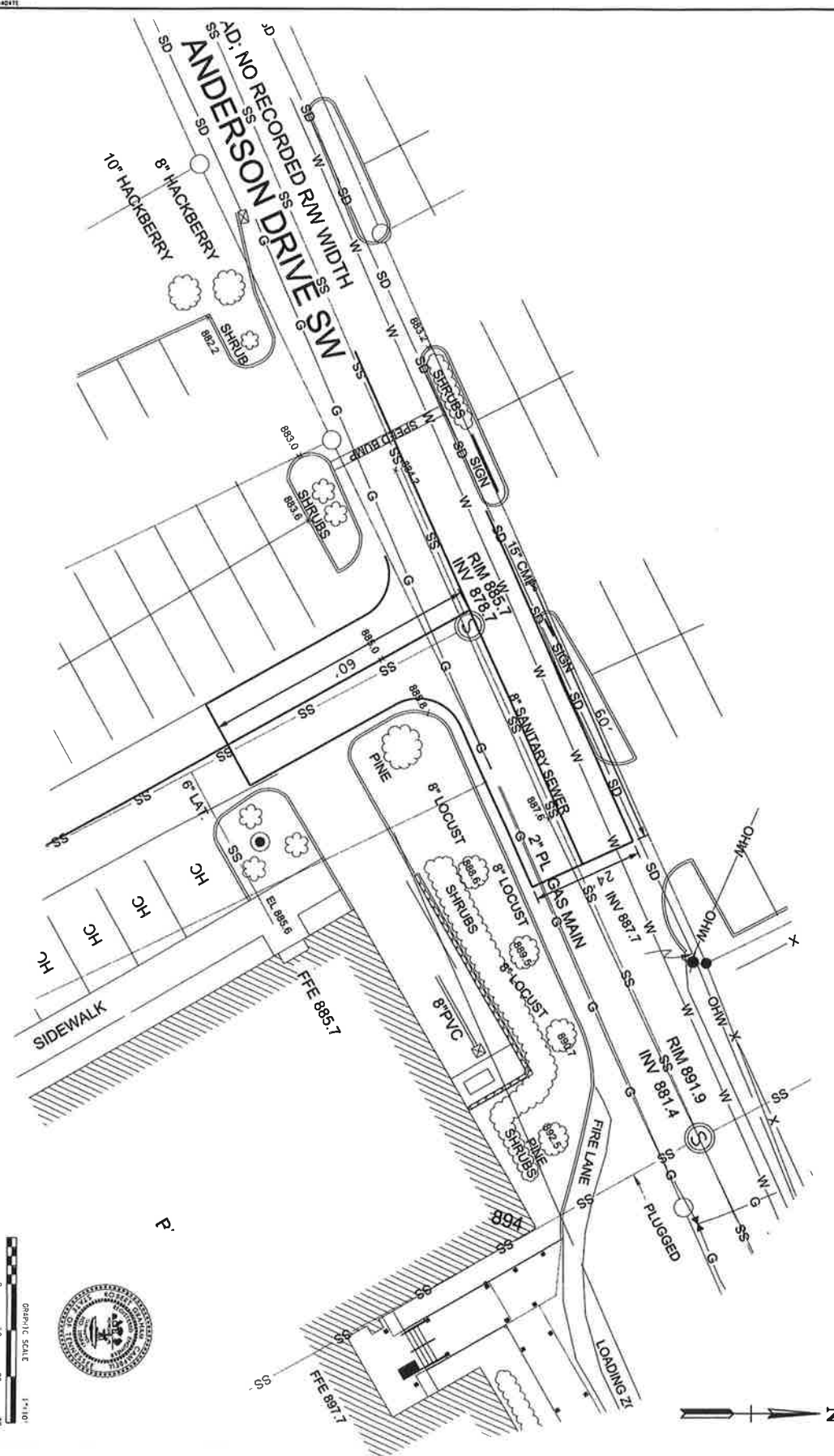
Name: (Print) _____ Address _____ City _____ State _____ Zip _____ Phone _____ Email _____

APPLICATION ACCEPTED BY: Missy Jones 2/7/2023

NO. 1	DATE	DESCRIPTION	BY	CHKD
		REVISIONS		

 ROBERT G. CAMPBELL & ASSOC., L.P. CONSULTING ENGINEERS KNOXVILLE, TENNESSEE		CENTRAL BEARDEN BAPTIST CHURCH	TURNAROUND DESIGN
--	--	---------------------------------------	--------------------------

DESIGNED BY	ENGINEER BY	SCALE	SHEET
CHKD	DATE	1"=40'	NO. 3
APP'D	FILE NO.		SUBJECT



*****SHEET*****

NO.	DATE	DESCRIPTION
		REVISED

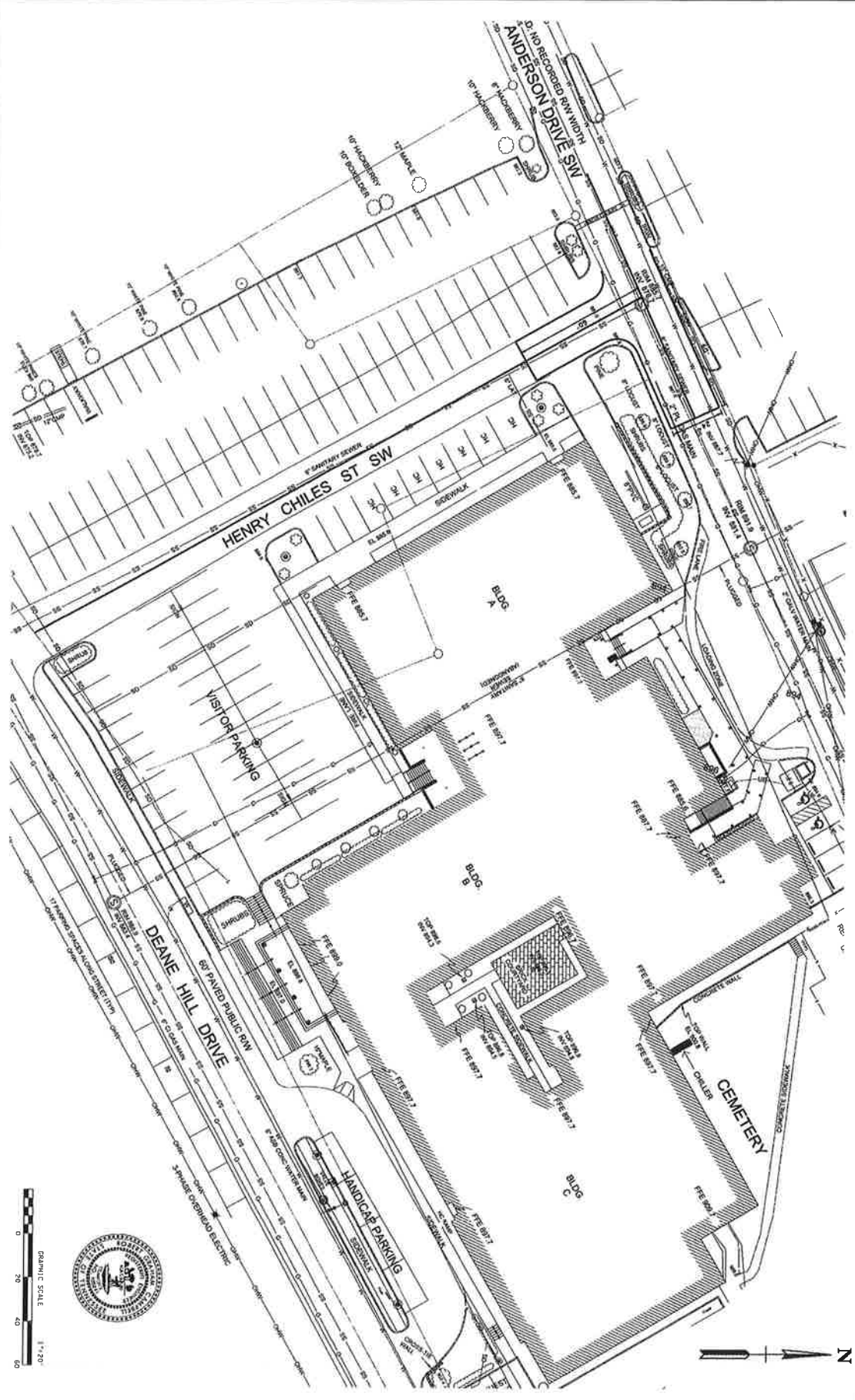


ROBERT G. CAMPBELL & ASSOC., L.P.
CONSULTING ENGINEERS
NASHVILLE, TENNESSEE

CENTRAL BEARDEN
BAPTIST CHURCH

TURNAROUND
DESIGN

DESIGNED BY	CHECKED BY	SCALE
DRAWN BY	DATE	FILE NO.
NO.	DATE	





CITY BLOCK: 47580

Bounded by Anderson Drive and
Weisgarber Road

Ward: 47
Old Sanitary Sewer Map: 93
1973 Topo Map: J-4
C.L.T. Map: 121-A
GIS No: 558555

Subdivisions and Rights-of-Way

47580-A -- Parcels 14 and 16 -- Anderson Dr. across from Short Rd. (closed) --
8-27-1984 -- Map Book 111L, page 7, -- Plat Cabinet J, Slide 368A. --
IN 198508280035336

Subdivisions and Rights-of-Way -- (Digital)

47580-B -- Lot 14R, Final Plat of Central Baptist Church of Bearden, Inc. -- re-
subdivision of R.W. Toole, Frances Toole Loughran, Nancy Toole Ely Property --
IN 202109100020941

Easements

47-000-D1-34 -- Line D102-17 -- Weisgarber, Anderson, Southern RR -- 5-7-1943

Quit Claim Deeds -- (Digital)

QCD_202106280106739 -- City of Knoxville and Central Baptist Church of Bearden --
Part of Tax Parcels 121AB-014, 016 and 017 -- being an unnamed alley closed by
Ordinance O-53-2021 -- 3-A-21-AC -- 06-25-2021

Resolutions -- (Digital)

08021 plus -- R-135-2021 -- Agreement -- The 2021 Resurfacing Phase II Project --
05-04-2021
08021 plus -- R-320-2021 -- To Amend Contract No. C-21-0297 -- The 2021 Resurfacing
Phase II Project -- 10-05-2021
08021 plus -- R-38-2022 -- Amend Contract No. C-21-0297 -- The 2021 Resurfacing
Phase II Project -- 02-08-2022

Right-of-Way Closures and Conveyances -- (Digital)

Closure Ordinances -- Alleys and Streets

47580 -- O-53-2020 -- To close an unnamed alley between Anderson Drive and the
western property line of Parcel 121AB018 -- 3-A-21-AC -- 04-20-2021

PARID: 121AB014
CENTRAL BAPTIST CHURCH OF BEARDEN INC

6230 ANDERSON DR

Parcel

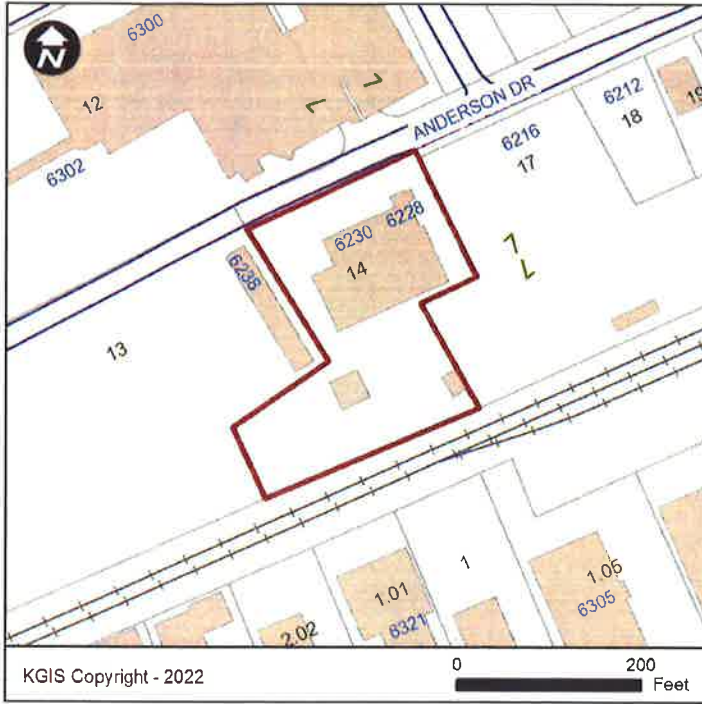
Tax Year	2022
Property Type:	520 - 520 CHURCH
Class:	E - Exempt
Neighborhood:	1601
Living Units:	
Total Cards:	1
Calculated CAMA Acres (Land Units):	1.0000
User Calculated Acres:	
Water/Sewer:	01 - YES
Topography:	-
Gas:	01 - YES
Roads:	-
Electricity:	01 - YES

Owner Information

Owner Name:	CENTRAL BAPTIST CHURCH OF BEARDEN INC
Mailing Address:	6300 DEANE HILL DR KNOXVILLE TN 37919

County Tax Freeze Flag:
Tax Freeze Base Year:

6230 ANDERSON DR - Property Map and Details Report



Property Information

Parcel ID:	121AB014
Location Address:	6230 ANDERSON DR
CLT Map:	121
Insert:	A
Group:	B
Condo Letter:	
Parcel:	14
Parcel Type:	NORMAL
District:	
Ward:	47
City Block:	47580
Subdivision:	CENTRAL BAPTIST CHURCH OF BEARDEN INC
Rec. Acreage:	1.32
Calc. Acreage:	0
Recorded Plat:	20210910 - 0020941
Recorded Deed:	20190114 - 0042379
Deed Type:	Deed:Deed
Deed Date:	1/14/2019

Address Information

Site Address: 6230 ANDERSON DR
KNOXVILLE - 37919
Address Type: PLACE OF WORSHIP
Site Name:
Please contact Knoxville-Knox County Planning at (865) 215-2500 if you have questions.

Jurisdiction Information

County: KNOX COUNTY
City / Township: Knoxville

Political Districts

Voting Precinct: 51
Voting Location: Deane Hill Rec. Center
7414 DEANE HILL DR
TN State House: 18
TN State Senate: 6
County Commission: 4 Kyle Ward
(at large seat 10) Larsen Jay
(at large seat 11) Justin Biggs
City Council: 2 Andrew Roberto
(at large seat A) Lynne Fugate
(at large seat B) Janet Testerman
(at large seat C) Amelia Parker
School Board: 4 Katherine Bike
Please contact Knox County Election Commission at (865) 215-2480 if you have questions.

Owner Information

CENTRAL BAPTIST CHURCH OF BEARDEN INC
6300 DEANE HILL DR
KNOXVILLE TN 37919
The owner information shown in this section does **not** necessarily reflect the person(s) responsible for Last Year's property taxes. Report any errors to the Knox County Property Assessor's office at (865) 215-2365.

Other Information

Census Tract: 44.04
Planning Sector: West City
Please contact Knoxville-Knox County Planning at (865) 215-2500 if you have questions.

School Zones

Elementary: BEARDEN ELEMENTARY
Intermediate:
Middle: BEARDEN MIDDLE
High: WEST HIGH
Please contact Knox County Schools Transportation and Zoning Department at (865) 594-1550 if you have questions.

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KINGSTON PIKE

TELEPHONE

STREET LIGHT

17 PARKING SPACES ALONG STREET (17)

DEANE HILL DRIVE

60' PAVED PUBLIC R/W

HANDICAP PARKING

VISITOR PARKING

HENRY CHILES ST SW

HC HC HC HC HC HC HC HC

ANDERSON DRIVE SW

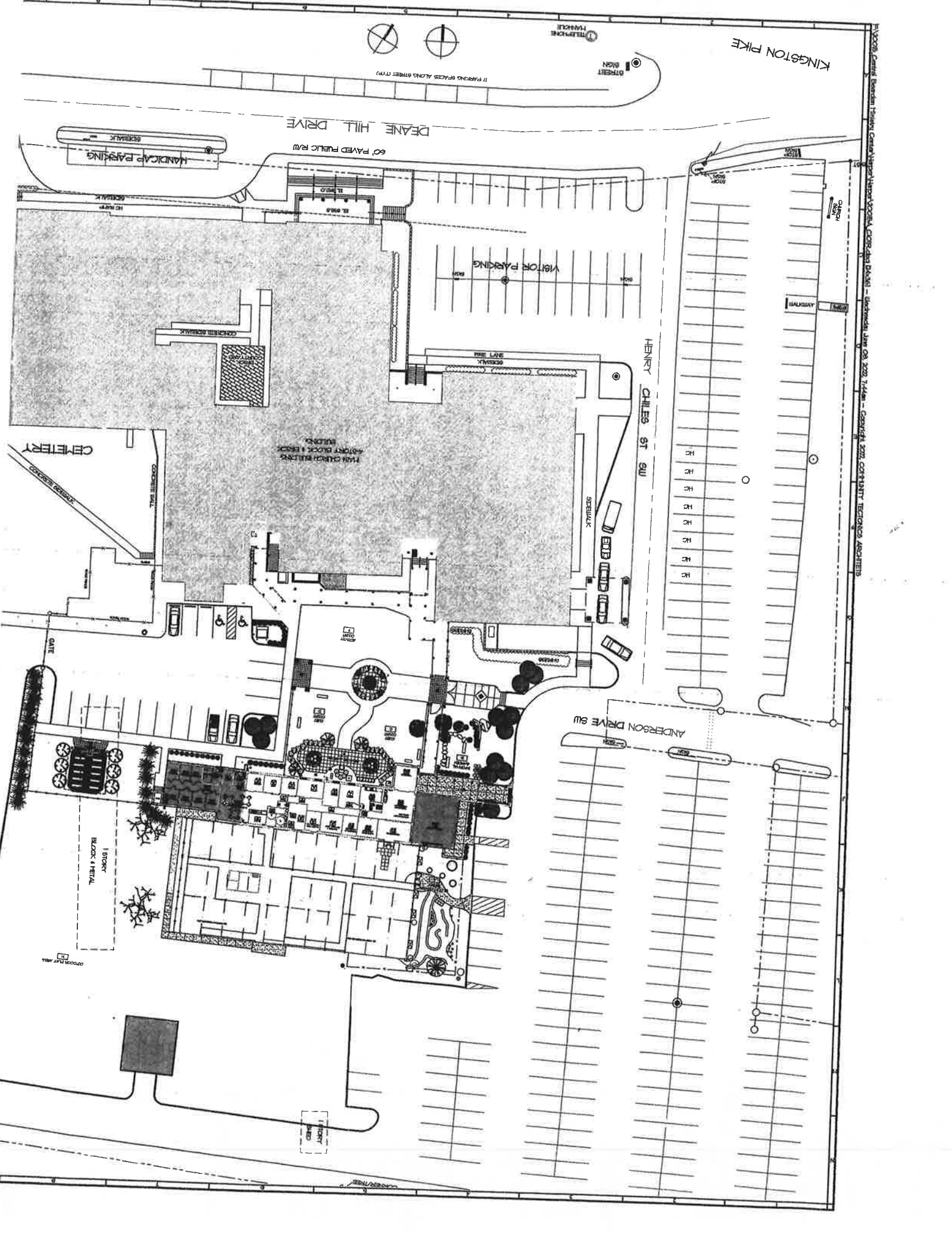
MAIN CHURCH BUILDING
4-STORY BLOCK 1 BLDG.

CEMETERY

1 STORY
BLOCK 1 BLDG.

1 STORY
BLDG.

NO. 0025, General, Electrical, Plumbing, Civil, Mechanical, Structural, Cost Estimating, Construction Management, Inspection, Construction Law, 08/2022, 7/4/24 - Copyright 2022, CONTRACT REGIONAL ARCHITECTS.



Nick McBride
Register of Deeds
Knox County



Knox County, TN Page: 1 of 3
REC'D FOR REC 12/5/2022 4:00 PM
RECORD FEE: \$17.00 T20220059425
M. TAX: \$0.00 T. TAX: \$0.00

202212050033074

THIS INSTRUMENT WAS PREPARED BY:
Brock Shipe Klenk PLC
265 Brookview Centre Way, Suite 604
Knoxville, Tennessee 37919

BSK# 2022300

ADDRESS NEW OWNER(S) AS FOLLOWS:

SEND TAX BILLS TO:

MAP-PARCEL NUMBER

Central Baptist Church of Bearden, Inc.
6238 Anderson Drive
Knoxville, TN 37919

Central Baptist Church of Bearden, Inc.
6228 Anderson Avenue
Knoxville, TN 37919

P/O 121AB009
P/O 121AB010
P/O 121AB013

QUITCLAIM DEED

THIS INDENTURE, made and entered into on this 15th day of November, 2022, between **Harper Properties, L.P.**, a Tennessee limited partnership (“Grantor”), and **Central Baptist Church of Bearden, Inc.**, a Tennessee non-profit corporation (“Grantee”).

WITNESSETH:

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and legal sufficiency of which are hereby acknowledged, Grantor does hereby grant, bargain, sell, remise, release, and quit-claim unto the Grantee, Grantee’s heirs and assigns, all of Grantor’s right, title, and interest in and to the following described premises, to-wit:

Land in Knox County, Tennessee, being Lot(s) 1 and 3, as shown on the map entitled Final Plat for the Resubdivision of a Portion of Lot 1 Central Baptist Church of Bearden, of record in Instrument No. 202205160086881, Register's Office for Knox County, Tennessee, to which plan reference is hereby made for a more complete and accurate property description.

Being part of the same property conveyed to CENTRAL BAPTIST CHURCH OF BEARDEN, INC., by deed from CONNER TIRE COMPANY, INC., A CORPORATION CREATED AND EXISTING BY VIRTUE OF THE LAWS OF THE STATE OF TENNESSEE, dated September 20, 1985, of record in Book 1860, Page 1025, said Register's Office.

Also, being part of the same property conveyed to HARPER PROPERTIES, L.P., A TENNESSEE LIMITED PARTNERSHIP, by deed from FIRST PROPERTIES, L.L.C., A TENNESSEE LIMITED LIABILITY COMPANY, of record in Instrument No. 202202220065321, dated February 16, 2022, said Register's Office.

THIS CONVEYANCE IS SUBJECT to all applicable restrictions, easements, set-back lines, and other

conditions shown of record in the Register's Office for Knox County, Tennessee.

THIS CONVEYANCE IS SUBJECT to Knox County, Tennessee taxes for the current year, which will be the responsibility of the Grantee.

WHENEVER used, the singular shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the said Grantor has hereunto set its hand and seal the day and year first above written.

HARPER PROPERTIES, L.P., a Tennessee limited partnership

**By: Harper Management Company, LLC,
a Tennessee limited liability company**

Its: General Partner

By: 


Shannon M. Harper, President

By: 

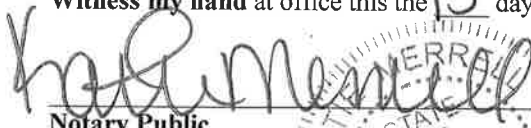
Samma Harper Bromley, Secretary

STATE OF TENNESSEE

COUNTY OF KNOX


Personally appeared before me,  a duly Commissioned **Notary Public** in and for the State and County aforesaid, **Shannon M. Harper**, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained, and who further acknowledged that he is the **President** of **Harper Management Company, LLC**, the **General Partner** of the Maker, **Harper Properties, L.P.**, or a constituent of the Maker, and is authorized by the Maker or by its constituent, the constituent being authorized by the Maker, to execute the foregoing instrument on behalf of the Maker.

Witness my hand at office this the 15th day of November, 2022.



Notary Public

My Commission Expires: 02/01/2023



STATE OF TENNESSEE

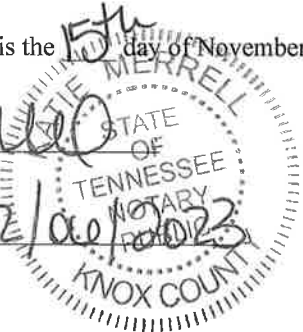
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COUNTY OF KNOX

Personally appeared before me, Jamm Harper Bromley, a duly Commissioned Notary Public in and for the State and County aforesaid, **Samma Harper Bromley**, with whom I am personally acquainted, and who acknowledged that she executed the within instrument for the purposes therein contained, and who further acknowledged that she is the **Secretary of Harper Management Company, LLC, the General Partner of the Maker, Harper Properties, L.P.**, or a constituent of the Maker, and is authorized by the Maker or by its constituent, the constituent being authorized by the Maker, to execute the foregoing instrument on behalf of the Maker.

Witness my hand at office this the 15th day of November, 2022.

Kathleen Merrell
Notary Public
My Commission Expires: 02/06/2023



I hereby swear or affirm that to the best of affiant's knowledge, information and belief, the actual consideration for this transfer or the value of the property transferred, whichever is greater, is \$ -0- which amount is equal to or greater than the amount which property transferred would command at a fair and voluntary sale.

[Signature]
Affiant/Grantee

Subscribed and sworn to before me this 15th day of November, 2022.

Kayla Whitehead
Notary Public

My commission expires: 2/6/23

