

ORDINANCE NO. 203

AN ORDINANCE TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES, EMBRACING THAT CERTAIN PART OF THE 9TH CIVIL DISTRICT OF HAWKINS COUNTY, AND KNOWN AS THE FOX RUN PARTNERS PROPERTY ANNEXATION AREA, (WOLFE LAUREL SUBDIVISION) AS HEREINAFTER DESCRIBED; TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, the Mount Carmel Regional Planning Commission, at its January 12, 1999, meeting, recommended to the Mount Carmel Board of Mayor and Aldermen that the hereafter described property be annexed; and

WHEREAS, a public hearing before the Board of Mayor and Aldermen of the Town of Mount Carmel, Tennessee, on such proposed annexation was held on the 25th day of February, 1999, and notice thereof published in the Kingsport Times-News on the ____ day of February, 1999; and

WHEREAS, it appears that the prosperity of the Town and of the territory herein described may be materially retarded and the safety and welfare of the property thereof endangered if such property is not annexed; and

WHEREAS, the Mount Carmel Regional Planning Commission considered the Plan of Services and recommended same to the Board of Mayor and Alderman; and

WHEREAS, the annexation of such property is deemed necessary for the welfare of the residents and property owners thereof and the Town as a whole; NOW, THEREFORE:

BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF MOUNT CARMEL, TENNESSEE, AS FOLLOWS:

SECTION I. Pursuant to authority conferred by Tenn. Code Anno. §6-51-101 et seq., there is hereby annexed to the Town of Mount Carmel, Tennessee, and incorporated within the corporate boundaries thereof, that portion of the following described territory adjoining the present corporate boundaries which does not already lie within the corporate limits:

Embracing that certain part of the 9th Civil District of Hawkins County, Tennessee, and more fully described to-wit:

A portion of Hawkins County Tax Map number 11, parcel 157 is already in the corporate limits on Mount Carmel, Tennessee. The portion of Hawkins County Tax Map number 11, parcel 157 that is outside the corporate limits is hereby annexed into and made a part of the municipality of Mount Carmel, Tennessee.

Property Assessor Map No: 09-11-157

SECTION II. The Plan of Services attached hereto, which was adopted at the conclusion of the Public Hearing conducted February 25, 1999, is confirmed.

SECTION III. The property described in Section One above shall be and is hereby zoned R-1 (Single Family Residential District).

SECTION IV. The City Recorder shall notify the County Executive of Hawkins County, Tennessee on the date of final passage of this annexation ordinance that the foregoing property is to be annexed into the Town of Mount Carmel, Tennessee, and the Hawkins County Commission shall have 60 days thereafter to pass a resolution if it contests the above-noted annexation.

SECTION V. On or about April 27, 2000, (the expiration of one year from the date this territory becomes a part of this municipality) and annually thereafter until services have been extended according to the above-noted Plan of Services, there shall be prepared and published in the officially designated newspaper a report of the progress made in the preceding year toward extension of such services according to the plan and any changes proposed therein. The Board of Mayor and Aldermen shall also publish notice of and conduct a public hearing on such progress reports and changes in compliance with Tenn. Code Anno. §6-51-108(b).

SECTION V. LEGAL STATUS PROVISIONS

A. Conflict with Other Ordinances In case of conflict between this ordinance or any part thereof, and the whole or part of any existing or future ordinance of the Town of Mount Carmel, the most restrictive shall in any cases apply.

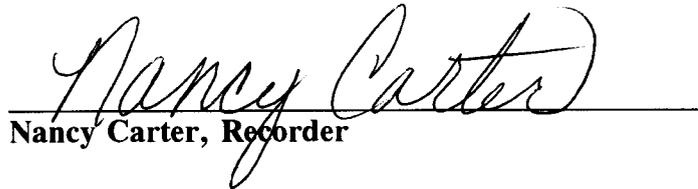
B. Validity If any rule, section, or subsection of this ordinance is held by any court to be invalid or unconstitutional the same shall not invalidate or otherwise effect any of the other rules, sections, or subsections of this ordinance unless it clearly appears that such other rule, section or subsection is wholly or necessarily dependent for its operation upon the rule, section, or subsection so held invalid or unconstitutional.

C. Effective Date This ordinance shall become effective ninety (90) days after its final passage, the public welfare requiring it.



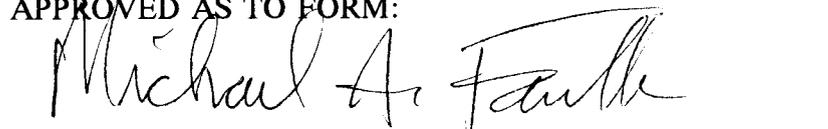
James Dean, Mayor

ATTEST:



Nancy Carter, Recorder

APPROVED AS TO FORM:



LAW OFFICES OF MICHAEL A. FAULK

NOTICE OF PUBLIC HEARING PUBLISHED ON: 6-9-99
 NAME OF PUBLICATION: Kingsport Times News
 PUBLIC HEARING HELD ON: 6-24-99

FIRST READING	AYES	NAYS	OTHER
WAYNE ALLEY	✓		
HENRY BAILEY			<i>abstain</i>
EUGENE CHRISTIAN	✓		
JAMES DEAN, MAYOR	✓		
GARY LAWSON	✓		
THOMAS WHEELER	✓		
CARL WOLFE	✓		
TOTALS	6	0	1

PASSED FIRST READING: 1-28-99

SECOND READING	AYES	NAYS	OTHER
WAYNE ALLEY			<i>absent</i>
HENRY BAILEY			<i>absent</i>
EUGENE CHRISTIAN	✓		
JAMES DEAN, MAYOR	-	-	-
GARY LAWSON			
THOMAS WHEELER	✓		
CARL WOLFE	✓		
TOTALS			

PASSED SECOND READING: 6-24-99

PUBLICATION AFTER PASSAGE:	
DATE:	<u>7-02-99</u>
NEWSPAPER:	<u>Kingsport Times-News</u>