

ORDINANCE NO. 242

AN ORDINANCE TO FURTHER AMEND THE ZONING, TEXT AND MAP TO REZONE AN AREA KNOWN AS THE WILLIAM AND SUSIE LAMBERT PROPERTIES, BOUNDED ON THE WEST BY MONTGOMERY AVENUE AND BOUNDED ON THE NORTH BY ELM STREET, SITUATED IN THE 7th CIVIL DISTRICT OF HAWKINS COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE.

BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMAN AS FOLLOWS:

SECTION I. That the zoning ordinance, text and map, be and the same is hereby further amended to rezone the William and Susie Lambert properties, bounded on the west by Montgomery Avenue and bounded on the north by Elm Street, situated in the 7th Civil District of Hawkins County, from the existing R-1 Residential Single-Dwelling District to R-2 Residential Multi-Dwelling District, said area to be re-zoned being further and more particularly described as follows:

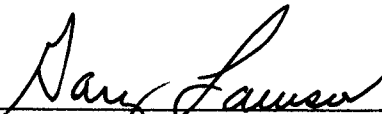
BEING all of that property shown as 2002 Hawkins County Tax Map 32-C - Group C - Parcels 2.01 and 2.02. Map Revision Date Recorded in Deed Book 429, page 9 and page 12 in the Register's Office for Hawkins County Tennessee.

SECTION II. 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 all cases apply.

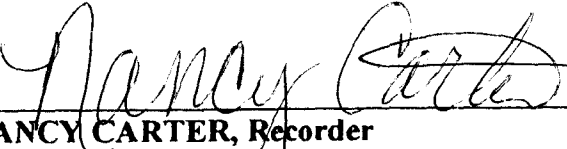
B. Validity. If any section, clause, provision or portion of this ordinance shall be held to be in doubt or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of this ordinance which is not of itself invalid or unconstitutional.

C. Effective Date. This Ordinance shall become effective upon passage and publication, as the law directs, the public welfare of the Town of Mount Carmel, Tennessee, requiring it.



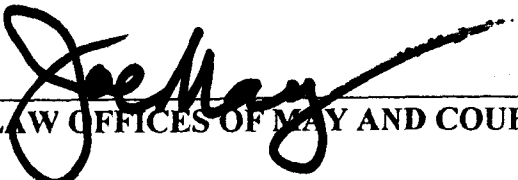
GARY W. LAWSON, Mayor

ATTEST:



NANCY CARTER, Recorder

APPROVED AS TO FORM:



LAW OFFICES OF MAY AND COUP

FIRST READING	AYES	NAYS	OTHER
Alderman Bailey	✓		
Vice-Mayor Christian	✓		
Alderman Hale	✓		
Mayor Lawson	✓		
Alderman Pierce	absent		
Alderman Wheeler	✓		
Alderman Worley	✓		
TOTALS	6	0	0

PASSED FIRST READING 5-23-02

SECOND READING	AYES	NAYS	OTHER
Alderman Bailey	✓		
Vice-Mayor Christian	✓		
Alderman Hale	✓		
Mayor Lawson	✓		
Alderman Pierce	✓		
Alderman Wheeler	✓		
Alderman Worley	✓		
TOTALS	7	0	0

PASSED SECOND READING 6-27-02

PUBLISHED ON: _____ DATE: <u>6-29-2002</u> NEWSPAPER: <u>Kingsport Times News</u>

WARRANTY DEED

THIS DEED, made and entered into this the 11th day of February, 2002,
by and between STELLA WALLEN, and Husband, CARL J. WALLEN, Sr., hereinafter known as
the Parties of the First Part, and WILLIAM R. LAMBERT and Wife, SUSIE A. LAMBERT,
hereinafter known as the Parties of the Second Part.

WITNESSETH:

That for the consideration of the sum of Ten Dollars (\$10.00), cash in hand paid, receipt of
which is hereby acknowledged, and other good and valuable consideration, the parties of the first part
have bargained and sold and do hereby grant and convey unto the parties of the second part, their
heirs and assigns, with covenants of general warranty of title, the following described property
located in the 7th Civil District of Hawkins County, Tennessee:

BEGINNING at an iron pin in the Eastern Margin of Montgomery Avenue, corner
to lot 18 an running thence Easterly with Lots 14, 15, 16, 17 and 18 and running
thence Easterly with Lots 3 and 4; thence Northerly with the line of Lots 4, 5, 6 and
part of 7, 150 feet, more or less, to an iron pin in the line of Lot 7; thence Westerly
with the line of Lots 11 and 12, 263.09 feet to an iron pin, corner for Lot 14 and in
the line of Lot 12; thence Southerly with the Eastern margin of Montgomery Avenue,
145.75 feet, to an iron pin, the point of BEGINNING, and being all of Lot 13,
Section D. of the J. Perry Miller Subdivision, as shown on map by King Engineering
Company, dated April 30-A and revised in Map Cabinet 1, Envelope 151-A, in the
Register's Office for Hawkins County, Tennessee.

Being the same property conveyed to Grantor herein by Ruth Winegar by Warranty
Deed dated May 14, 2001 and recorded May 22, 2001 at Deed Book 429, page 12
in the Register's Office for Hawkins County Tennessee.

This Warranty Deed prepared without benefit of title search or new survey,
information contained herein being taken from above-referenced Warranty Deed.
Scrivener herein makes no representations as to accuracy of such information or to
legal status of title.

This instrument
was prepared by:
Terry Risner
Attorney at Law
5 Main St.
Mt. Carmel, TN

TO HAVE AND TO HOLD unto the parties of the second part, their heirs and assigns,
forever.

The parties of the first part, for themselves, their successors and assigns, covenant that they are lawfully seized and possessed of the property hereby conveyed; that they have a good and lawful right to convey the same; that said property is free and clear of any encumbrance, except as herein stated; that they will execute such further assurances of title as may be reasonably required, and that they will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever. CARL J. WALLEN, Sr. was not named as Grantee of the property herein conveyed. He executes this Warranty Deed to release any claim that he may have as a result of curtesy or dower rights in said property.

This conveyance is expressly made subject to reservations, restrictions, easements, covenants and conditions contained in former instruments of record pertaining thereto and to all easements and encroachments apparent from an inspection of the property.

WITNESS the following signatures on this day and date first above written.

Stella Wallen
STELLA WALLEN, Grantor

Carl J. Wallen Sr.
CARL J. WALLEN, Sr.

STATE OF TENNESSEE

COUNTY OF HAWKINS

Personally appeared before me, a Notary Public the within named bargainors, STELLA WALLEN and CARL J. WALLEN, SR., with whom I am personally acquainted or provided sufficient identification, and who acknowledged that they executed the forgoing instrument for the purposes therein contained. This the 11th day of February, 2002.



Tracy Risher
Notary Public

My Commissions Expires: 8/21/2002

STATE OF TENNESSEE

COUNTY OF Hawkins

I hereby swear or affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater, is \$ 17,500.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

This the 12th day of February, 2002.

William R. Lambert
Affiant

SWORN TO AND SUBSCRIBED before me, this the 12th day of February, 2002.

Debbie Collins
Notary Public - Dep. Reg.

My Commission Expires: _____

NAME AND ADDRESS OF PROPERTY OWNER:

William R. Lambert and Susie A. Lambert
331 Montgomery Avenue
Church Hill, TN 37642

NAME AND ADDRESS OF THE PERSON OR ENTITY RESPONSIBLE FOR THE PAYMENT OF THE REAL PROPERTY TAX:

SAME AS ABOVE

STATE OF TENNESSEE • HAWKINS COUNTY
RECEIVED FOR RECORD THE 12 DAY OF Feb 2002
AT 10:10 O'CLOCK Am NOTED IN BOOK 436 PAGE 435
AND RECORDED IN Deed BOOK 436 PAGE 375
RECORDING FEE \$ 15.00 STATE TAX \$ 16.47
CLERKS FEE \$ 1.00 COMP. FEE \$ 2.00 TOTAL \$ 82.15
GALE B. CARPENTER REG.
RECEIPT # 16159 BY DC DEPUTY

WARRANTY DEED

THIS WARRANTY DEED, Executed this 18th day of February, 2002, by first party, RUTH WINEGAR, hereinafter referred to as "Grantor", to second parties, WILLIAM R. LAMBERT and wife, SUZIE A. LAMBERT, hereinafter referred to as "Grantees".

WITNESSETH, that the said first party, for good consideration and for the sum of \$10.00 paid by the second parties, the receipt whereof is hereof acknowledged, does hereby remise, release and quitclaim unto the second party forever, all right, title, interest and claim which the said first party has in and to the following described parcel of land, and improvements and appurtenances thereto in the following described property in the 7th Civil District of Hawkins County, Tennessee, and being more particularly described as follows:

BEGINNING at an iron pin in the Southern line of Elm Street, corner to Lot 10 and running thence with the line of Lots 9, 10 and part of Lot 8, in a Southerly direction 207.22 feet to an iron pin in the line of Lot 7; thence Westerly with the line of Lot 13, 263.09 feet to an iron pin, corner for Lot 17; thence Northerly with the line of Lot 59 and 67, 158.21 feet, to an iron pin in the line of Lot 59 and the Southern terminus of Elm Street; thence Easterly with the Southern line of Elm Street, 256.66 feet to an iron pin, the point of **BEGINNING**, and being all of Lots 11 and 12, Section D. of the J. Perry Miller Subdivision, as shown on map by King Engineering Company, dated April 30, 1946, and recorded in Map Cabinet 1, Envelope 30-A and revised in Map Cabinet 1, Envelope 151-A, in the Register's Office for Hawkins County, Tennessee.

Being the same property conveyed to Ruth Winegar by Warranty Deed dated May 14, 2001 and recorded May 22, 2001 at Deed Book 429, Page 9 in the Register's Office for Hawkins County, Tennessee.

TAX I.D. NUMBER: P/O MAP 32C, PARCEL 002.00

This deed was prepared without benefit of survey or title search and preparer makes no representations as to status of either the legal description or title.

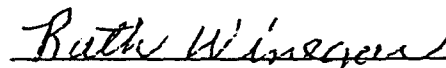
With the hereditaments and appurtenances thereto appertaining, hereby releasing all claims to Homestead and Dower therein.

TO HAVE AND TO HOLD unto the parties of the second part, their heirs and assigns, in fee simple, forever.

IN WITNESS WHEREOF, the said first party has signed and sealed these presents the day and year first above written. Signed, sealed and delivered in the presence of:


Signature of Witness

RITA MIRACLE
Print name of Witness


Signature of First Party

Ruth Winegar
Print name of First Party

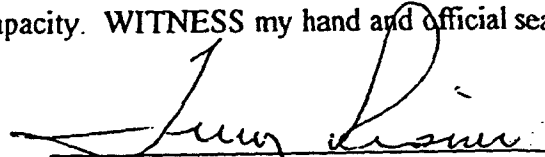
STATE OF TENNESSEE;
COUNTY OF HAWKINS;

On this the 18th day of February, 2002, before me appeared

Ruth Winegar personally known to me (or proved to me on the basis of satisfactory evidence)

to be the person whose name is subscribed to the within instrument and acknowledged to me that

he/she executed the same in his/her authorized capacity. WITNESS my hand and official seal.


NOTARY PUBLIC

My Commission Expires: 8/21/2002

The undersigned hereby certifies that the actual consideration given for the subject real estate
was \$ _____.

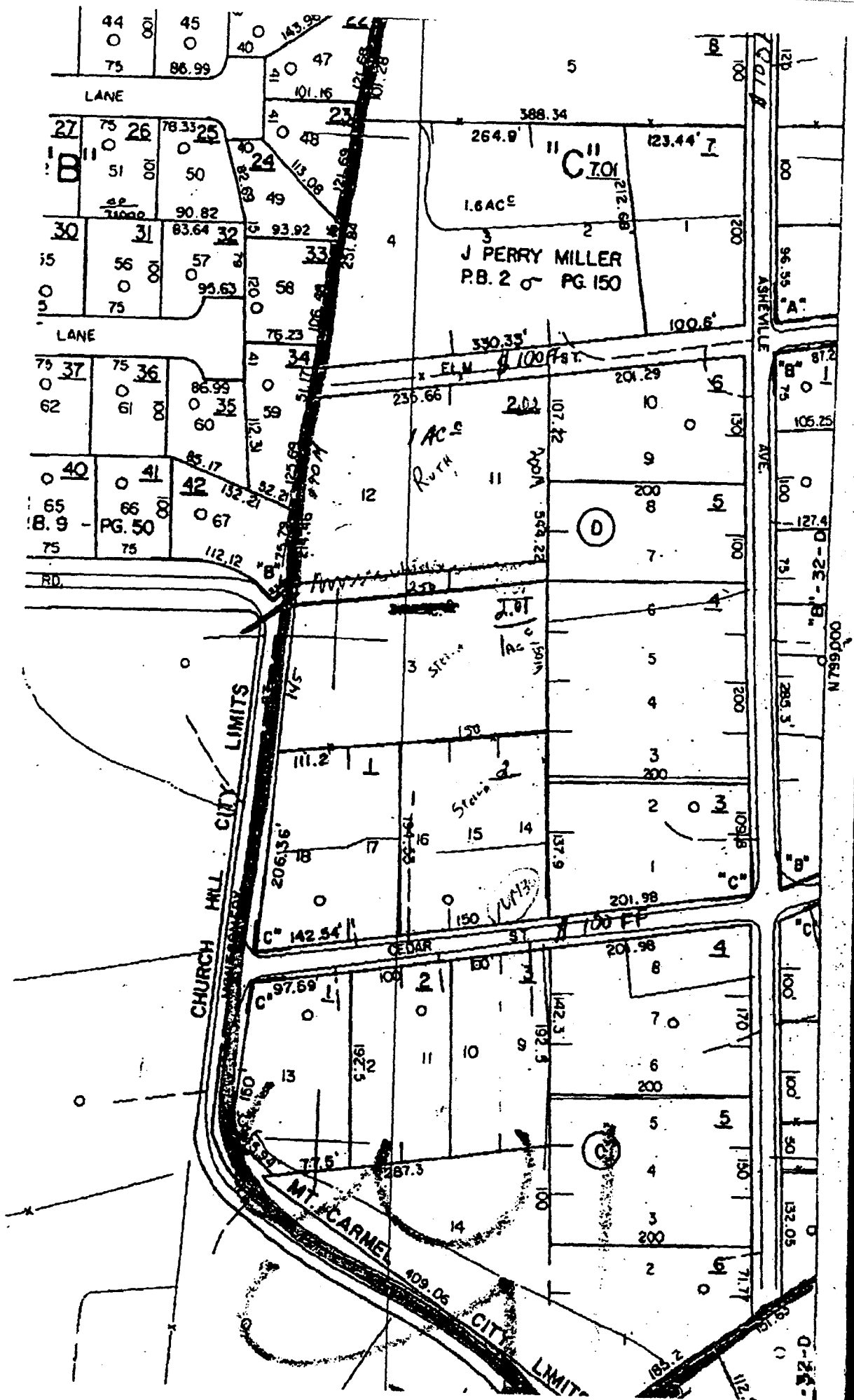
The actual value of the subject real estate is \$ _____.

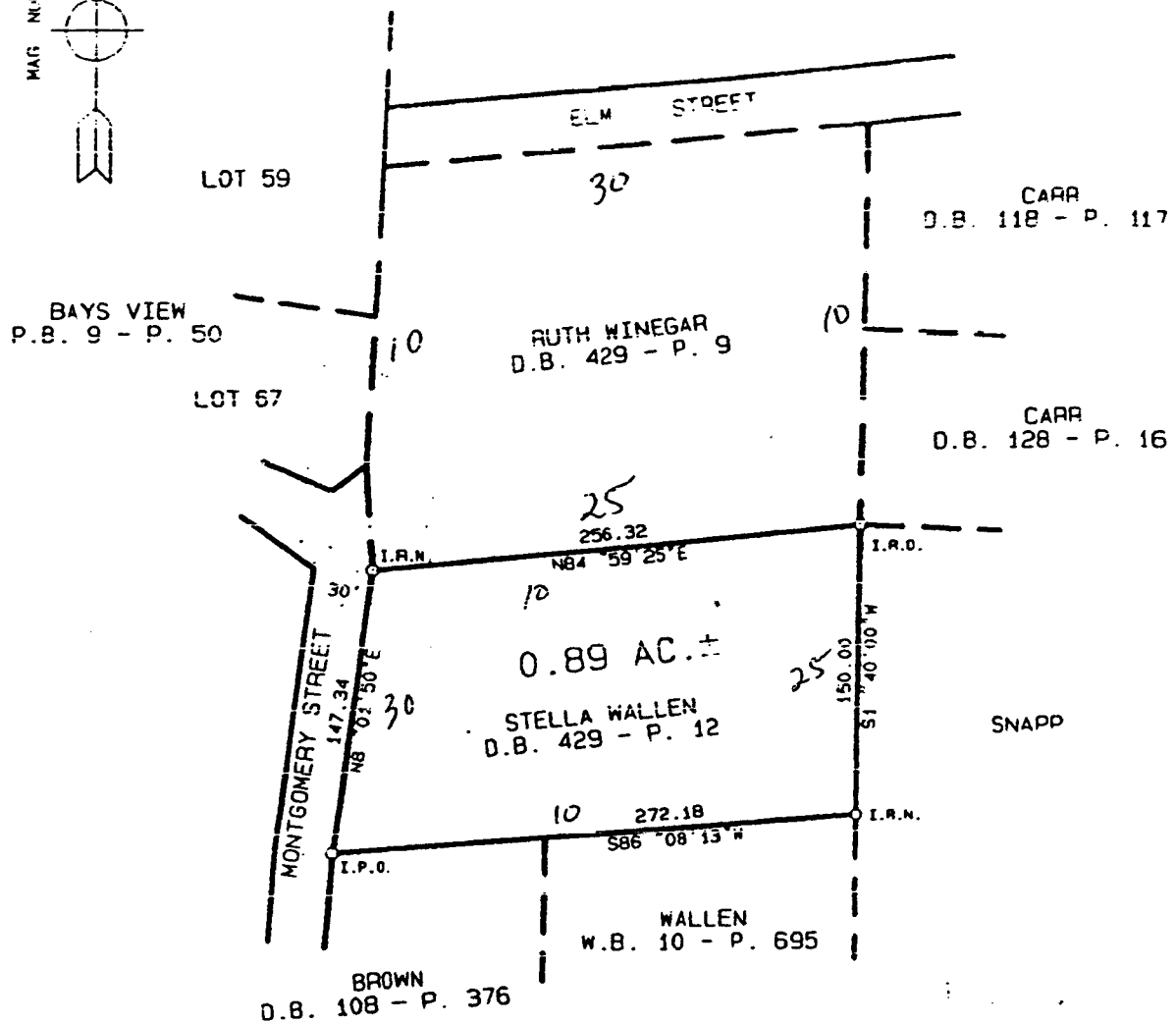
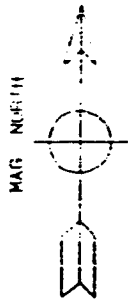
Affiant

Subscribed and sworn to before me by _____ this _____
day of _____, 2002.

Clerk

My Commission Expires: _____





THIS SURVEY IS SUBJECT TO ANY AND ALL
SERVITUDES, EASEMENTS, COVENANTS, OR
RESTRICTIONS EITHER WRITTEN OR UNWRITTEN.

STELLA WALLEN PROPERTY
7TH CIVIL DISTRICT HAWKINS CO., TN.
SCALE 1" = 100'
JULY 9, 2001

I HERBY CERTIFY THAT THIS IS A CATEGORY _____ SURVEY AND THE RATIO OF
PRECISION OF THE UNADJUSTED SURVEY IS _____ AS SHOWN HEREON.

TAX MAP 32C - GROUP C - PARCELS 2 01 & 2 02
BASE BEARING TAKEN FROM D.B. 429 -

SURVEYOR
REG. NO. 285
PHONE (423) 272-6608

KINGSPORT TIMES-NEWS

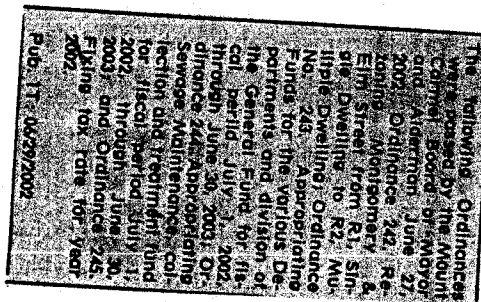
PUBLICATION CERTIFICATE

Kingsport, TN July 1, 2002

This is to certify that the Legal Notice hereto attached was published in the Kingsport Times-News, a daily newspaper published in the City of Kingsport, County of Sullivan, State of Tennessee, beginning in the issue of 6-29-02, and appearing 1 consecutive weeks (times), as per order of

Town of Mt. Carmel

Signed Nancy R. Williams



STATE OF TENNESSEE, SULLIVAN COUNTY, TO-WIT:

Personally appeared before me this 1st day of July 20 02, Nancy R. Williams of the Kingsport Times-News and in due form of law made oath that the foregoing statement was true to the best of my knowledge and belief.

Dakota F. Salyer
NOTARY PUBLIC

My commission expires February 2, 2003