

ORDINANCE NO. 308

AN ORDINANCE TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE TOWN OF MOUNT CARMEL, EMBRACING THAT CERTAIN PART OF THE 7TH CIVIL DISTRICT OF HAWKINS COUNTY, TENNESSEE, AND KNOWN AS THE CARTERS VALLEY ROAD ANNEXATION AREA BEING FOX RIDGE SUBDIVISION (FORMERLY KEMP ELLIS FARM) NOW OWNED BY FOX RUN ENTERPRISES, L.L.C., AS HEREINAFTER DESCRIBED; TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE TOWN OF MOUNT CARMEL, TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE.

- WHEREAS, a public hearing was held on the 28th day of February, 2006, before the Board of Mayor and Aldermen of the Town of Mount Carmel, Tennessee; notice of which was published in the Kingsport Times-News on the ____ day of February, 2006; and
- WHEREAS, the Town of Mount Carmel, under the authority granted it by *Tenn. Code Ann.*, §§6-51-102 and 6-58-111, to annex territory located within its approved Urban Growth Boundaries; initiated the annexation of the territory herein described to the Town of Mount Carmel upon the Petition of Fox Run Enterprises, L.L.C. being the owner of the all the property in the affected territory; 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 annexation of such property is deemed necessary for the welfare of the residents and property owners thereof and the Town as a whole; and
- WHEREAS, pursuant to *Tenn. Code Ann.*, §6-51-102, *et seq.* a plan of services for this area was adopted by Resolution on the 28th day of February, 2006. Now therefore,

BE IT ORDAINED BY THE TOWN OF MOUNT CARMEL, TENNESSEE, AS FOLLOWS:

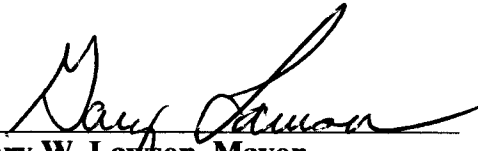
SECTION I. Pursuant to authority conferred by *Tenn. Code Ann.*, §6-51-102, *et seq.*, there is hereby annexed to the Town of Mount Carmel, Tennessee, and incorporated within the corporate boundaries thereof, the following described territory adjoining the present corporate boundaries:

Embracing that certain part of Civil District No. 7 of Hawkins County, Tennessee, and more fully described to-wit:

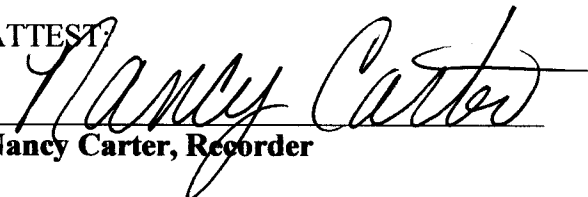
BEGINNING at a point in the corporate limits of the Town of Mount Carmel, said point being the southwest corner of Hawkins County Tax Parcel: Map 11 Group __ Control Map 11 Parcel 96, also being on an iron pin at the intersection of the northerly sideline of a 60 foot right of way of Carter's Valley Road with the divisional line between the Dessa Hamilton farm and the C. C. Martin farm; thence with said divisional line North 17° 25' West 1818.00 feet to an iron pin corner to the said LeRoy Martin farm and the N. J. Bussell farm; thence with the line adjoining the said Bussell farm with bearings and distances copied from a survey of the said Bussell farm in September 1935, North 19° 40' West 1227.00 feet to a set stone corner to N. J. Bussell farm; thence with the line adjoining the said Bussell farm and the Margaret Johnson farm, South 87° 25' West 399 feet to a set stone, corner to Johnson Farm; thence with the line of said Johnson farm bought from James R. Ford in May 1956, with bearing and distances copied from said survey, South 21° 50' East 500 feet to an iron pin on line of the Dessa Hamilton farm and corner to the said Johnson farm, and the Emmitt Barrett farm; thence with the divisional line between the said Dessa Hamilton farm and the Emmitt Barrett farm, South 20° 25' East 2666.00 feet to a fence post on the northerly side of the Carter's Valley Road and corner for the said Barrett farm and the Hamilton farm; thence with the northerly side line of a 60 foot right of way line of Carter's Valley Road, North 66° 45' East 268.5 feet **TO THE POINT OF BEGINNING**, containing an area of 24.03 acres, more or less, as per survey of Hugh E. Alley, dated May 15, 1970; and being all of that property having Hawkins County Tax Identification Number Map 11 Group __ Control Map 11 Parcel 96.

AND BEING the same property which was conveyed to Fox Run Enterprises, L.L.C. by deed from Kemp Ellis and Charles Ellis, dated June 10, 2005, and duly recorded in Deed Book 755, page 293 in the Register's Office for Hawkins County, at Rogersville, Tennessee, to which reference is hereby made.

SECTION II. This ordinance shall be effective from and after the date of its passage, as the law directs, the public welfare of the citizens of the Town of Mount Carmel, Tennessee, requiring it.


Gary W. Lawson, Mayor

ATTEST


Nancy Carter, Recorder

Passed First Reading

1-24-06

Passed Second Reading

3-28-06

Published On

APPROVED AS TO FORM:


LAW OFFICES OF MAY & COURT

FIRST READING	AYES	NAYS	OTHER
Alderman Henry Bailey	✓		
Vice-Mayor Eugene Christian	✓		
Mayor Gary Lawson	✓		
Alderman Tresa Mawk	✓		
Alderman Thomas Wheeler	✓		
Alderman Carl Wolfe	✓		
Alderman Wanda Worley	✓		
TOTALS	7	0	0

PASSED FIRST READING

1-24-06

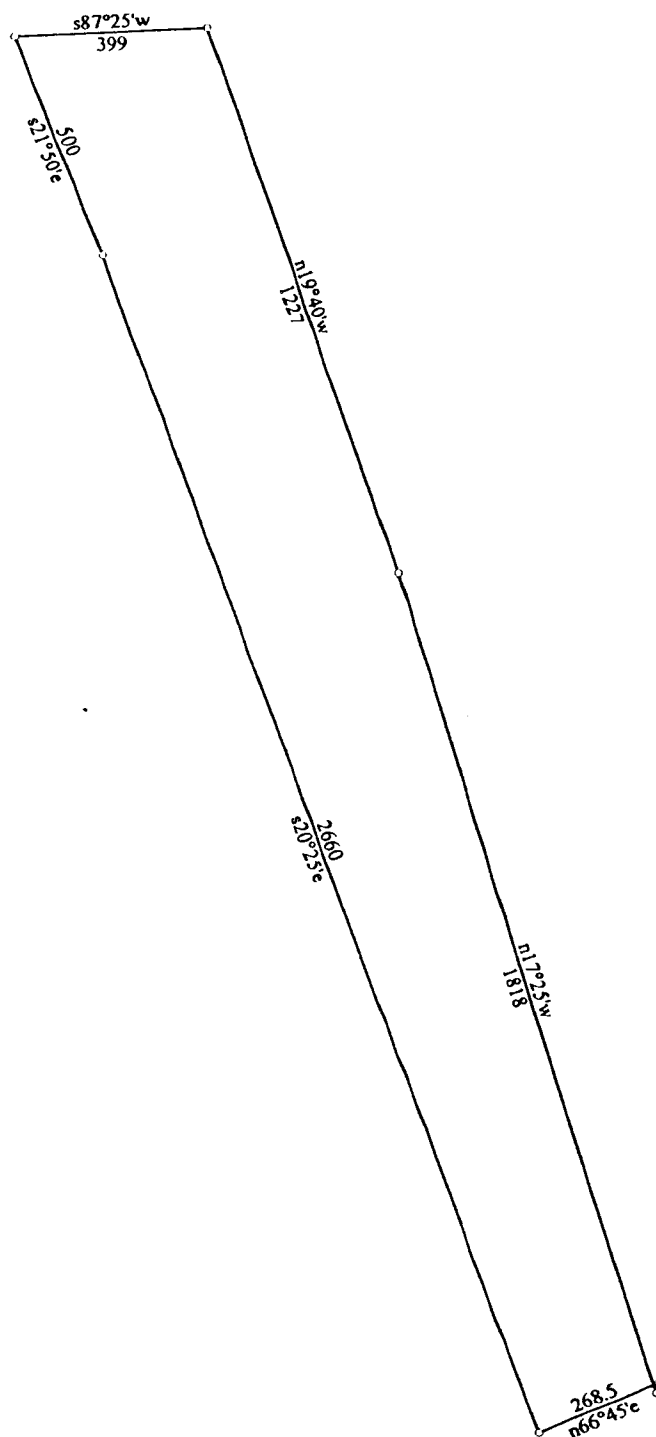
SECOND READING	AYES	NAYS	OTHER
Alderman Henry Bailey	✓		
Vice-Mayor Eugene Christian	✓		
Mayor Gary Lawson	✓		
Alderman Tresa Mawk	absent		
Alderman Thomas Wheeler	✓		
Alderman Carl Wolfe	✓		
Alderman Wanda Worley	✓		
TOTALS	6	0	0

PASSED SECOND READING

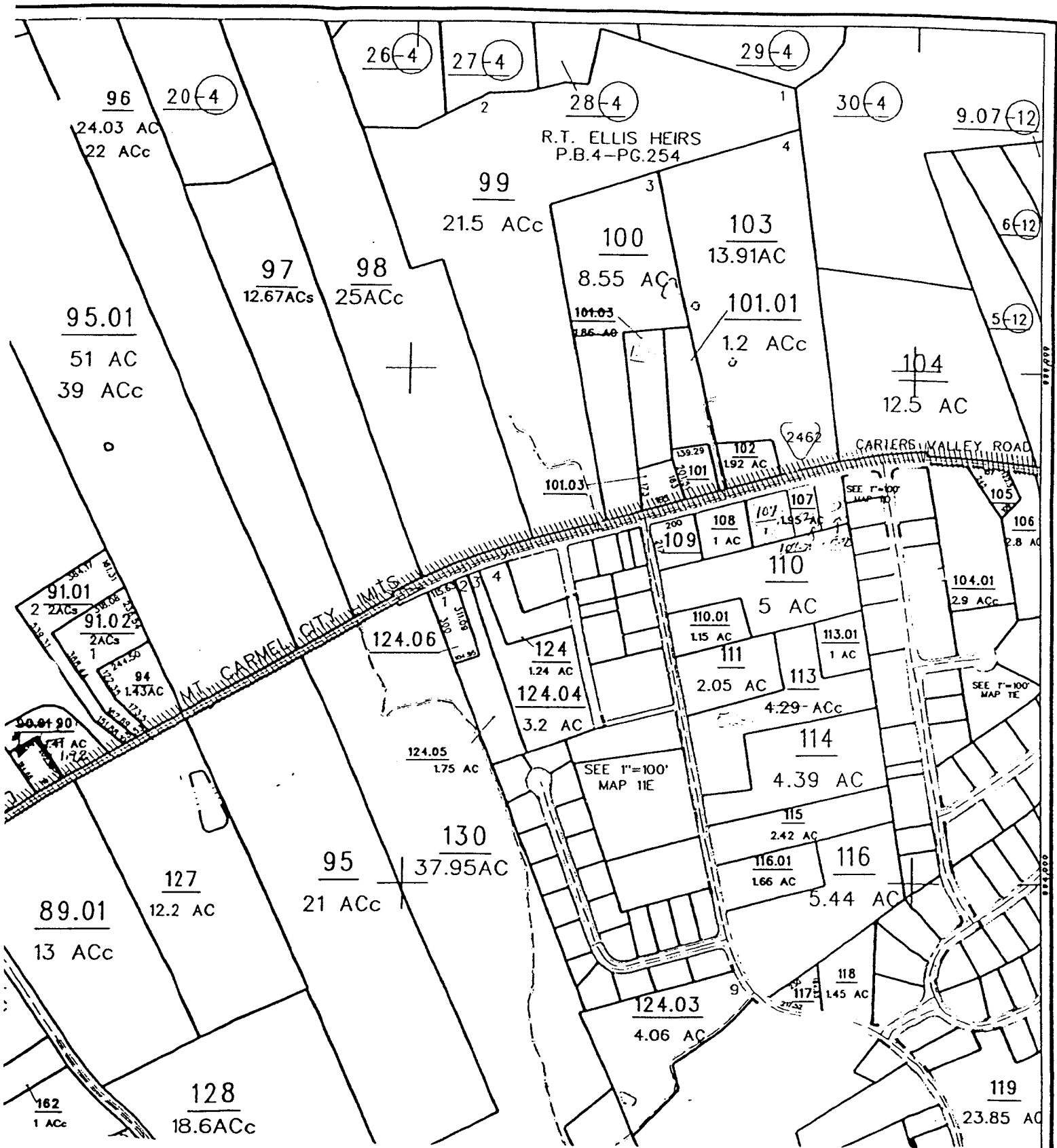
3-28-06

PUBLISHED ON: 4-4-06

NEWSPAPER: Kingsport Times News



Title:		Date: 02-13-2006
Scale: 1 inch = 400 feet	File: mt c annex.des	
Tract 1: 23.761 Acres: 1035041 Sq Feet: Closure = s13.0252w 21.60 Feet: Precision = 1/318: Perimeter = 6873 Feet		
001=n17.25w 1818	004=s21.50e 500	
002=n19.40w 1227	005=s20.25e 2660	
003=s87.25w 399	006=n66.45e 268.5	



FOX RIDGE SUBDIVISION

Cost	Developer's Probable Cost	Developer's User Fee Credit	Developer's Final Cost
Cost of the Line Between the Existing POTW and the Property to be Served	\$80,025.00		
System User Fee Credit Certificates for a 34 Lot Subdivision		\$68,000.00	
Unrecovered Cost of Development With Public Sanitary Sewer Service			\$12,025.00 **

** there will be an approximately \$ 353.00 additional final cost to Developer for each of 34 lots proposed to be developed

NOTE: because the proposed subdivision will not be subject to minimum lot size restrictions for private septic fields and percolation; the density of development is greater than otherwise possible, and, there is expected to be some increase in anticipated appraised value for each lot resulting from the availability of public sanitary sewer service

**CARTERS VALLEY ROAD
SEWER SYSTEM EXTENSION
OPINION OF PROBABLE COST
MARCH 8, 2006**

DESCRIPTION	QUANTITY	UNIT	UNIT COST	TOTAL COST
4" PVC FORCE MAIN	1275	L.F.	\$20.00	\$25,500.00
ROAD CROSSING	50	L.F.	\$200.00	\$10,000.00
PREPACKAGED PUMP STATION	1	Ea.	\$35,000.00	\$35,000.00
OPINION OF CONSTRUCTION COST				\$70,500.00
ENGINEERING & SURVEYING				\$6,000.00
CONTINGENCY				\$3,525.00
OPINION OF RELATED COST				\$9,525.00
TOTAL OPINION OF PROBABLE COST				\$80,025.00

The following assumptions were made in developing this Opinion:

1. No rock excavation will be necessary for construction. Construction costs may increase significantly if rock is encountered.
2. The pump station selected by the City is hydraulically adequate. This will need to be verified during design.
3. The Tennessee Department of Transportation will require Carters Valley Road to be bored for the construction of the necessary force main crossing.
4. Adequate power is available at the site of the proposed pump station.

KINGSPORT TIMES-NEWS

PUBLICATION CERTIFICATE

Kingsport, TN May 2, 2006

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 4-04-06, and appearing 1 consecutive weeks/times, as per order of _____

Lower of Mount Carmel

Signed Karen C. Mulvey

PUBLIC NOTICE

The following Ordinances were passed March 28, 2006, by the Mt. Carmel Board of Mayor and Aldermen:
(1.) Ordinance 308, annexing property known as the Carters Valley annexation area being Fox Ridge Subdivision (formerly Kemp Ellis Farm) now owned by Fox Run Enterprises, L.L.C.
(2.) Ordinance 309. Amends Ordinance 251. Floodplain Control.

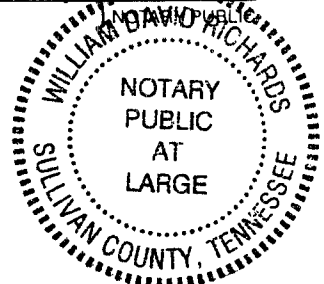
Pub 1T: 4/4 2006

STATE OF TENNESSEE, SULLIVAN COUNTY, TO-WIT:

Personally appeared before me this 2nd day of May 2006, Karen C. Mulvey 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.

William David Richards

My commission expires 6-26-07



KINGSPORT TIMES-NEWS

PUBLICATION CERTIFICATE

Kingsport, TN May 2, 2006

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 4-14-06, and appearing 1 consecutive week 7 times, as per order of _____

Town of Mount Carmel

Signed Karen C. Mulkey

THE Mt. Carmel Planning Commission will conduct a special called meeting on April 24, 2006 at 6:30 PM at Mt. Carmel Town Hall for Fox Ridge Subdivision preliminary approval. The public is invited to attend the meeting.

Pub1T, 4/14/06

STATE OF TENNESSEE, SULLIVAN COUNTY, TO-WIT:

Personally appeared before me this 2nd day of May 2006, Karen C. Mulkey 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.

William David Richards

My commission expires 6-26-07

