

Franklin County Board of Commissioners
Legislative Committee Agenda
July 6, 2017 – 6:00 pm

CALL TO ORDER: Chairman Johnny Hughes

APPROVAL OF MINUTES: June 8, 2017

OLD BUSINESS

NEW BUSINESS/RESOLUTIONS:

- Resolution Approving and Authorizing the Purchase by Franklin County, Tennessee of Certain Property Owned by Ellis W. Ashley
- Resolution to Quick Claim Deed Portions of Murray Road
- Approval of (9) Notary Applications

OTHER

ADJOURN

Franklin County Board of Commissioners
Legislative Committee
Minutes of June 8, 2017

The Legislative Committee met in Conference Room 204 at the courthouse and was called to order at 6:00 pm by Chairman Johnny Hughes.

MEMBERS PRESENT: Chairman Johnny Hughes, Chuck Stines, Eddie Clark and Dave Van Buskirk

OTHERS PRESENT: Secretary Mary Sons

1. *Motion by Clark to approve minutes of April 6, 2017 second Van Buskirk; all ayes.*
2. Resolution to Adopt a Public Records Policy for Franklin County, Tennessee: *Motion by Stines to approve sending to full commission, second Van Buskirk; all ayes.*
3. Resolution Authorizing Sale of 7.21 Acre Tract Located in the Franklin County Industrial Park: *Motion by Stines to approve sending to full commission, second Van Buskirk; all ayes.*
4. *Motion by Clark to approve sending (16) notary applications to full commission, second Van Buskirk; all ayes.*
5. *Motion by Stines to adjourn at 6:06 pm, second Van Buskirk; all ayes.*

Respectfully Submitted,

Johnny Hughes, Chairman

RESOLUTION NO.: _____

A RESOLUTION APPROVING AND AUTHORIZING THE PURCHASE BY FRANKLIN COUNTY, TENNESSEE OF CERTAIN PROPERTY OWNED BY ELLIS W. ASHLEY

WHEREAS, Ellis W. Ashley is the owner of two tracts of real estate adjoining the Franklin County Industrial Park, as described in Exhibits "A" and "B", attached hereto and made a part hereof; and

WHEREAS, Franklin County, Tennessee is in need of additional property for the expansion of the Franklin County Industrial Park; and

WHEREAS, the said Ellis W. Ashley has offered to sell said property for the total sum of One Hundred Forty Nine Thousand Three Hundred Fifty and no/100's Dollars (\$149,350.00), which includes a three percent (3%) commission to Winton Auction & Realty Co.; and

WHEREAS, Franklin County, Tennessee is presently selling certain real estate in the Franklin County Industrial Park to CJBBB, Inc. and to GT Rentals, LLC, these sales having been previously approved by the County Commission of Franklin County, Tennessee.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Franklin County, Tennessee, meeting in its regular session on this _____ day of July, 2017, as follows:

1. That the County Mayor and Trustee are hereby authorized to purchase the property described in Exhibits "A" and "B" from Ellis W. Ashley for the total sum of One Hundred Forty Nine Thousand Three Hundred Fifty and no/100's Dollars (\$149,350.00), which includes a three percent (3%) commission to Winton Auction & Realty Co. This property is to be used for the expansion of the Franklin County Industrial Park.

2. The purchase price for this property shall be paid from funds received from CJBBB, Inc. and GT Rentals, LLC for the purchase of property located in the Franklin County Industrial Park and previously authorized by the County Commission of Franklin County, Tennessee.

3. The property shall be first surveyed, a title opinion evidencing good and clear title to the property shall obtained, before the transaction is closed.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon its passage.

ADOPTED this _____ day of July, 2017.

APPROVED:

APPROVED:

Richard Stewart, Mayor

Eddie Clark, Chair of Commission

ATTEST: _____

Phillip Custer, County Clerk

RESOLUTION SPONSORED BY: Clark and Stines

MOTION TO ADOPT: _____ **SECOND:** _____

VOTES: AYES: ____ NAYS: ____

DECLARATION: _____

I, or we, hereby swear or affirm that the actual consideration for the transfer or value of the property transferred, whichever is greater, is \$31,500.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

MAP 066
GROUP _____
PARCEL 00701



Ellis W. Ashley
Affiant
Subscribed and sworn to before me this the 20th day of Nov 1995
By *Benny Ramsey*
Register of Notary Public

C. PHILIP HAYES
FRANKLIN COUNTY
PROPERTY ASSOCIATION

For a full and valuable consideration, cash in hand paid, receipt of which is hereby acknowledged, We, JULIA H. WEST and husband, RALPH M. WEST, have this day bargained and sold and do hereby transfer and convey unto ELLIS W. ASHLEY, his heirs and assigns, certain real estate located in the 20th Civil District of Franklin County, Tennessee, and being more particularly described as follows:

BEGINNING at an iron pin set in the westerly margin of County Road, said iron pin being the Southeast corner of the Modena property and the Northeast corner of the property herein described; thence from said point of beginning with the westerly margin of County Road South 02 deg. 00 min. West 105.00 feet to a point; thence South 16 deg. 00 min. West 65.00 feet to a point; thence South 30 deg. 15 min. West 8.25 feet to a point; thence North 88 deg. 30 min. West 1729.60 feet to an iron pin; thence North 01 deg. 30 min. East 172.50 feet to an iron pin; thence with the southerly line of the Modena property South 88 deg. 30 min. East 1750.00 feet to the point of beginning, and containing 6.77 acres, more or less, according to survey of James Henry Hawkins, TN R.L.S. #606-379.

THIS INSTRUMENT
WAS PREPARED BY
BEN P. LYNCH
ATTORNEY AT LAW
WINCHESTER, TENN.

Being the same property conveyed to Julia H. West, et vir, by deed recorded in Deed Book 257, page 722, Register's Office of Franklin County, Tennessee.

TO HAVE AND TO HOLD to the said ELLIS W. ASHLEY, his heirs and assigns forever.

We covenant with the said Grantee, his heirs and assigns, that we are lawfully seized and possessed of the above described real estate, that we have a good and perfect right to sell and convey it, and that the same is free and unencumbered.

We further covenant and bind ourselves, our heirs and representatives, to warrant and forever defend the title to the above described property to the said Grantee, his heirs and assigns, against the lawful claims of all persons whomsoever.

EXHIBIT "A"

WITNESS OUR HANDS on this 20th day of November, 1995.

Real property Tax Responsibility:

ELLIS W. Ashley
2656 Old Alta Road
Decherd, TN 37324


Julia H. West
Julia H. West

Ralph M. West
Ralph M. West

STATE OF TENNESSEE)
COUNTY OF FRANKLIN)

Personally appeared before me, the undersigned, a Notary Public in and for the above State and County, the within named JULIA H. WEST and husband, RALPH M. WEST, the bargainors, with whom I am personally acquainted, and who acknowledged that they executed the foregoing instrument for the purposes therein contained.

WITNESS my hand and official seal at Winchester, Tennessee, on this 20th day of November, 1995.

Beverly Dyer
Notary Public


My commission expires 12-9-96.

STATE OF TENNESSEE, FRANKLIN COUNTY
The foregoing instrument and certificate were noted in Note Book I, page 170, at 9:15 o'clock A. M., on the 22 day of Nov., 1995, and recorded in Book 268, page 454, State Tax paid \$ 116.55 Fee \$ 1.00, Recording Fee \$ 8.00
Total \$ 125.55
Witness my hand. Receipt No. 44316 Carolyn Amacher
REGISTRAR RDR

I, or we, hereby swear or affirm that the actual consideration for the transfer or value of the property transferred, whichever is greater, is \$103,460.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

This instrument was prepared by Frank C. Lynch LYNCH, LYNCH & LYNCH Attorneys at Law P. O. Box 310 Winchester, TN 37398

Deed W. Ashley Affiant
Subscribed and sworn to before me this, the 6th day of July 2010
KIMBERLY R. RYAN Register or Notary Public
My Comm. No. 2008-0001 Expires April 22, 2013
FRANKLIN COUNTY TENNESSEE

MAP 66
GROUP
PARCEL 8.00

TRUSTEE'S DEED

THIS DEED OF CONVEYANCE made and entered into on this 6th day of July, 2010, by and between Frank C. Lynch, TRUSTEE, and ELLIS WOODY ASHLEY:

WITNESSETH

THAT WHEREAS, Michael Anthony Hannah and wife, Shelia Jane Hannah did convey in trust to Frank C. Lynch, Trustee, , the property hereinafter described in a Deed of Trust dated August 15, 2003 and recorded in Trust Book 708, Page 621 et seq., Register's Office Franklin County, Tennessee

WHEREAS, the indebtedness secured by the aforesaid deed of trust being overdue and unpaid, and the holder of the said indebtedness having called upon the said Trustee to foreclose the said deed of trust, the said Trustee, after advertisement in The Herald-Chronicle, a newspaper published at Winchester, Franklin County, Tennessee, as required by law and under the terms of the said deed of trust, offered said property for sale at the Courthouse door in Winchester, Franklin County, Tennessee, at 10:00 A.M., on Tuesday, July 6, 2010 when and where ELLIS WOODY ASHLEY became the last and highest bidder at the price of SIXTY THREE THOUSAND FOUR HUNDRED SIXTY and no/100's DOLLARS (\$63,460.00) now

THEREFORE, the said Frank C. Lynch, TRUSTEE, as aforesaid, in consideration of the premises and of the sum of SIXTY THREE THOUSAND FOUR HUNDRED SIXTY and no/100's DOLLARS (\$63,460.00) to Citizens Community Bank in hand paid, has bargained and sold and by these presents does hereby bargain, sell, transfer and convey unto the said ELLIS WOODY ASHLEY, his heirs, successors and assigns, the property sold as aforesaid, the same lying and being in the 20th Civil District of Franklin County, Tennessee, and being more particularly described as follows:

BEGINNING at a pipe in the east margin of Modena Road, said pipe being the northwest corner of Binkley (Deed Book 266, Page 469) and being the southwest corner of the property herein described; thence with the margin of said road along a curve to the right with a delta angle of 20 deg. 33 min. 05 sec. having a radius of 309.29 feet and an arc length of 110.94 feet with a chord bearing and distance of North 21 deg. 36 min. 37 sec. East 110.34 feet to a point; thence North 31 deg. 53 min. 10 sec. East 45.80 feet to an iron pin; thence leaving Modena Road with the

south boundary of Moon (Deed Book 108, Page 257) South 83 deg. 12 min. 07 sec. East 713.87 feet to a pipe; thence with the west boundary of McCallie (Deed Book 267, Page 701) South 8 deg. 37 min. 33 sec. West 141.98 feet to a pipe; thence leaving McCallie with the north boundary of Binkley (Deed Book 286, Page 560) North 82 deg. 41 min. 42 sec. West 510.29 feet to a pipe; thence with Binkley (Deed Book 266, Page 469) North 85 deg. 42 min. 00 sec. West 246.93 feet to the point of beginning, containing 2.39 acres, more or less according to the survey of Miles G. Smith TN RLS No. 381, dated 8/6/03.

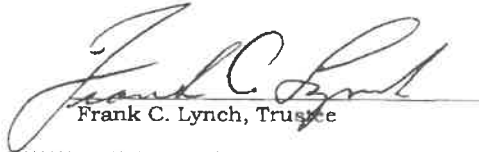
Being the same property conveyed to Michael Anthony Hannah and wife Shelia Jane Hannah by Deed recorded in Book 321, Page 346, Register's Office of Franklin County, Tennessee.

EASEMENT: There is a 50 foot ingress/egress easement along the north 50 feet of the above described 2.30 acres for access from Modena Road to the McCallie property as described in Deed Book 267, Page 701.

THIS INSTRUMENT WAS PREPARED FROM INFORMATION FURNISHED BY THE PARTIES HEREIN FOR WHICH THE PREPARER ASSUMES NO RESPONSIBILITY. DEED DRAWN WITHOUT BENEFIT OF CURRENT SURVEY.

TO HAVE AND TO HOLD the above described property, together with all hereditaments and appurtenances thereunto belonging to the said ELLIS WOODY ASHLEY, his heirs, successors and assigns, in as full and ample a manner as the undersigned Trustee has power to convey the same.

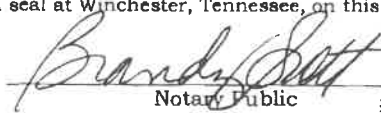
IN WITNESS WHEREOF, the said Trustee has hereunto set his signature the date first above written.

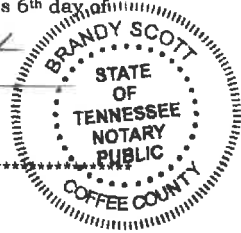

Frank C. Lynch, Trustee

STATE OF TENNESSEE)
COUNTY OF FRANKLIN)

Personally appeared before me, the undersigned, a Notary Public duly elected, commissioned and qualified in and for the above State and County, the within named Frank C. Lynch, Trustee, the bargainer, with whom I am personally acquainted, and who acknowledged that he executed the foregoing instrument for the purposes therein contained.

WITNESS MY HAND and official seal at Winchester, Tennessee, on this 6th day of July, 2010.


Notary Public



My commission expires 12-19-11

REAL PROPERTY TAX RESPONSIBILITY:

Ellis Woody Ashley
1200 Modena Rd
Decherd, TN 37324

BK/PG: D372/691-692
10003734

2 PGS - AL - TRUSTEES DEED	
NANCY BATCH: 80987	07/12/2010 - 09:45 AM
VALUE	63480.00
MORTGAGE TAX	0.00
TRANSFER TAX	234.80
RECORDING FEE	10.00
ARCHIVE FEE	0.00
DP FEE	2.00
REGISTER'S FEE	1.00
TOTAL AMOUNT	247.80

STATE OF TENNESSEE, FRANKLIN COUNTY
LYDIA CURTIS JOHNSON
REGISTER OF DEEDS

RESOLUTION
TO QUICK CLAIM DEED PORTIONS OF MURRAY ROAD

WHEREAS, The Franklin County Highway Department has requested that the deeds to portions of Murray Road be quick claimed to the land owners affected by the plat; and

WHEREAS, The deeds to portions of Murray Road be quick claimed to the land owners affected by the plat, are recommended by the Road & Bridge Committee for approval by the Franklin County Legislative Body, and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Franklin County Commissioners of Franklin County, Tennessee, assembled in regular session on this the 17th day of July, 2017 that:

Section 1. The following log miles be **changed** from .595 log miles to .488 log miles on the Franklin County Roads List.

Murray Road - Dist. 3, E-911 Grid 72, CO Grid 104, Surface –Gravel, **ROW – 30 FT**, Bed Width 10 FT, Surface Width 10 FT, Log Mile .488, Class 4, Beginning Road – WALNUT HILL ROAD, Ending Road – No Outlet.

SURVEYOR’S DESCRIPTION

State of Tennessee
June 19, 2017
Franklin County

A tract or parcel of land lying and being in the Fourth Civil District of Franklin County, Tennessee and being a portion of the tract conveyed to Davie R. and Margaret O. Ashley as recorded in Deed Book 374, Page 269 in the Register’s Office of Franklin County, Tennessee and being more particularly described as follows:

Beginning at a capped rebar found in the South boundary of the 30’ right-of-way of Murray Road in the Northeast corner of the herein described tract, said point being further described as being the Northwest corner of the Steele tract (Deed Book 398, Page 301) (Minor Division approved April 16, 2014), Thence from the POINT OF BEGINNING leaving Murray Road with Steele South 00 degrees 46 minutes 06 seconds West, 330.30 feet to a capped rebar found in the North boundary of the 50’ wide strip reserved for a future Road, Thence with said strip South 86 degrees 29 minutes 42 seconds West, 518.80 feet to a #5 rebar set with a cap stamped "JOHNSON ASSOC TN RLS 1632" (all such points herein after referred to as a capped rebar set) at a point of curvature, Thence along a curve to the right having a radius of 25.00 feet, a delta angle of 63 degrees 44 minutes 25 seconds, a chord bearing of North 61 degrees 39 minutes 06 seconds West, a chord distance of 26.40 feet, for an arc length of 27.81 feet to a capped rebar set, Thence North 29 degrees 40 minutes 12 seconds West, 6.46 feet to a capped rebar found at the Southern most corner of the Cumberland Presbyterian Church tract (Deed Book 30,

Page 188), Thence with the Cumberland Presbyterian Church North 00 degrees 12 minutes 30 seconds West, 29.28 feet to a capped rebar found, Thence North 70 degrees 33 minutes 51 seconds East, 129.76 feet to a capped rebar found, Thence North 01 degrees 50 minutes 31 seconds West, 126.43 feet to a capped rebar found in the said boundary of Murray Road, Thence with Murray Road along a curve to the left having a radius of 2818.75 feet, a delta angle of 02 degrees 35 minutes 32 seconds, a chord bearing of North 73 degrees 15 minutes 04 seconds East, and a chord distance of 127.51 feet, for an arc length of 127.53 feet to a point, Thence North 70 degrees 39 minutes 16 seconds East, 326.85 feet to the POINT OF BEGINNING. Said tract contains 2.81 acres more or less as surveyed by Kurt M. Johnson, TN RLS #1632, dated January 9, 2013.

SUBJECT TO a 20' wide Public Utility Easement and lying adjacent to and South of the South boundary of Murray Road.

ALSO SUBJECT TO a Bellsouth Easement as recorded in (Deed Book 307, Page 409).

Kurt M. Johnson, RLS
JOHNSON & ASSOCIATES

Section 2. The approved change shall be filed with the Franklin County Clerk & Emergency 911 addressing commission.

ADOPTED this ___ day of _____, 2017.

Honorable Richard Stewart
Franklin County Mayor

Eddie Clark
Chairman of Commission

Attest: _____ Date: _____

RESOLUTION SPONSORED BY:

MOTION TO ADOPT: Stines and Hughes

SECONDED BY: _____

VOTE: AYES _____ NAYS _____

DECLARATION: _____

CERTIFICATE OF ELECTION OF NOTARIES PUBLIC
AS A CLERK OF THE COUNTY OF FRANKLIN, TENNESSEE I HEREBY CERTIFY TO
THE SECRETARY OF STATE THAT THE FOLLOWING WERE ELECTED TO THE OFFICE OF
NOTARY PUBLIC DURING THE JULY 17, 2017 MEETING OF THE GOVERNING BODY:

NAME	HOME ADDRESS	HOME PHONE	BUSINESS ADDRESS	BUSINESS PHONE	SURETY
1. KRISTIE BELL	3202 ROWE GAP RD BELVIDERE TN 37306	931-968-1289	2165 DECHERD BLVD DECHERD TN 37324	931-968-0065	
2. CARY BOYD	271 BOYD LANE HUNTLAND TN 37345	931-469-0145	2165 DECHERD BLVD DECHERD TN 37324	931-968-0065	
3. DEBRA HARTMAN	703 GARNER ST PO BOX 232 COWAN TN 37318	931-967-9603	501 DINAH SHORE BLVD WINCHESTER TN 37398	931-968-0544	
4. LORI HENLEY	222 LAKE VIEW DRIVE DECHERD TN 37324	931-967-6368	107 NORTH PORTER ST WINCHESTER TN 37398	931-967-6368	
5. LUCY J. HILL	210 EAST PETTY LANE WINCHESTER TN 37398	931-691-9369	1418 DINAH SHORE BLVD WINCHESTER TN 37398	931-967-3342	
6. JEREMY KING	41 TWERP TRAIL ESTILL SPRINGS TN 37330	772-678-2543	9109 ESTILL SPRINGS TN 37330	931-636-8415	
7. JANET PETRUNICH	646 MAGNOLIA DR WINCHESTER TN 37398	931-636-0792	1 SOUTH JEFFERSON ST #5 WINCHESTER TN 37398	931-967-0981	
8. JOHN SHELTON	104 SAFLEY DR TULLAHOMA TN 37388	931-273-1909	2165 DECHERD BLVD DECHERD TN 37324	931-968-0065	
9. NANCY L. TAYLOR	105 CHERRY LANE WINCHESTER TN 37398	931 967 2119	2146 DECHERD BLVD DECHERD TN 37324	931 967 1693	

SIGNATURE

CLERK OF THE COUNTY OF FRANKLIN, TENNESSEE

DATE