

ORDINANCE NO.2023-08

AN ORDINANCE ABANDONING AN UNOPENED STREET LOCATED WITHIN  
THE CITY OF LAFOLLETTE

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND  
ALDERMAN OF THE CITY OF LAFOLLETTE, TENNESSEE, as follows:

That an unopened right of way is located within the within said City and is a portion of  
the S. 16<sup>th</sup> Street right of way and located within Block 351 in said City;

That said unopened right of way is not improved and is not used by the City as a right of  
way or street.

That said right of way provides no access or means of ingress or egress to any property.

That the City has no use for said right of way and it has no monetary value.

That the City of LaFollette desires to abandon said right of way;

That the abandonment of said right of way would not land lock any other property;

That the City shall retain a right of way in favor of LaFollette Utility Board;

That the subject right of way adjoins Eddy and Pauline Marlow, parcel ID number 085K-  
G-027, Ricky and Esther Bailey, parcel ID number 085K-G-024.00, Makecha Marlow  
and Robert Pitts, parcel ID number 085K-G-025.00 and Dewayne and Lisa Cooper,  
parcel ID number 085K-G-026.00;

Wherefore, the City hereby abandons said unopened right of way described as follows:

Beginning at a point located along the common corner of the E. Chestnut Street and S  
16<sup>th</sup> Street right of ways and said point being the corner of the Bailey property; thence  
leaving the E. Chestnut Street right of way and running with the Bailey and Marlow  
property in a southeasterly direction, approximately 300 feet to a point located along the  
northern edge of Elm Street; thence in a southeasterly direction approximately 30 feet to  
the centerline of W. Kentucky Avenue; thence in a northeasterly direction with said of  
the E. Elm Street right of way approximately 60 feet; thence leaving the E. Elm Street  
right of way and running northwest along Bailey, Cooper and Marlow/Pitts  
approximately 300 feet to the southern edge of E. Chestnut Street; thence running west  
along E. Chestnut Street approximately 60 feet to the beginning point.

The City further declares the subject property as surplus property with no value and  
should be conveyed to the property owners adjoining said unopened street subject to  
conditions stated above.

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 City of LaFollette, 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, the public welfare requiring it.

Passed 1<sup>st</sup> reading, May 2, \_\_\_\_\_, 2023.

Passed 2<sup>nd</sup> reading, May 2, \_\_\_\_\_, 2023.

Passed 3<sup>rd</sup> reading, June 6, \_\_\_\_\_, 2023.

  
MAYOR

  
RECORDER

Councilperson, Mr. Farmer, moved the adoption of the foregoing Ordinance on first reading, second by Councilperson Mr. Kitts, upon roll call the vote on said motion was as follows:

AYE:

Mr. Farmer  
Mr. Kitts  
Mr. Queener  
Mrs. Solomon

NAY: