

DRAFT
ORDINANCE 2023-356

AN ORDINANCE TO ABANDON THE UNOPENED RIGHT-OF-WAY KNOWN AS BRANTLEY LANE BETWEEN 3401 AND 3409 WILSON AVENUE AS DESCRIBED WITHIN THE BODY OF THIS ORDINANCE AND SHOWN ON THE ATTACHED GRAPHIC WITHIN THE CORPORATE LIMITS OF THE TOWN OF WALDEN, TENNESSEE.

WHEREAS, the property owner of the adjacent property lots have requested the abandonment of an unopened and unused right-of-way known as Brantley Lane which lies between bounded by Parcel 089N D 015, Parcel 089N D 016, Parcel 089N D 012 and Parcel 089N D 013, and new right-of-way boundaries to be established for Wilson Avenue; and

WHEREAS, the right-of-way is not used for vehicular access, pedestrian access, public utility lines and does not provide the only means of public road access to adjacent properties; and

WHEREAS, the Town of Walden has no intention of utilizing the right-of-way for public access; and

WHEREAS, the Walden Municipal Planning Commission has reviewed and recommended the proposed abandonment of the right-of-way in their meeting on April 27, 2023.

NOW, THEREFORE, BE IT ORDAINED BY THE Town of Walden Board of Mayor and Alderman that:

Section 1: The unopened portion of Brantley Lane which is bounded by Parcel 089N D 015, Parcel 089N D 016, Parcel 089N D 012 and Parcel 089N D 013, and new right-of-way boundaries to be established for Wilson Avenue, as shown on the graphic attached hereto and made a part of by reference, is hereby abandoned by the Town of Walden.

Section 2: The right-of-way boundary for Wilson Avenue shall be established parallel to and 25-feet from the centerline of the existing Wilson Avenue right-of-way to meet the minimum right-of-way width for local streets as established in the Town of Walden Subdivision Regulations.

Section 3: The adjacent property owner shall be entitled to claim the portion of the abandoned right-of-way abutting their property to the centerline of the abandoned right-of-way through the proper recording of a subdivision plat which adjusts the property boundaries accordingly, and which meets the requirements of the Town of Walden Subdivision Regulations. All costs associated with the surveying and recording of said subdivision plat shall be at the expense of the property owner.

NOW, THEREFORE, BE IT ORDAINED that the Mayor of Walden and the Town Administrator are authorized and instructed to execute the abandonment on behalf of the city.

NOW, THEREFORE, BE IT FURTHER ORDAINED that this Ordinance shall take effect and be in force immediately from and after its final passage, the public welfare requiring it.

FIRST READING: 5/9/2023

SECOND READING: 6/13/2023

YEA: 3

YEA:

NAY: 0

NAY:

Mayor

ATTEST:

Town Recorder

Exhibit A. Map of Right-of-Way to be Abandoned.

