

CITY OF FAIRVIEW

BOARD OF COMMISSIONERS

APRIL 6, 2017

7:00 P.M.

AGENDA

1. **Call to order by Mayor Carroll**
 - A. Prayer and Pledge
2. **Approval of the Agenda**
3. **Citizen Comments (Limited to the first 5 citizens to sign in and a limit of 3 minutes each).**
4. **Awards and/or Recognitions**
5. **Public Announcements**
6. **Staff Comments**
7. **Approval of the Minutes** (only needed if removed from consent agenda)
8. **Consent Agenda Consisting of Items as Follows**
 - A. Approval of the Minutes from the March 16, 2017 Board of Commissioners Meeting
 - B. Second and Final Reading on Ordinance 2017-03, An Ordinance for an Amendment to the City of Fairview, Tennessee, Budget for Fiscal Year 2016-2017 Budget (\$165,000 School Facilities Fund, \$10,000 Bowie Park Fund and \$25,000 General Fund)
9. **Old Business**
10. **New Business**
 - A. Discuss and/or Take Action on Ordinance No. 2017-04, an Ordinance to Change the Zoning of Certain Property in the City of Fairview, Tennessee, Located off Old Nashville Road, Owned by Jennifer Rose Bufford, Reda Olivia Kidder and James Ricky Jones, as Shown on, Williamson County, Tax Map 42, Parcel 74.00, Map 42, Parcel 79 and Map 22, Parcel 167, from RS-40 to RS-15 R.P.U.D.
 - B. Discuss and/or Take Action on Resolution 03-17, a Resolution to Set a Public Hearing for the Purpose of Obtaining Public Comment on Changing the Zoning and Establishing P.U.D. Status of Certain Property in the City of Fairview, Tennessee, Located off Old Nashville Road, Owned by Jennifer Rose Bufford, Reda Olivia Kidder and James Ricky Jones, as Shown on, Williamson County, Tax Map 42, Parcel 74.00, Map 42, Parcel 79 and Map 22, Parcel 167, from RS-40 to RS-15 R.P.U.D.
 - C. Discuss and/or Take Action on Recommendation from the Planning Commission for Rezoning Request for Lot 2 of Donald H. Tidwell Subdivision from RM-12 to R-20, Map 23, Parcel 44.01, 4.74 Acres, Owner: Donald M. & Rosemary Cunningham, Revocable Trust
 - D. Discuss and/or Take Action Setting Quarterly Joint Workshops of the Board of Commissioners and Planning Commission – Burks
 - E. Discuss and/or Take Action on Ordinance No. 2017-05, an Ordinance to Amend City of Fairview, Tennessee, Municipal Code, Title 7, Chapter 5, Sections 7-501 Through 7-514, "Fireworks." – Crutcher
 - F. Discuss and/or Take Action on Ordinance No. 2017-06, an Ordinance to Amend the City of Fairview, Tennessee, Municipal Code, Title 14, "Zoning and Land Use Control," Chapter 1, "Municipal Planning Commission," Section 14-101., "Creation and Membership." And Title 14,

"Zoning and Land Use Control," Chapter 1, "Municipal Planning Commission," Section 14-103, "Removal for Cause."

- G. Discuss and/or Take Action on Ordinance No. 2017-07, an Ordinance to Amend the City of Fairview, Tennessee Municipal Code, Title 1, "General Administration," Chapter 5, "Code of Ethics," by Addition of Section 1-512, "Protocol for Board and Commission Members After Disclosure of Personal Interest by Members in Voting and Non-voting Matters, Per Sections 1-503 and 1-504."
- H. Discuss and/or Take Action on Proposal Contract to Adams Contracting, LLC for the Construction of Contract No. 120027 (Safe Routes to School)
- I. Discuss and/or Take Action on Notice to Proceed for Adams Contracting, LLC on Safe Routes to School

11. City Manager Items for Discussion

- A. Miscellaneous Updates
- B. City Attorney Comments

12. Communications from the Mayor and Commissioners

13. Adjournment

8B

ORDINANCE NO. 2017-03

**AN ORDINANCE FOR AN AMENDMENT TO THE CITY OF FAIRVIEW,
TENNESSEE, BUDGET FOR FISCAL YEAR 2016 – 2017 BUDGET**

Be it Ordained by the City of Fairview, Tennessee as follows:

WHEREAS, the Board of Commissioners of the City of Fairview, Tennessee, have determined that the Budget for Fiscal Year 2016 - 2017 (beginning July 1, 2016 and running through June 30, 2017) should be amended to reflect the final expenditures for the Fiscal Year, and:

WHEREAS, the Board of Commissioners of the City of Fairview, Tennessee adopted the fiscal year 2016 – 2017 budget by passage of Ordinance Number 930 on June 23, 2016, and

WHEREAS, pursuant to the Tennessee state Constitution, Article II, Section 24, no public money shall be expended except pursuant to appropriations made by law, and

WHEREAS, pursuant to Tennessee Code Annotated § 6-56-209, the Board of Commissioners has the authority to authorize the Finance Director to transfer money from one appropriation to another within the same fund, and

**NOW THEREFORE BE IT ORDAINED BY THE CITY OF
FAIRVIEW, TENNESSEE THAT CHANGES BE MADE TO THE FISCAL YEAR
2016-2017 BUDGET AS FOLLOWS:**

Section 1. Ordinance 930 is hereby amended in the amount of \$190,000 applied to the General Fund Balance (\$165,000 School Facilities Fund, \$10,000 Bowie Park Fund and \$25,000 Unassigned General Fund).

School Facilities Fund appropriations include:

\$45,000 to Fairview High School for LED sign and press box engineering fees

\$40,000 to Fairview Elementary School for 'Ready! Kindergarten' program and Chromebooks

\$40,000 to Westwood Elementary for 'Ready! Kindergarten' program and LED sign

\$40,000 to Fairview Middle School for Chromebooks and sound system

Bowie Park Fund appropriations include:

\$10,000 for a forest management plan

Unassigned General Fund appropriations include:

\$25,000 to be spent on improvements to the Fairview Ballpark on Hwy 96

General Fund Balance

Category	Account	Current Balance	Appropriation	New Balance
School Facilities	110-27100	\$ 712,992.03	\$ 165,000.00	\$ 547,992.03
Bowie Park	110-27100	\$ 111,770.00	\$ 10,000.00	\$ 101,770.00
Unassigned	110-27100	\$ 1,592,110.00	\$ 25,000.00	\$ 1,567,110.00

Expenditures

Category	Account	Current Budget	Amendment	New Budget
School Facilities	110-41000-236	\$ 4,500.00	\$ 165,000.00	\$ 169,500.00
Bowie Park	110-41000-250	\$ 65,800.00	\$ 10,000.00	\$ 75,800.00
Unassigned	110-41000-236	\$ 169,500.00	\$ 25,000.00	\$ 194,500.00

Section 2. The Financial Officer is hereby authorized to make said changes in the accounting system.

BE IT FURTHER ORDAINED, If any sentence, clause, phrase or paragraph of this Ordinance is declared to be unconstitutional by any Court of competent jurisdiction; such holding will not affect any other portion of this Ordinance.

BE IT FINALLY ORDAINED, that this Ordinance shall take effect fifteen days (15) days after its first passage or upon second reading, whichever is later, the public welfare requiring it.

MAYOR

CITY RECORDER

APPROVED AS TO FORM:

CITY ATTORNEY

Passed First Reading

March 16, 2017

Passed Second Reading

AN ORDINANCE TO CHANGE THE ZONING OF CERTAIN PROPERTY IN THE CITY OF FAIRVIEW, TENNESSEE, LOCATED OFF OLD NASHVILLE ROAD, OWNED BY JENNIFFER ROSE BUFFORD, REDA OLIVIA KIDDER AND JAMES RICKY JONES, AS SHOWN ON, WILLIAMSON COUNTY, TAX MAP 42, PARCEL 74.00, MAP 42, PARCEL 79 AND MAP 22, PARCEL 167, FROM RS - 40, TO RS - 15 R.P.U.D.

WHEREAS, a public hearing before the Board of Commissioners of the City of Fairview, Tennessee was held on the 4th day of May, 2017, pursuant to a resolution adopted on April 6th, 2017; and

WHEREAS, it appears to the Board of Commissioners of the City of Fairview, Tennessee that the owners Jenniffer Rose Bufford, Reda Olivia Kidder and James Ricky Jones, have requested a changing of the Zoning Classification relative to the property below described and that the said request is well taken and,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF FAIRVIEW, TENNESSEE, AS FOLLOWS;

THE ZONING CLASSIFICATION FOR ALL THE BELOW DESCRIBED PROPERTY IS DESIGNATED AS AND CHANGED FROM ITS PRESENT ZONING DESIGNATION RS - 40, TO RS - 15 R.P.U.D. THE PROPERTY FOR WHICH THE ZONING CHANGE IS MADE AND OR ADOPTED IS DESCRIBED AS FOLLOWS:

Williamson County, Tennessee, **Tax Map 42, Parcel 74.00**, Recorded in **Deed Book 4979, Pages 309 - 313**, Williamson County, Tennessee, **Tax Map 42, Parcel 79.00**, Williamson County, Tennessee, **Tax Map 22, Parcel 167.00** Recorded in **Deed Book 4875, Pages 816 - 819**, Register's Office for Williamson County, Tennessee. The descriptions Are hereby Incorporated into and made a part of This Ordinance by reference as fully as if copied Into this Ordinance verbatim.

This Ordinance shall take effect at the earliest date provided by law following its final reading and approval, the public welfare requiring it.

MAYOR

CITY RECORDER

Approved as to form:

City Attorney

Passed first reading: _____

Passed second reading: _____

Public Hearing Held on: _____

City of Fairview

7100 CITY CENTER WAY

FAIRVIEW, TN. 37052



Phone: 615-798-1585

Email: codes@fairview-tn.org

RECOMMENDATIONS

2017-1

DATE: MARCH 14, 2017

TO: FAIRVIEW BOARD OF COMMISSIONERS

FROM: FAIRVIEW MUNICIPAL PLANNING COMMISSION

8.2 DISCUSS AND/OR TAKE ACTION ON REZONING AND PRELIMINARY MASTER DEVELOPMENT PLAN OF PROPERTY OFF OLD NASHVILLE ROAD FROM RS-40 TO RS-15 R.P.U.D. OVERLAY (RESIDENTIAL. MAP 42, PARCEL 74.00. 13.39 ACRES. OWNER JENNIFER ROSE BUFFORD.

Mangrum recused himself, left meeting. Gary Martin present to answer questions. Martin stated they are asking for rezoning from RS-40 to RS-15 PUD. Martin stated they have worked with WADC and have approval for water and sewer. Beata asked is that for all 39 lots. Martin stated yes in 20 lot increments. Beata asked where this is in our Land Use Plan, is it RS-15. Hall stated medium density. Butler read City Staff Report, which will become part of these minutes. Exhibit A. Carroll asks are they going to meet all these standards and are they asking for any variances. Martin stated yes they will meet standards and no they are asking for no variances. Carroll asked are they going to meet the recommendations of City Staff. Martin stated yes. Beata ask was there any talk of any landscape buffer for the lots 3, 2, 1, 29 & 28 that back up to the main road, has there been any discussion to have landscape design. Martin stated not that he is aware of. Beata asked was the setback 20 feet. Martin stated yes. Beata stated to help protect the Cities right of way and their views from the road; he would like them to have a detailed landscape buffer plan when they come back. Burks asked would they consider a berm in the landscaping. Martin stated 20 feet isn't much room but they could consider it. Butler asked Mr. Hall could this go to Tree Board to make sure meets all the standards of the necessary trees. Burks asked Owen with this being medium density does this meet our current land use. Owen stated yes the RS-15 designation, in your zoning ordinance is classified as medium density. Carroll asked were we okay with the turn arounds? Butler asked Mr. Hall at staff review did someone from fire department review these plans. Hall stated yes and was okay with them. Mitchell made a motion to approve with February 13, 2017 City Staff Report and relooking at the landscape buffer. Beata Seconded. All were in favor.

**CITY OF FAIRVIEW
MUNICIPAL PLANNING COMMISSION
REGULAR MEETING
FEBRUARY 13, 2017**

CITY STAFF REPORT

5. RECOMMENDATIONS - No Agenda Items

6. BONDS

ITEM 6.1 WESTERN WOODS VILLAGE – PERFORMANCE BOND TO COVER THE ROADS, SIDEWALKS, AND STORM DRAINAGE – \$155,300.00. PLANNING COMMISSION SET THE BOND ON FEBRUARY 12, 2008. THE BOND WAS REDUCED TO \$106,000.00 AT THE FEBRUARY 10, 2009 MEETING. THE BOND WAS REDUCED TO \$80,240.00 AT THE FEBRUARY 12, 2013 MEETING. BOND EXPIRES MARCH 14, 2017. AT THE DECEMBER 13, 2016 MEETING PLANNING COMMISSION VOTED TO REDUCE TO MAINTENANCE BOND TO \$20,000.00.

No staff comments

7. OLD BUSINESS – NO AGENDA ITEMS

8. NEW BUSINESS

ITEM 8.1 DISCUSS AND/OR TAKE ACTION ON THE ELECTION OF PLANNING COMMISSION OFFICERS. BURKS

No staff comments

ITEM 8.2 DISCUSS AND/OR TAKE ACTION ON REZONING AND PRELIMINARY MASTER DEVELOPMENT PLAN OF PROPERTY OFF OLD NASHVILLE ROAD FROM RS-40 TO RS-15 R.P.U.D. OVERLAY (RESIDENTIAL. MAP 42, PARCEL 74.00. 13.39 ACRES. OWNER UNLISTED.

- 1) Please include the general substance of covenants or other restrictions to be imposed upon the use of the land, buildings and structures including proposed easements for public utilities, drainage ways, and common open space.
- 2) It is understood that the area labeled as “Excess Property” is not a part of the PUD rezoning and is being added to the adjacent parcel to the west. If the PC recommends approval, a legal description of the proposed boundaries of the PUD overlay will need to be provided prior to first reading by the BOC.
- 3) It is important to note that the Preliminary Master Development Plan that is being submitted as a part of the rezoning application does not include detailed engineering design for the proposed roads, drainage, or grading. All proposed roadways, drainage components, and grading will be required to meet all City of Fairview standards, unless specifically shown or noted otherwise in the PMDP, at the time those detailed plans are submitted for review. The detailed engineered design for the site may warrant the necessity to alter the layout of the Preliminary Master Development Plan in order for the site to be compliant with the technical design standards for roadways, drainage and grading.

DATE: March 06, 2017

FROM: SM Commercial, LLC
342 Cool Springs Blvd. #202
Franklin, Tennessee 37067

We are proposing to rezone 15.02 acres to R-15 PUD to allow for a 39-lot neighborhood. This zoning is needed to allow for much needed affordable mid-entry homes priced from \$290,000.00 to \$330,000.00. We feel like this is a price point that most development in Fairview are not focusing on and are in high demand in Fairview. We believe that this price range homes will help keep Fairview diverse since other newly developed neighborhoods in Fairview are priced below and above the price home we intend to build in this neighborhood. This zoning has become very common in Fairview and is needed to keep the lot cost affordable for this price homes.

A handwritten signature in black ink, appearing to be a stylized 'S' followed by a long horizontal stroke.

City of Fairview

7100 City Center Way
Fairview, TN 37062-0069



Phone: 615-799-1585
Fax: 615-799-5599
Email: codes@fairview-tn.org

REZONING REQUEST APPLICATION

For a Rezoning Request, the City of Fairview **requires** the following:

1. Completion of this application. Please type or print the information in blue or black ink.
2. A map of the property.
3. A list of Names and addresses of all adjacent property owners.
4. A legal description of the property, if available.
5. If the applicant is not the property owner, a letter from the property owner must be attached giving the authority to request the zoning.
6. A letter summarizing the project proposal, including the proposed usage of the land, reason for the rezoning request and justification for the rezoning request.
7. Payment of a Non-Refundable \$200.00 application fee (Checks should be made payable to "City of Fairview")

Request No. _____ Date Submitted 1/13/17

SECTION 1 – Applicant Information

(Any correspondence from the City will be addressed to the applicant)

- ☐ Property Owner ☐ Purchaser of Property ☒ Engineer Trustee
- ☐ Architect ☐ Other _____

Name: GARY MARTIN Phone: 615 812 2147

Business: MARTIN ENGINEERING & SURVEYING E-mail: gary@martinengr.com

Address: 5226 MAIN STREET, SUITE 3 Best Way to Contact: 615 812 2147
(Mail, E-mail, Phone)

City: SPRING HILL State: TN Zip: 37147

SECTION 2 – Property Information for the Rezoning Request

Project Name: OLD NASHVILLE ROAD SUBDIVISION

Project Address: _____

Existing Land Use: VACANT

Proposed Land Use: SINGLE FAMILY DWELLINGS

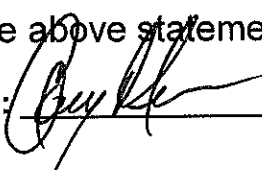
Total Acreage of Project/Rezoning: 13.39

TAX MAP	PARCEL(S)	CURRENT ZONING DISTRICT	REQUESTED ZONING DISTRICT	# OF ACRES	PROPERTY OWNER
42	74	RS-40 LG	R15-PUD	15.02 13.39	JENNIFER ROSE BUFFORD

***Reason for Rezoning must be included on an attached sheet.

The rezoning process takes approximately three to four months depending on when the application is received by the City. The request must go to the Planning Commission where it receives a recommendation to go to the Board of Commissioners. The Board of Commissioners must approve a Rezoning Ordinance on two readings and hold a Public Hearing before the rezoning request is considered approved.

I certify that all of the above statements are true to the best of my knowledge.

Applicant's Signature:  Date: 1/13/17

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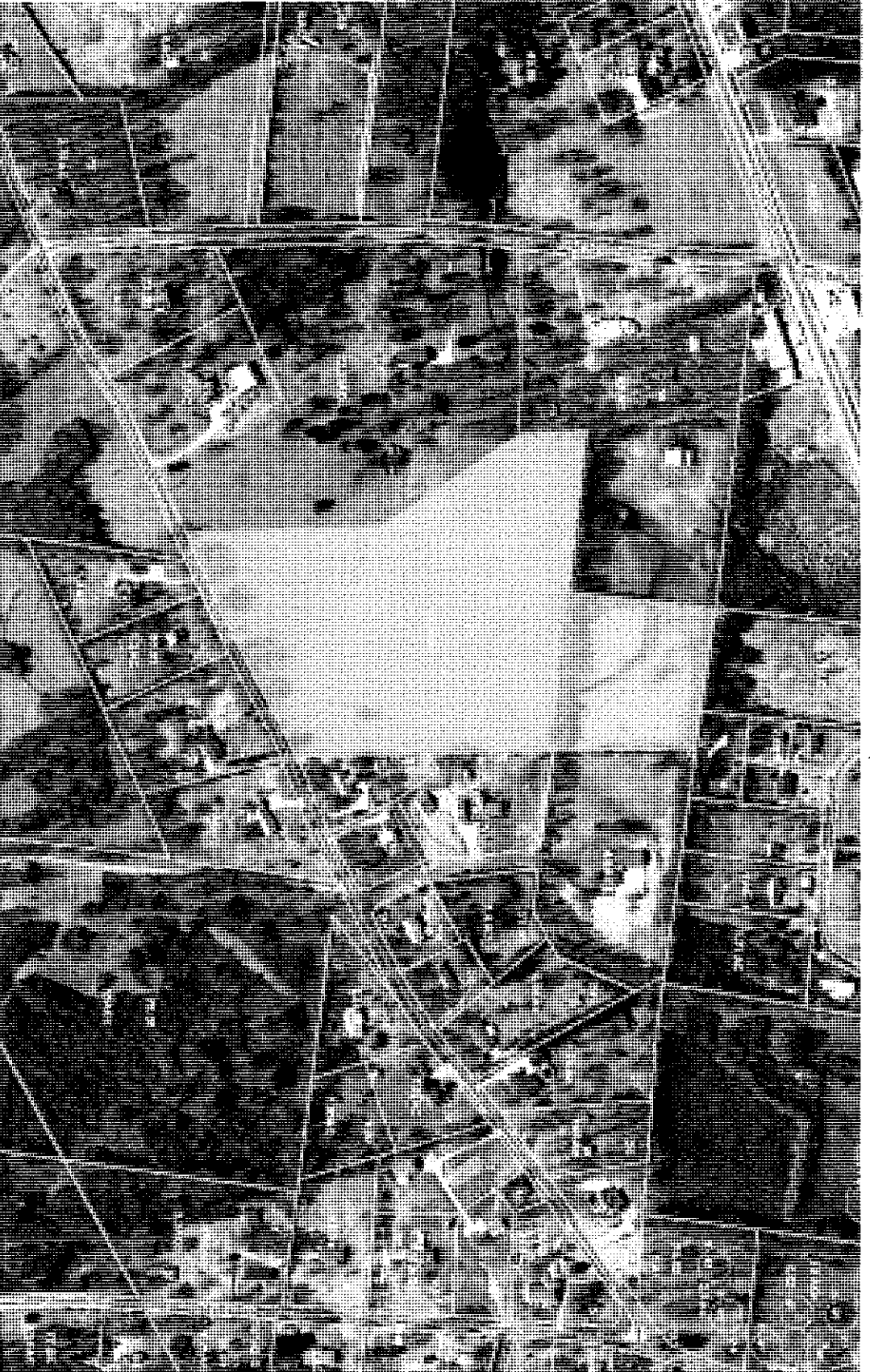
FOR OFFICE USE ONLY

APPLICATION RECEIVED AND FILING FEE PAID 1/13/17

DATE OF APPROVAL BY PLANNING COMMISSION 3/14/17

DATE OF FINAL APPROVAL BY BOARD OF COMMISSIONERS _____

REZONING – MAP 042 – PARCEL 74
REQUEST FOR ZONING OF RS40 TO R15 RPUD OVERLAY



City of Fairview

7100 City Center Way
Fairview, TN 37062-0069



Phone: 615-799-1585
Fax: 615-799-5599
Email: codes@fairview-tn.org

REZONING REQUEST APPLICATION

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4. A legal description of the property, if available.
5. If the applicant is not the property owner, a letter from the property owner must be attached giving the authority to request the zoning.
6. A letter summarizing the project proposal, including the proposed usage of the land, reason for the rezoning request and justification for the rezoning request.
7. Payment of a Non-Refundable \$200.00 application fee (Checks should be made payable to "City of Fairview")

Request No. _____ Date Submitted 3-6-2017

SECTION 1 – Applicant Information

(Any correspondence from the City will be addressed to the applicant)

- ☐ Property Owner ☐ Purchaser of Property ☐ Engineer Trustee
☐ Architect ☒ Other Agent for Buyer

Name: Tim Mangum Phone: _____

Business: _____ E-mail: _____

Address: _____ Best Way to Contact: Phone
(Mail, E-mail, Phone)

City: Fairview State: TN Zip: 37062

SECTION 2 – Property Information for the Rezoning Request

Project Name: Old Nashville Road Development

Project Address: 13 Old Nashville Rd. Fairview

Existing Land Use: R40 - agriculture

Proposed Land Use: R15 Pnd - subdivision

Total Acreage of Project/Rezoning: 15.02

TAX MAP	PARCEL(S)	CURRENT ZONING DISTRICT	REQUESTED ZONING DISTRICT	# OF ACRES	PROPERTY OWNER
042	07300			23.39	Charles Jones
042	05800			8.9	David Jones
0420	A 00100			3.1	Juanita Tomlinson
0420	A 00400			.60	Paul Buttray
0420	A 03100			4.8	David McKinney

***Reason for Rezoning must be included on an attached sheet.

0420 A 03200

1.66 Gary Dannelly

0420 A 03400

.90 Jerry Carter

The rezoning process takes approximately three to four months depending on when the application is received by the City. The request must go to the Planning Commission where it receives a recommendation to go to the Board of Commissioners. The Board of Commissioners must approve a Rezoning Ordinance on two readings and hold a Public Hearing before the rezoning request is considered approved.

I certify that all of the above statements are true to the best of my knowledge.

Applicant's Signature: [Signature] Date: 3-6-17

FOR OFFICE USE ONLY

APPLICATION RECEIVED AND FILING FEE PAID \$200.00 paid 1/13/2017

DATE OF APPROVAL BY PLANNING COMMISSION 3-14-17

DATE OF FINAL APPROVAL BY BOARD OF COMMISSIONERS _____

BK: 4979 PG: 309-313

09053552

This instrument prepared by:
 M.T. Taylor, Jr. – Attorney at Law
 339 Main Street
 Franklin, TN 37064
 (615) 794-0807 / FAX 591-4376

PICK UP

5 PGS : AL - QUITCLAIM DEED	
TRACY BATCH: 187567	12/29/2009 - 10:20 AM
BATCH	167567
MORTGAGE TAX	0.00
TRANSFER TAX	0.00
RECORDING FEE	25.00
ARCHIVE FEE	0.00
DP FEE	2.00
REGISTER'S FEE	0.00
TOTAL AMOUNT	27.00
STATE OF TENNESSEE, WILLIAMSON COUNTY	
SADIE WADE	
REGISTER OF DEEDS	

This instrument was prepared solely upon the information provided by the parties with no title examination being made and the parties hereto hold M.T. Taylor, Jr. – Attorney at Law harmless from any and all liability in connection herewith.

ADDRESS OF NEW OWNER: SEND TAX BILLS TO: MAP AND PARCEL NO.:

Reda Olivia Kidder, Jennifer Rose Bufford,
 and James Ricky Jones

SAME

part of: 42 / _____

c/o Jennifer Rose Bufford
 609 Adelynn Ct. S.
 Franklin, TN 37064

QUITCLAIM DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) cash in hand paid by Grantees, the receipt of which is hereby acknowledged that the Irene Jones Trust, Grantor, by these presents, does hereby quitclaim and convey unto Reda Olivia Kidder, Jennifer Rose Bufford, and James Ricky Jones, Grantees, their heirs, successors, and assigns all of its right, title, and interest subject to a Right of Reversion described below, in and to the following described property in the 1st Civil District of Williamson County, Tennessee, described as follows, to-wit:

See Attached – Exhibit "A" – Legal Description (1.51 A+/- off Old Nashville Rd.)

Being part of the same property conveyed to Grantor by deed of record in Book 1149, page 368, Register's Office for Williamson County, Tennessee.

Said property is conveyed subject to such limitations, restrictions and encumbrances as may affect the premises.

That the above described will revert to the Grantors, their successors, heirs, or assigns upon the occurrence of the first of the following:

a) Notice in writing from Terry Jones, the Trustee of the Neal Irene Jones Trust or all the heirs of Neal Irene Jones, to Grantees, their heirs, successors, or assigns that

with which the above property is being combined.

d) Any condemnation or taking that reduces Grantees property acreage so it no longer qualifies for Greenbelt.

This is property known as: 1.51 Acres off Old Nashville, Road, Fairview, TN.

Any Rollback Taxes resulting from this transfer or the exercise of the Right of Reversion and any legal expense or recording cost arising from the exercise of the Right of Reversion shall be paid by Grantees, their heirs, successors, or assigns.

WITNESS OUR HANDS this 23 day of Dec, 2009, in Franklin, Tennessee.

Irene Jones Trust
By: [Signature]
Roger Keith Jones / Trustee

Joined in by:

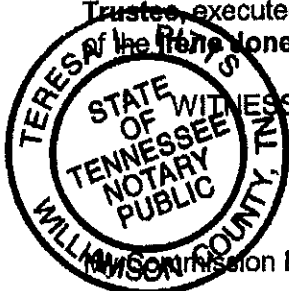
[Signature]
Roger Keith Jones (Individually)

[Signature]
Charles Terrance Jones (Individually)

[Signature]
Nancy Jones Holt (Individually)

STATE of TENNESSEE
COUNTY of WILLIAMSON

Before me, Teresa L. Pitts, a Notary Public of the State and County aforesaid, personally appeared **Roger Keith Jones**, with whom I am personally acquainted, [or proved to me on the basis of satisfactory evidence], and who, upon oath, acknowledged himself to be the **Trustee** for the within named bargainor, the **Irene Jones Trust**, and that he, as such **Trustee**, executed the foregoing instrument for the purpose therein contained, by signing the name of the **Irene Jones Trust** by himself as **Trustee**.



WITNESS my hand, at office, this 23 day of Dec, 2009.

[Signature]
NOTARY PUBLIC

Commission Expires: 8/19/13

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

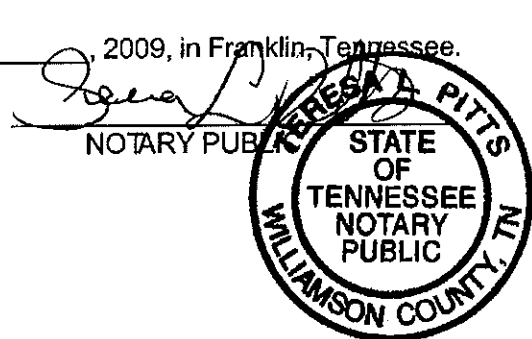
Personally appeared before me, the undersigned, a Notary Public for said State & County, **Roger Keith Jones, Individually**, the within named bargainor with whom I am personally acquainted (or who proved to me on the basis of satisfactory evidence) and who acknowledged that he executed the foregoing instrument for the purpose therein contained

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

Personally appeared before me, the undersigned, a Notary Public for said State & County, **Charles Terrance Jones, Individually**, the within named bargainor with whom I am personally acquainted (or who proved to me on the basis of satisfactory evidence) and who acknowledged that he executed the foregoing instrument for the purposes therein contained.

Witness My Hand this 23 day of Dec, 2009, in Franklin, Tennessee.

My Commission Expires: 8/19/13

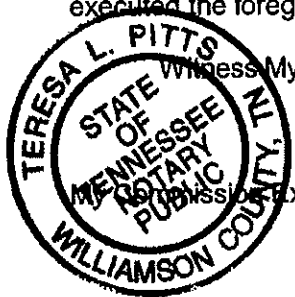


STATE OF TENNESSEE
COUNTY OF WILLIAMSON

Personally appeared before me, the undersigned, a Notary Public for said State & County, **Nancy Jones Holt, Individually**, the within named bargainor with whom I am personally acquainted (or who proved to me on the basis of satisfactory evidence) and who acknowledged that she executed the foregoing instrument for the purposes therein contained.

Witness My Hand this 23 day of Dec, 2009, in Franklin, Tennessee.

My Commission Expires: 8/19/13



Joined in by;

Reda Olivia Kidder
Reda Olivia Kidder (Individually)

Jennifer Rose Bufford
Jennifer Rose Bufford (Individually)

James Ricky Jones
James Ricky Jones (Individually)

To evidence their agreement to the terms of Reversion.

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

Personally appeared before me, the undersigned, a Notary Public for said State & County, **Reda Olivia Kidder, Individually**, the within named bargainor with whom I am personally acquainted (or who proved to me on the basis of satisfactory evidence) and who acknowledged that

file: 42-74.00

REDA OLIVIA KIDDER, JENNIFER ROSE BUFFORD
AND JAMES RICKY JONES
15.02 ACRES ON OLD NASHVILLE ROAD

BEING A TRACT OF LAND AS SHOWN ON PROPERTY MAP 42, ASSESSOR'S OFFICE AND LYING WHOLLY WITHIN THE 1st CIVIL DISTRICT OF WILLIAMSON COUNTY, FAIRVIEW, TENNESSEE. BOUNDED IN GENERAL BY OLD NASHVILLE ROAD ON THE SOUTH; IRENE JONES TRUSTEE REMAINDER AND DAVID G. JONES ON THE WEST; PAUL TOMLINSON AND PAUL BUTTREY ON THE NORTH; DAVID N. McKINNEY, GARY W. DONNELLY, JR., JERRY K. CARTER AND LOT 1 OF LONE OAK SUBDIVISION ON THE EAST, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN EXISTING WITNESS IRON PIN AT A 20" SYCAMORE ON THE NORTH SIDE OF OLD NASHVILLE ROAD IN THE EAST LINE OF IRENE JONES TRUSTEE (REF. DEED BOOK 1149 PAGE 368 R.O.W.C., PROPERTY MAP 42 PARCEL 73) THENCE LEAVING THE ROAD AND WITH JONES' EAST LINE N05°29'18"W 468.46' TO AN IRON PIN SET; THENCE N34°35'28"W 425.64' TO AN IRON PIN SET, A SOUTHEASTERLY CORNER OF DAVID G. JONES (REF. DEED BOOK 133 PAGE 96 R.O.W.C.); THENCE WITH DAVID JONES' EAST LINES N05°31'49"W PASSING A WITNESS IRON PIN SET AT 135.20' IN ALL 145.20' TO A POINT IN A SMALL CREEK; THENCE RUNNING UP THE CREEK S88°31'49"E 387.75 TO AN IRON PIN SET IN THE DITCH, THENCE CONTINUING WITH DAVID JONES N02°58'11"E 351.45' TO AN IRON PIN SET (FORMERLY A 42" POPLAR, NOW DOWN) IN THE SOUTH LINE OF THOMAS TAYLOR (REF. DEED BOOK 99 PAGE 31 R.O.W.C.); THENCE LEAVING DAVID G. JONES AND WITH TAYLOR'S SOUTH LINE S85°52'07"E 6.18' TO AN EXISTING IRON PIN, THE SOUTH WEST CORNER OF PAUL TOMLINSON (REF. DEED BOOK 117 PAGE 318 R.O.W.C.); THENCE LEAVING TAYLOR AND WITH TOMLINSON'S SOUTH LINE S85°52'07"E 250.11' TO AN EXISTING IRON PIN, THE SOUTH WEST CORNER OF PAUL BUTTREY (REF. DEED BOOK 1406 PAGE 384 R.O.W.C.); THENCE LEAVING TOMLINSON AND WITH BUTTREY'S SOUTH LINE S85°52'07"E 93.74' TO A 24" WILD CHERRY TREE, THE NORTH WEST CORNER OF DAVID N. McKINNEY (REF. DEED BOOK 370 PAGE 223 R.O.W.C.); THENCE LEAVING BUTTREY AND WITH McKINNEY'S WEST LINE S04°20'08"E 346.55' TO AN EXISTING IRON PIPE ON THE SOUTH SIDE OF THE DITCH, THE NORTHWEST CORNER OF GARY W. DONNELLY, JR. (REF. DEED BOOK 1303 PAGE 55 R.O.W.C.); THENCE LEAVING McKINNEY AND WITH DONNELLY'S WEST LINE S04°20'27"E 255.79' TO AN EXISTING IRON PIPE, THE NORTH WEST CORNER OF JERRY K. CARTER (REF. DEED BOOK 729 PAGE 675 R.O.W.C.) AND CONTINUING ALSO WITH LOT 1 OF LONE TREE SUBDIVISION (REF. PLAT BOOK 3 PAGE 38 R.O.W.C.); THEN WITH CARTER AND LOT 1'S WEST LINES S04°55'02"E PASSING AN EXISTING WITNESS IRON PIN AT 379.33' IN ALL 392.33' TO A POINT IN THE CENTER OF OLD

NASHVILLE ROAD; THENCE WITH THE CENTER OF OLD NASHVILLE ROAD
S62°19'44"W 36.15' TO A POINT; THENCE WITH A CURVE TO THE LEFT
HAVING THE FOLLOWING CHARACTERISTICS:
DELTA=04°26'10"; RADIUS=1290.91'; ARC=99.95'; TANGENT=50.00';
CHORD=S60°06'39"W 99.93'; TO A POINT; THENCE S57°53'34"W 96.66' TO A
POINT; THENCE WITH A CURVE TO THE RIGHT HAVING THE FOLLOWING
CHARACTERISTICS:
DELTA=02°59'54"; RADIUS=1910.56'; ARC=99.98'; TANGENT=50.00';
CHORD=S59°23'31"W 99.97' TO A POINT; THENCE S60°54'34"W 261.69' TO A
POINT; THENCE WITH A CURVE TO THE RIGHT HAVING THE FOLLOWING
CHARACTERISTICS:
DELTA=00°19'37"; RADIUS=3317.39'; ARC=18.94'; TANGENT=9.47';
CHORD=S61°04'24"W 18.94' TO A POINT, THE SOUTH EAST CORNER OF THE
AFOREMENTIONED IRENE JONES TRUSTEE; THENCE LEAVING THE CENTER
OF THE ROAD WITH JONES' EAST LINE N05°29'18"W 19.79' TO THE POINT OF
BEGINNING, CONTAINING 15.02 ACRES, MORE OR LESS, AND BEING THE
REDA OLIVIA KIDDER , JENNIFER ROSE BUFFORD AND JAMES RICKY JONES
PROPERTY AS RECORDED IN DEED BOOK 4875 PAGE 816 , COMBINED WITH
DEED BOOK PAGE REGISTER'S OFFICE, ACCORDING TO A SURVEY
BY RANDOLPH L. CHAPDELAIN R.L.S.#1444, 7376 WALKER ROAD,
FAIRVIEW, TENNESSEE 37062 AND DATED NOVEMBER 11, 2009.

THE ABOVE TRACT IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS,
COVENANTS OF RECORD AND TO THE FINDINGS OF A TITLE REPORT.



EXECUTOR'S DEED

Address New Owner as Follows:	Send Tax Bills To:	Map-Parcel No.
Reda Olivia Kidder, Jennifer Rose Bufford and James Ricky Jones	(same)	Map 42, Parcel 79 and Map 22 Parcel 167

This instrument prepared by: WALLER LANSDEN DORTCH & DAVIS, LLP, Paul C. Hayes,
Esq., 511 Union Street, Suite 2700, Nashville, Tennessee 37219-1760

STATE OF TENNESSEE)

COUNTY OF Lewis

The actual consideration for this transfer is \$-0-.



Jennifer Rose Bufford James Ricky Jones
Affiant

Subscribed and sworn to before me, this the 17th day of June, 2009.

Margie Jones
NOTARY PUBLIC

FOR AND IN CONSIDERATION of Ten Dollars (\$10.00), and other good and valuable consideration, Jennifer Rose Bufford, Executrix of the Estate of James Crawford Jones, by these presents, does hereby quitclaim and convey unto Reda Olivia Kidder, Jennifer Rose Bufford and James Ricky Jones (the "Grantees"), their heirs and assigns, all of her right, title and interest, in and to the following described land in Williamson County, Tennessee:

Tract No. 1:

Being a tract of land as shown on property Map 42, Assessor's Office, and lying wholly within the 1st Civil District of Williamson County, partially in Fairview, Tennessee. Lying south of Old Nashville Road, bounded in general by Paul R. Begley, Narva Mai Curle, John Thomas Medvecky and James Troy Curle on the north; Margaret C. Jones on the east and south; Murrey Thomas Taylor on the west, the southern portion of Lot 6 of Pasadena Subdivision (Deed Book 39 Page 292 R.O.W.C.). More particularly described as follows:

Commencing at an iron pin set on the south side of Old Nashville Road (25' from the center), in the east line of James Troy Curle

(Ref. Deed Book 4250 Page 976 R.O.W.C.); thence leaving Old Nashville Road and with Curle's east line $S03^{\circ}21'34''W$ 402.46' to an existing iron stake, the true point of beginning for the following described tract: Thence leaving Curle and with Tract 1 of Margaret C. Jones (Ref. Deed Book 4489 Page 273 R.O.W.C.) $S03^{\circ}25'36''W$ 2081.89' to a point in the north line of Tract 2 of the aforementioned Margaret C. Jones; Thence with the north line of said Tract 2, $N86^{\circ}35'01''W$ 98.71' to a point; Thence $N67^{\circ}53'38''W$ 650.21' to an iron pin set, the southeast corner of Murrey Thomas Taylor (Ref. Deed Book 99 Page 30 R.O.W.C.); Thence leaving Margaret C. Jones and with Taylor's east line $N03^{\circ}25'01''E$ 1432.42' to a wood fence post, the southwest corner of Paul R. Begley (Ref. Deed Book 671 Page 426 R.O.W.C.); Thence leaving Taylor and with Begley's south line $N62^{\circ}17'55''E$ 263.56' to a wood fence post, the southwest corner of Narva Mai Curle (Ref. Deed Book 273 Page 932 R.O.W.C.); Thence leaving Begley and first with Curle and then with John Thomas Medvecky's (Deed Book 696 Page 706 R.O.W.C.) south line $N61^{\circ}35'38''E$ 409.19' to a wood post, the southwest corner of the aforementioned James Troy Curle; Thence leaving Medvecky and with Curle's south line $N61^{\circ}26'46''E$ 91.71' to an existing iron pipe; Thence $N60^{\circ}55'02''E$ 75.73' to the true point of beginning, containing 29.04 acres, more or less, and being the same property quitclaimed by Margaret C. Jones to James C. Jones in Deed Book 4489 Page 275 Register's Office, according to a survey by Randolph L. Chapdelaine R.L.S. #1444, 7376 Walker Road, Fairview, Tennessee 37062 and dated may 15, 2008.

Tract No. 1 being part of the property conveyed to James C. Jones by deed from Earl Mangrum and Vernon Buttery, to James C. Jones and wife, Margaret C. Jones, of record in Deed Book 87, page 15, said Register's Office, and by deed from Margaret C. Jones, of record in Book 4489, page 275, said Register's Office, the said James C. Jones having since died. The will of James C. Jones was admitted to probate in the Chancery Court for Williamson County, Case No. P-08-4907. Margaret C. Jones, disclaimed her interest in the property by Disclaimer dated 10/31/08 and recorded in Book 4676, page 507 in the Williamson County Register's Office.

Tract No 2:

Bounded generally as follows: Bounded on the north by Thompson; bounded on the east by 96 Highway; bounded on the south by Varden; bounded on the west by the balance of the Bateman property, containing 1 acre.

Tract No. 2 being part of the property conveyed to James C. Jones, by deed from Mable O. Bateman, James C. Bateman, Batrice Bateman Leverette, Clifford Bateman and Lennie Bateman to James C. Jones and wife, Margaret C. Jones, of record in Deed Book 106, page 354, said Register's Office, and by deed from Margaret C. Jones, of record in Book 4489, page 271, said Register's Office, the said James C. Jones having since died. The will of James C. Jones was admitted to probate in the Chancery Court for Williamson County, Case No. P-08-4907. Margaret C. Jones, disclaimed her interest in the property by Disclaimer dated 10/31/08 and recorded in Book 4676, page 507 in the Williamson County Register's Office.

Tract No. 3:

Bounded on the north by Thompson; bounded on the east by James Jones; bounded on the south by Varden; bounded on the west by Lennie Bateman Beal, containing 1 acre, more or less.

Tract No. 3 being the same property conveyed to James C. Jones, by deed from Lennie Bateman Beal and husband, James Beal, and Mabel O. Bateman to James C. Jones and wife, Margaret C. Jones, of record in Deed Book 132, page 365, said Register's Office, by deed from Lennie Bateman Beal, of record in Deed Book 140, page 220, said Register's Office, and by deed from Margaret C. Jones, of record in Book 4489, page 271, said Register's Office, the said James C. Jones having since died. The will of James C. Jones was admitted to probate in the Chancery Court for Williamson County, Case No. P-08-4907. Margaret C. Jones, disclaimed her interest in the property by Disclaimer dated 10/31/08 and recorded in Book 4676, page 507 in the Williamson County Register's Office.

Tract No. 4:

Beginning at a stake in the Old Cox Pike, Charles Jones southeast corner passing a sycamore on the north side of Pike, running north $5\frac{1}{2}^{\circ}$ west 59.3 poles to a stake in the center of a ditch in Luther Jones line; thence up the ditch south $88\frac{1}{2}^{\circ}$ east 10.8 poles to a stake, his corner; thence north 3° east 21.3 poles to a large poplar in the Old Smith east boundary line, this poplar being Thomas Taylor and Isaac Cobb's corner; thence with Cobb's line south 87° east 21.3 poles to a cherry; thence south 4° east 61 poles to a stake in the Cox Pike; thence with said Pike south $61\frac{1}{2}^{\circ}$ west 37 poles to the beginning, containing 14.8 acres, more or less.

Tract No. 4 being the same property conveyed to James Crawford Jones by deed from Albert Luther Jones, Tom G. Jones, Andrew

Ray Jones and Charles E. Jones, of record in Deed Book 107, Page 499, said Register's Office. The will of James C. Jones was admitted to probate in the Chancery Court for Williamson County, Case No. P-08-4907. Margaret C. Jones, disclaimed her interest in the property by Disclaimer dated 10/31/08 and recorded in Book 4676, page 507 in the Williamson County Register's Office.

IN WITNESS WHEREOF, Grantor has executed this instrument this 17th day of June, 2009.

Jennifer Rose Bufford
Jennifer Rose Bufford, Executrix of the Estate
of James Crawford Jones

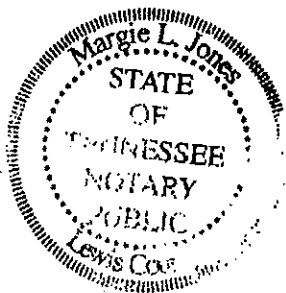
STATE OF TENNESSEE)
COUNTY OF Lewis)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named Jennifer Rose Bufford, Executrix of the Estate of James Crawford Jones, the bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who upon oath acknowledged that she executed the within instrument for the purposes therein contained.

Witness my hand and seal at my office in Hohenwald, Tennessee,
this the 17th day of June, 2009.

Margie Jones
NOTARY PUBLIC

My Commission Expires: 1-18-2010



BK/PG:4875/816-819

09032111

DEED	
07/13/2009	11:26 AM
BATCH	154302
MTG TAX	0.00
TRN TAX	0.00
REC FEE	20.00
DP FEE	2.00
REG FEE	0.00
TOTAL	22.00

STATE OF TENNESSEE, WILLIAMSON COUNTY

SADIE WADE
REGISTER OF DEEDS

CITY OF FAIRVIEW, TENNESSEE

RESOLUTION NO. 03-17

10B

A RESOLUTION TO SET A PUBLIC HEARING FOR THE PURPOSE OF OBTAINING PUBLIC COMMENT ON CHANGING THE ZONING AND ESTABLISHING P.U.D. STATUS OF CERTAIN PROPERTY IN THE CITY OF FAIRVIEW, TENNESSEE, LOCATED OFF OF OLD NASHVILLE ROAD, OWNED BY JENNIFFER ROSE BUFFORD, REDA OLIVIA KIDDER AND JAMES RICKY JONES, AS SHOWN ON, WILLIAMSON COUNTY, TAX MAP 42, PARCEL 74.00, MAP 42, PARCEL 79 AND MAP 22, PARCEL 167, FROM RS - 40, TO RS - 15 R.P.U.D.

WHEREAS, The City of Fairview, Tennessee is in the process of changing the Zoning Classification and establishing a P.U.D. status of Certain Property herein described and the Statutes of the State of Tennessee require that a public hearing be held for the purpose of obtaining the public's comments regarding the proposed Zoning Classification Change and,

WHEREAS, the Board of Commissioners for the City of Fairview, Tennessee have determined that May 4, 2017, is an acceptable date for the conduct of such a public hearing.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF FAIRVIEW, TENNESSEE.

1. That a public hearing for the purpose of obtaining the comments of the public regarding the change in the Zoning Classification and establishing P.U.D. status of the below described property located in the Corporate Limits of the City of Fairview, Tennessee is scheduled and will be held at 7:00 O'Clock P.M., May 4, 2017, in the City Hall of the City of Fairview, Tennessee.

The Property for which the Zoning Change and P.U. D. status is requested and for which public comment is sought is described as follows

Williamson County, Tennessee, **Tax Map 42, Parcel 74.00**, Recorded in Deed **Book 4979, Pages 309 - 313**, Williamson County, Tennessee, **Tax Map 42, Parcel 79.00**, Williamson County, Tennessee, **Tax Map 22, Parcel 167.00 Recorded in Deed Book 4875, Pages 816 - 819**, Register's Office for Williamson County, Tennessee. The descriptions Are hereby Incorporated into and made a part of this Resolution verbatim.

Adopted this the _____ day of _____, 2017.

MAYOR

ATTEST:

CITY RECORDER

APPROVED AS TO FORM

**LARRY D. CANTRELL
CITY ATTORNEY
FAIRVIEW, TENNESSEE**

City of Fairview

10C

7100 CITY CENTER WAY

FAIRVIEW, TN. 37062



Phone: 615-799-1585

Email: codes@fairview-tn.org

RECOMMENDATIONS

2017-3

DATE: MARCH 14, 2017

TO: FAIRVIEW BOARD OF COMMISSIONERS

FROM: FAIRVIEW MUNICIPAL PLANNING COMMISSION

- 8.2 DISCUSS AND/OR TAKE ACTION ON REZONING REQUEST FOR LOT 2 OF DONALD H. TIDWELL SUBDIVISION FROM RM12 TO R-20. MAP 23, PARCEL 44.01, 4.74 ACRES. DONALD M. & ROSEMARY CUNNINGHAM, REVOCABLE LIVING TRUST, OWNER.

Mangrum recused himself. Chapdelaine was present to represent. Carroll asked Chapdelaine they were taking this from condo's to two lots. Burks stated does he have a letter stating he is representing the owner. Chapdelaine stated he is his agent, surveyor working for him. Burks ask Chapdelaine does he have an agency agreement, it is required. Chapdelaine stated this was a last minute; he just called today and said he couldn't make the meeting. Chapdelaine stated he could turn that in at a later time, if that is acceptable. Burks asked Cantrell, Cantrell stated as long as it's here before the 1st reading; they can pass contingent upon having the authorization. Burks stated just wanted to make sure they hold everyone to the same standard across the Board. Hall stated our new application & requirement when on line yesterday. Beata asked was there an existing driveway. Chapdelaine stated there is a small culvert and existing driveway. Beata asked is that where this road easement is for lot 2. Chapdelaine stated it is not. Beata stated so TDOT will have to approve. Chapdelaine stated yes that's correct. Carroll asked does he know what they want to put on this land. Chapdelaine stated he believes he wants to put a home on the 1st lot. Beata stated he would like to see one road coming from this property, so lot 1 would be using the easement from lot 2. Burks asked Owen, he noticed no Staff Comments, were there any concerns that weren't mentioned. Butler asked Owen is there anything that speaks to that setback based on the primary road. Owen stated this is a straight rezoning to R-20, not a PUD, it's nice to have this proposed plat; technically the action in hand is just the rezoning consideration, since it is just a straight rezoning. Owen stated probably the time to address as far as the access and the driveways would be at the staff level on the minor final that would be administratively approved, since their just creating two lots. Owen stated that; s what they've typically done in the past and what their book allows and they can try to address that if that's something the Planning Commission desires. Mitchell made a motion for approval contingent upon the written authorization from the owner. Dowdy Seconded. All were in favor.

City of Fairview

7100 City Center Way
Fairview, TN 37062-0069



Phone: 615-799-1585
Fax: 615-799-5599
Email: codes@fairview-tn.org

REZONING REQUEST APPLICATION

For a Rezoning Request, the City of Fairview **requires** the following:

1. Completion of this application. Please type or print the information in blue or black ink.
2. A map of the property.
3. A list of Names **and** addresses of **all** adjacent property owners.
4. A legal description of the property, if available.
5. If the applicant is not the property owner, a letter from the property owner must be attached giving the authority to request the zoning.
6. A letter summarizing the project proposal, including the proposed usage of the land, reason for the rezoning request and justification for the rezoning request.
7. Payment of a Non-Refundable \$200.00 application fee (Checks should be made payable to "City of Fairview")

Request No. _____ Date Submitted _____

SECTION 1 – Applicant Information

(Any correspondence from the City will be addressed to the applicant)

- ☒ Property Owner ☐ Purchaser of Property ☐ Engineer Trustee
☐ Architect ☐ Other _____

Name: Jessica C. Mangrum, Jr. Phone: _____
Donald M. & Rosemary Cunningham Revocable Living Trust
Business: _____ E-mail: _____

Address: _____ Best Way to Contact: _____
City: Nashville State: TN Zip: 37205 (Mail, E-mail, Phone)

SECTION 2 – Property Information for the Rezoning Request

Project Name: Resubdivision of Lot 2 Donald H. Tidwell Subdivision
Project Address: Fairview Blvd
(no address assigned)

Existing Land Use: RM-12 Multi-family Residential

Proposed Land Use: Residential R20

Total Acreage of Project/Rezoning: 4.73 acres

TAX MAP	PARCEL(S)	CURRENT ZONING DISTRICT	REQUESTED ZONING DISTRICT	# OF ACRES	PROPERTY OWNER
23	44.01	RM12	R 20	4.73	Donald m & Rosemary Cunningham Revocable Living Trust

***Reason for Rezoning must be included on an attached sheet.

The rezoning process takes approximately three to four months depending on when the application is received by the City. The request must go to the Planning Commission where it receives a recommendation to go to the Board of Commissioners. The Board of Commissioners must approve a Rezoning Ordinance on two readings and hold a Public Hearing before the rezoning request is considered approved.

I certify that all of the above statements are true to the best of my knowledge.

Applicant's Signature: Janice C. Mangum, Trustee Date: 2-17-17

FOR OFFICE USE ONLY

APPLICATION RECEIVED AND FILING FEE PAID 2/16/2017 \$200.00 paid

DATE OF APPROVAL BY PLANNING COMMISSION 3/14/2017

DATE OF FINAL APPROVAL BY BOARD OF COMMISSIONERS _____

City of Fairview

7100 CITY CENTER CIRCLE
P.O. BOX 69
FAIRVIEW, TN. 37062



Phone: 615-799-1585
Fax: 615-799-5599
Email: codes@fairview-tn.org

AGENCY AGREEMENT

City of Fairview
Zoning, Planning, Codes

Date: 3/16/17
Applicant Name: Donald M. & Rosemary Cunningham
Address of Property: FVBLD

This document is proof of the existence of an agency agreement by and between Jessica C. Mangrum, Trustee (applicant) and Chapdelaine & Associates (representative). This document may be introduced into the record(s) of any administrative or legal proceeding as conclusive proof of said agency agreement during the period of time of the existence of the agreement and for the specific project herein designated. The project for which the agency agreement is applicable is Lot 2 Fv Blvd.

This agency Agreement shall expire at the end of the month which is Six (6) months from the date of the execution of the agreement.

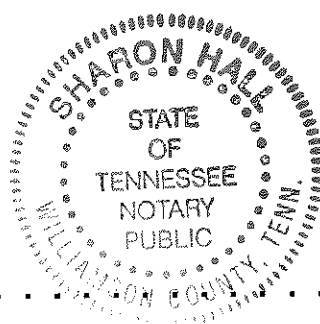
Applicant Name: Jessica C. Mangrum, Trustee for Donald M. & Rosemary Cunningham Revocable Living Trust
Applicant Signature: [Signature]

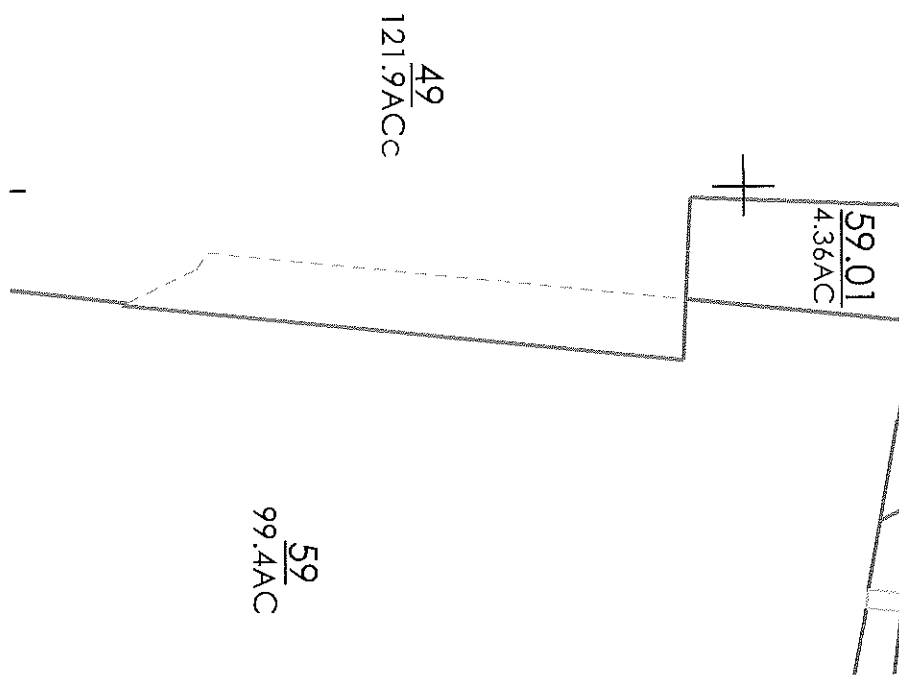
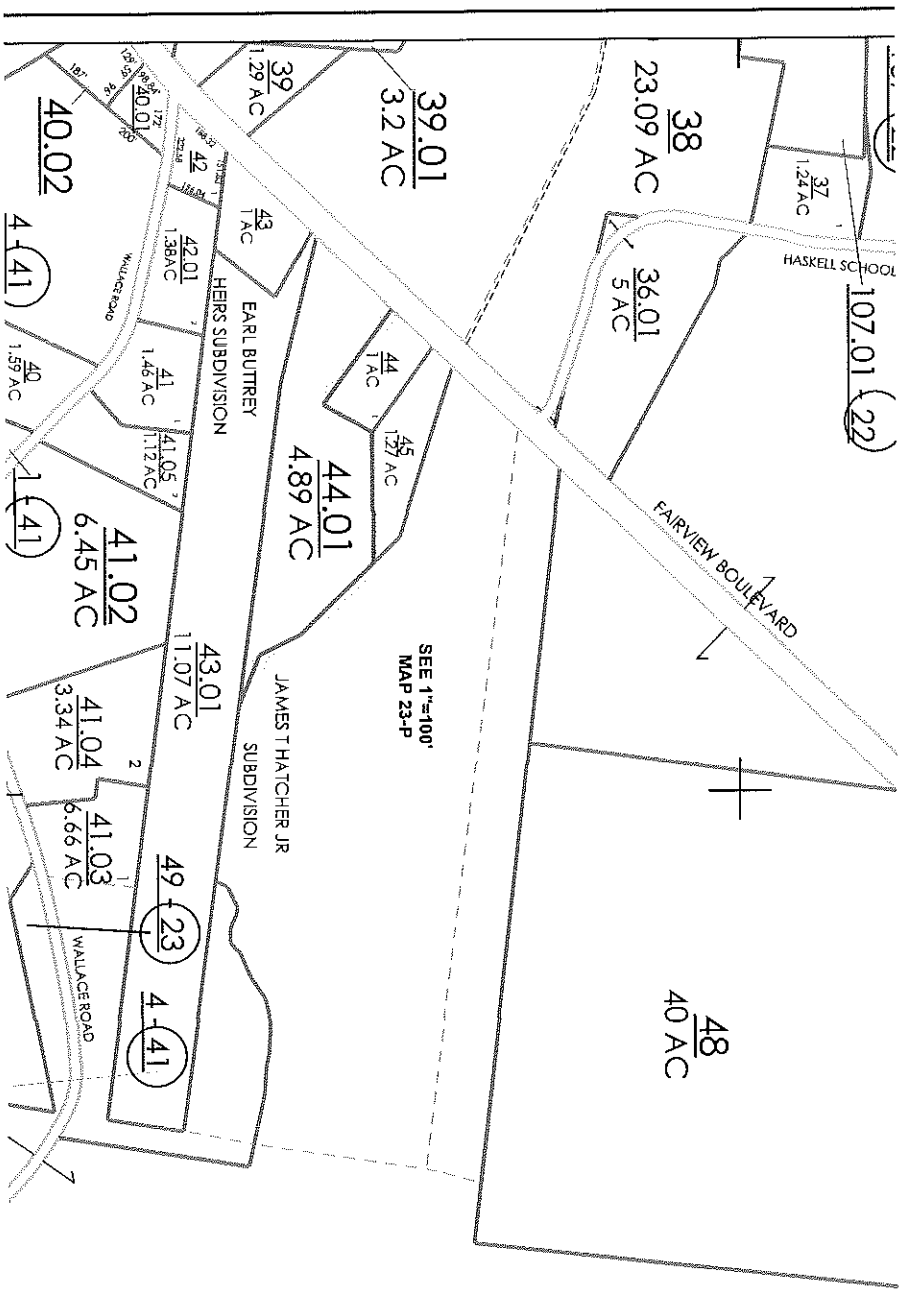
Representative Name: Chapdelaine & Associates Any employee within the company.
Representative Signature: [Signature] RLS

Sworn to and subscribed before me on this 16th day of MARCH, 2017

Notary Public: [Signature]

Commission Expiration: 3-10-2019





Jessica C Mangrum, Trustee
For Donald M and Rosemary Cunningham Revocable Living Trust
PO Box 50261
Nashville, TN 37205

February 16, 2017

I am the Trustee for property owner of Map 23 Parcel 44.01 deed book 4762 page 419 R.O.W.C. at Fairview, Blvd. Fairview, TN 37025. Also shown as a 4.89 acre parcel, Lot 2 Donald H Tidwell Plat Book 29 Page 2.

This property is currently zone RM12 where I wish to rezone to R-20 . My intention is to create a two lot subdivision utilizing the current topography in order to build two separate residential homes with minimum building setbacks.

Jessica C. Mangrum, Trustee
2-16-17

THIS INSTRUMENT PREPARED BY:

Judy S. Wells, Attorney
7101 Executive Center Drive, #151
Brentwood, TN 37027

NEW OWNER:

Donald M. Cunningham, Trustee
132 Steeplechase Drive
Nashville, TN 37221

SEND TAX BILLS TO:

NEW OWNER

MAP/PARCEL:

Map 23
Parcel 44.01

This instrument was drafted from information furnished by the parties. No representation or warranty is made by the preparer as to the accuracy of anything set forth herein. The parties have waived performance of a title search, title opinion letter or title insurance by the preparing attorney.

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS that I, **Donald Cunningham**, for and in consideration of Ten and no/100's (\$10.00), cash in hand paid, the receipt of which is hereby acknowledged, have bargained and sold and do hereby convey remise, release and forever quitclaim unto **Donald M. Cunningham, Trustee of the Donald M. and Rosemary Cunningham Revocable Living Trust**, all my interest, if any whether marital or otherwise, in and to a certain tract of land in Williamson County, Tennessee, described as follows:

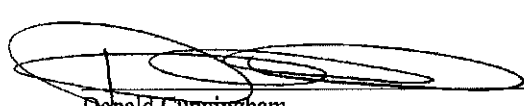
Land in Williamson County, Tennessee, Being Lot No. 2 on the Plan of Donald H. Tidwell Subdivision of record in Plat Book 29, page 2, Register's Office for Williamson County, Tennessee, to which reference is hereby made for a more complete description thereof.

Being the same property conveyed to Donald Cunningham by deed from Bernie Bloemer of record in Book 4630, page 6, Register's Office for Williamson County, Tennessee.

This is unimproved property known as: Lot 2 Fairview Blvd., Fairview, TN.

This instrument and the interest released and quitclaimed are subject to such limitations, encumbrances, easements and restrictions as may affect the premises.

WITNESS my hand this the 5th day of March, 2009.


Donald Cunningham


Jessica C. Mangrum, Trustee

BK/PG: 4762/419-420

09011454

QUITCLAIM DEED	
03/13/2009	04:15 PM
BATCH	143410
MTG TAX	0.00
TRN TAX	0.00
REC FEE	10.00
LF FEE	2.00
REG FEE	0.00
TOTAL	12.00

STATE OF TENNESSEE, WILLIAMSON COUNTY

SADIE WADE
REGISTER OF DEEDS

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

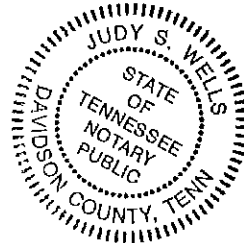
Before me, the undersigned authority, a Notary Public within and for the State and County, appeared Donald Cunningham with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who upon his oath acknowledged himself to be the within named bargainor, and that he executed the foregoing instrument of his own free will for the purposes therein set forth.

5th Witness my hand and official seal at office at Brentwood, Tennessee, on this the day of March, 2009.

My Commission Expires:

9/3/2012

J. S. Wells
Notary Public



STATE OF TENNESSEE
COUNTY OF WILLIAMSON

The actual consideration for this transfer is \$0.00.

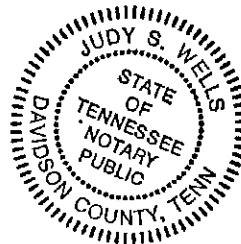
[Signature]
Affiant

Sworn to and subscribed before me this the 5th day of March, 2009.

J. S. Wells
Notary Public

My commission expires:

9/3/2012



10E

ORDINANCE NO. 2017-05

AN ORDINANCE TO AMEND CITY OF FAIRVIEW, TENNESSEE, MUNICIPAL CODE, TITLE 7, CHAPTER 5, SECTIONS 7-501 THROUGH 7-514. "FIREWORKS."

Be it Ordained by the City of Fairview, Tennessee as follows:

WHEREAS, the Board of Commissioners of the City of Fairview, Tennessee, have determined that the Municipal Code of the City of Fairview, Tennessee should be revised and that the best interest and welfare of all the citizens of the City of Fairview, Tennessee, will be served by amending the Fairview, Tennessee, Municipal Code, Title 7, Chapter 5, Sections 7-501 through 7-514 as follows:

Therefore, Be it Ordained by the City of Fairview, Tennessee as follows:

Fairview, Tennessee Municipal Code, Title 7, Chapter 5, Sections 7-501 – 7-514 "Fireworks," as it exists on the date of this Ordinance is hereby repealed in its entirety and is amended to read as follows:

SECTION

- 7-501. Purpose.
- 7-502. Definition of terms.
- 7-503. Permits required.
- 7-504. Permit Fee.
- 7-505. Privilege licenses required.
- 7-506. Permissible types of fireworks.
- 7-507. Conditions for sale and use of permissible articles.
- 7-508. Retail sale of permissible articles/time limitations Exceptions.
- 7-509. Public displays ---permits ---regulations.
- 7-510. Regulations governing storing, locating or display of fireworks.
- 7-511. Unlawful acts in the sale, handling or private use of Fireworks.
- 7-512. Penalty for violation.
- 7-513. Exceptions to application.
- 7-514. Additional temporary fireworks requirements.

7-501 Purpose. – The purpose of this chapter is to provide for the sale, display and use of certain fireworks for both private and public display within the corporate limits of the city of Fairview, Tennessee within certain guidelines which shall provide for the general safety and welfare of the citizens thereof.

7-502 Definitions. As used in this Chapter, the following terms shall have the meaning described to them herein, unless clearly indicated otherwise:.

1. **“Distributor”** means any person engaged in the business of making sales of fireworks to any other person or entity engaged in the business of reselling fireworks either as a retailer, wholesaler, or any person or entity who receives, brings or imports any fireworks of any kind, in any manner into the City of Fairview, Tennessee, except to a holder of a distributor’s or wholesaler’s permit issued by the state fire marshal and the City of Fairview, Tennessee Fire Chief or Assigns:

2. **“Fireworks”** means any and all articles of fireworks that are classified as novelty fireworks or “D.O.T. Class C common fireworks” in the regulations of the United States Department of Transportation for transportation of explosive and other dangerous articles and further classified by the State of Tennessee as “Fireworks” regulated by the State of Tennessee in T.C.A. §§ 68-22-101 through 68-22-116.

3. **“Permit”** means the written authority of the City of Fairview Fire Chief or his Assigns, issued under the authority of this Chapter. **Permits will only be issued to seasonal retailers.**

4. **“Seasonal Retailer”** means any non-profit organization exempt from federal income taxation Whose purpose is to promote the civic betterment engaged in the business of making sales of fireworks to consumers within the City of Fairview, Tennessee during the fireworks season(s) from Temporary Fireworks Stands.

5. **“Person”** means any individual, firm, partnership or corporation.

6. **“Sale”** means the any exchange of articles of fireworks for money an also includes the barter, exchange, gift or offer thereof, and each such transaction made by any person or entity, whether as principal, proprietor, salesman, agent, association, co-partnership, or one (1) or more individuals.

7. **“Special fireworks”** means all articles of fireworks that are classified as Class B explosives in the regulations of the United States Department of Transportation and includes all articles other than those as Class C or novelty fireworks.

8. **7-503 Permits required.** It shall be unlawful for any person or entity to sell, store, offer for sale, ship or cause to be shipped into the City of Fairview, Tennessee except as herein provided any item of fireworks, without first having secured the required applicable permit as a retailer, from both the City of Fairview, Tennessee Fire Chief and his Assigns, and the State Fire Marshal (as required by T.C.A. §68-104-101 et seq.), possession of said permits being hereby made a condition pre-requisite to selling, storing, or offering for sale, shipping or causing to be shipped, any fireworks into the City of Fairview, Tennessee, except as herein provided. Any and all permits issued under this section are not transferable. **Permits will only be issued to seasonal**

retailers. Applications for seasonal retailers permits are available from the City of Fairview, Tennessee Fire Marshall.

7-504 Permit fee The Permit fee for the permit provided to non-profit organizations and only to non-profit organizations in Section 7-503 is _____ Dollars.

7-505 Privilege license required The issuance of permits provided for herein shall not replace or relieve any person or entity of the responsibility to obtain State, County or Municipal privilege licenses as now or hereafter provided by Law.

7-506 Permissible types of fireworks It is unlawful for any individual, firm, partnership or corporation to possess, sell or use within the City of Fairview, Tennessee or ship into the City of Fairview, Tennessee, except as provided in the Chapter, any pyrotechnics commonly known as "fireworks" other than the following permissible items:

- (1) Those items now or hereafter classified as D.O.T. Class C common fireworks and regulated by §§ T.C.A. 68-22-101 through 68-22-116.
- (2) Those items that comply with the construction, chemical composition and labeling regulations promulgated by the United States Consumer Product Safety Commission and permitted for use by the general public under its regulations (novelty fireworks).

7-507. Conditions for use of permissible articles. (1) No permissible articles of common fireworks, defined in § 7-502(2) shall be possessed or used within the corporate boundaries of the City of Fairview, Tennessee unless they are properly named to conform to the nomenclature of § 7-506 hereof or unless they are certified as "common fireworks" or certified as "unregulated or novelty fireworks" as defined in § 7-502(7).

Additionally:

(2) Those items now or hereafter classified as D.O.T. Class C (1.4G) common fireworks may be possessed and used by person(s) as defined in § 7-502(5) in accordance with the use of permissible articles as defined in § 7-507.

(a) Such use by persons shall be restricted to the following dates and times and those dates and times only.

- (i) July 3, 4 and 5 from noon to 11:00 .M. inclusive.
- (ii) December 31 from noon to January 1, 1:00 A.M. inclusive.
- (iii) January 1 and 2 from noon to 11:00 P.M. each day inclusive.

(b) All persons using fireworks as provided in this section shall:

(i) Not use or ignite or discharge fireworks on public roadways, streets, sidewalks, or any other public owned property, within six hundred feet (600') of any church, hospital, asylum, public school, or park or within two hundred feet (200') of a gas station or throw any fireworks from a motor vehicle, into a motor vehicle at or near

any person or group of persons.

(ii) Persons using fireworks as provide in this section shall have attained the minimum age of sixteen (16) years unless they are accompanied by a person who has attained the minimum age of eighteen (18) years.

(iii) All persons using or igniting fireworks as provided in this section shall:

Make every reasonable effort to contain the fireworks and the debris on the users' property.

(iv) If the person using or igniting the fireworks as provided in this section does not own the property upon which the person is using or igniting the fireworks, the owner's permission must be obtained for the firework using or igniting and the owner must be present during the entire time fireworks are being used or ignited.

(v) Debris from the fireworks must be contained to the premises where the fireworks were used or ignited, collected and disposed of properly upon termination of the using or igniting of fireworks.

(vi) Any provision contained in this section 5-507 to the contrary notwithstanding the dates and times for use shall not apply to those items certified as "unregulated or novelty fireworks."

7-508. Retail sale of permissible articles – Time limitations - Exceptions

Permissible articles of fireworks defined in Section 5 may be sold a retail by Seasonal Retailers only at retail to residents of the City of Fairview, Tennessee and used within the City of Fairview, Tennessee from June 20th through July 5th, and December 10th through January 2 of each year only, except that "fireworks" does not include toy pistols, toy canes, toy guns, or other devices in which paper caps containing twenty-five one-hundredths (25/100) grains or less of explosive compounds are used, provided they are so constructed that the hand cannot come in contact with the cap when in place for exploding, and toy paper pistol caps which contain less that twenty-five one-hundredths (25/100) grains of explosive compounds, cone, bottle, tube, and other type of serpentine pop-off novelties, model rockets, wire sparklers, containing not over one hundred (100) grams of composition per item (sparklers containing chlorate or per chlorate salts may not exceed five (5) grams of composition per item), emergency flares, matches, trick matches and cigarette loads, the sale and use of which shall be permitted at all times.

7-509. Public displays-permits-regulation. Nothing in this chapter shall be construed as applying to the shipping, sale, possession, and use of fireworks for public displays by holders of a permit for a public display to be conducted in accordance with the rules and regulations promulgated by the state fire marshal. Such items of fireworks which are to be used for public display only and which are otherwise prohibited for sale and use within the City of Fairview shall include display shells designed to be fired from mortars and display set pieces of fireworks classified by the regulation of the United States Department of Transportation as "Class B special fireworks" and shall not include such items of commercial fireworks as cherry bombs, tubular salutes, repeating bombs, aerial bombs and torpedoes. Public displays shall be performed only under competent supervision, and after the persons or organizations making such displays shall have received written approval from the codes administrator, or their designees,

and applied for and received a permit for such displays issued by the state fire marshal. Applicants for permits for such public displays shall be made in writing and shall show that the proposed display is to be so located and supervised that it is not hazardous to property and that it shall not endanger human lives. Possession of special fireworks for re-sale to holders of a permit for public fireworks display shall be confined to holders of a distributors permit only. Applicants must obtain and also provide liability insurance of at least one million dollars and no cents (\$1,000,000.00).

7-510. Regulations governing storing, locating or display of fireworks.

(1) Only consumer fireworks (1.4G) may be sold. Illegal fireworks will be confiscated by the State Fire Marshall. (T.C.A. §68-104-108, 68-104-115).

(2) Fireworks must be stored at least 10 feet away from windows where the sun may shine through.

(3) A "FIREWORKS –NO SMOKING" sign with letters not less than 4 inches high, must be posted and visible. Smoking must not be permitted within 10 feet of fireworks. (T.C.A. §68-104-111).

(4) The state license must be accurate for the site location and be posted in a conspicuous place. [T.C.A. §68-104-102 (c)].

(5) Extension cords and wiring, when used outdoors, must be listed for wet locations, and be protected against physical damage. [2008 NFPA 70, 525-20(A)].

(6) Ground fault interrupter protection must be used for power cords that supply power to tents and other outside locations [2008 NFPA 70, 525-23].

(7) Electrical wiring inside tents and other outdoor locations shall be securely installed, without splices, and lamps shall be protected from accidental breakage by a suitable fixture or guard. [2008 NFPA 70, 525-21 (B)].

(8) Combustible materials must be kept at least 30 feet from fireworks. [2006 NFPA 1124, 7.4.6.1].

(9) Heating devices must be listed and used in accordance with their listings. Temporary heating shall have overheat and tip-over protection devices. [2006 NFPA 1124, 7.3.17.2].

(10) Seasonal retailers must have at least one portable fire extinguisher within 35 feet of any point in the tent/building. [2006 NFPA, 7.4.5.2]].

(11) At least one fire extinguisher must be of the multipurpose dry chemical type if the facility has electrical power. [2006 NFPA 1124, 7.3.8.2].

(12) The facility and fireworks must be located at least 50 feet from retail propane dispensing stations, aboveground storage tanks for flammable or combustible liquids or gas, and motor vehicle fuel dispensers. The facility and fireworks must be at least 300 feet from bulk flammable or combustible liquid or gas storage. [2006 NFPA 1124, 7.3.12.2, and 7.3.12.6].

(13) No fireworks shall be sold at retail at any location where paints, oils or varnishes are for sale or use, unless such paints, oils or varnishes are kept in their original consumer containers, nor where resin, turpentine, gasoline or any other flammable substance is stored or sold, if the storage creates an undue hazard to any person or property.

(14) The physical site proposed for the location of storage, placement or sale of permissible fireworks shall require the prior approval of the codes administrator or the fire chief previous to the issuance of any required permits and licenses.

(15) The bulk storage (storage other than limited amounts incidental to permitted seasonal retail sales or public displays) of fireworks within the corporate limits of the City of Fairview is prohibited, and a violation of this section is unlawful and punishable under the provision of this chapter or the applicable state code.

7-511. Unlawful acts in the sale, handling or private use of fireworks (1) it is unlawful to:

(a) Offer for retail sale or to sell any fireworks to children under the age of eighteen years or to any intoxicated or irresponsible person;

(b) Explode or ignite fireworks within six hundred feet (600') of any church, hospital, asylum, public school, gas station, or public park, or within two hundred feet (200') of where fireworks are store, sold or offered for sale;

(c) Ignite or discharge any permissible articles of fireworks within or throw the same from a motor vehicle while within, nor shall an person place or throw any ignited article of fireworks into or at such a motor vehicle, or at or near any person or group of people.

(2) All items of fireworks which exceed the limits of D.O.T. Class C common fireworks as to explosive composition, such items being commonly referred to as "illegal ground sales" designed to produce an audible effect, are expressly prohibited from shipment into, possession, sale or use within the City of Fairview for any purpose. This subsection shall not effect display fireworks authorized by this Chapter.

7-512. Penalty for violation. Any individual, firm, partnership or corporation that violates any provision of this chapter, shall be guilty of a misdemeanor, and upon conviction, shall be punished by a fine of not to exceed fifty dollars (\$50.00). Each day of operation in violation shall constitute a separate distinct punishable offense. In addition, the City of Fairview fire chief may refuse to issue another permit to the holder

of a permit so convicted for a period not to exceed three (3) years.

7-513. Exceptions to application. Nothing in this chapter shall be construed as applying to the manufacture, storage, sale or use of signals necessary for safe operation of railroads or other classes of public or private transportation or of illuminating devices for photographic use, nor as applying to the military or naval forces of the United States, or the State of Tennessee or to peace officers, nor as prohibiting the sale or use of blank cartridges for ceremonial, theatrical, or athletic events, nor as applying to the transportation, sale or use of fireworks solely for agricultural purposes, providing the purchaser first secures a written permit to purchase and use fireworks for agricultural purposes only from the state fire marshal, and after approval of the county agricultural agent for the county in which the fireworks are to be used and the fireworks must at all times be kept in possession of the farmer to whom the permit is issued. Such permits and fireworks shall not be transferable. Items sold for agricultural purposes shall be limited to those items that are legal for retail sale and use within the City of Fairview.

7-514. Additional temporary fireworks requirements:

(1) No Temporary Fireworks Stand shall be located within 20' (feet) of any building;

(2) No Temporary Fireworks Stand shall be located within 200' (feet) of any gasoline pump, tank, dispenser, or vents for gasoline tanks. This shall not apply to portable generators or portable generator fuels needed for temporary power that may be stored at a distance not less than 20' (feet) from the Temporary Fireworks Stand to which power is being provided by such generator;

(3) Vehicle parking shall be located a minimum of 20' (feet) from any Temporary Fireworks Stand;

(4) All weeds and combustible material shall be cleared from the location of the Temporary Fireworks Stand and all areas within 20' (feet) of such stand;

(5) Each Temporary Fireworks Stand must have at least two exits, at least thirty six (36) inches in width, located at opposite ends of the stand. Exits must remain unlocked and unobstructed during the hours of operation or when the stand is occupied;

(6) A Temporary Fireworks Stand shall have at least two portable fire extinguishers with a minimum 2A rating. Only one portable fire extinguisher is required in Temporary Fireworks Stands with a total area of less than 200 square feet;

(7) Absolutely NO Customers are to be allowed inside of Temporary Fireworks Stands;

(8) The presence of lighted cigars, cigarettes, pipes, or any flame or glowing heat is not allowed within 20 twenty feet of a Temporary Fireworks Stand;

(9) Each Temporary Fireworks Stand must have an adult over the age of eighteen (18) years in attendance and in charge during open business hours;

(10) Temporary Fireworks Stands must comply with the temporary structure and use requirements of the International Building Code adopted by the City;

(11) Temporary Fireworks stands may be inspected by representatives of the City at any time prior to opening for business or during Fireworks Seasons;

(12) All litter shall be removed from each Temporary Fireworks Stand location at the termination of each Fireworks Season;

(13) Each Temporary Fireworks Stand shall be removed from the temporary location within ten (10) days after each Fireworks Season. Any Temporary Fireworks Stand left at its temporary location after said ten (10) days will be charged \$100.00 per day for each day that the stand remains at the temporary location;

(14) Signage for Temporary Fireworks Stands must comply with the sign regulations applicable to the City per its existing Sign Zoning Ordinance; and

BE IT FURTHER ORDAINED, If any sentence, clause, phrase or paragraph of this Ordinance is declared to be unconstitutional by any Court of competent jurisdiction, such holding will not affect any other portion of this Ordinance.

BE IT FURTHER ORDAINED, that the City Recorder is hereby directed to publish this Ordinance in a newspaper of local circulation upon its final approval.

BE IT FINALLY ORDAINED, that this Ordinance shall take effect fifteen days (15) days after its first passage or upon second reading, whichever is later, the public welfare requiring it

MAYOR

CITY RECORDER

APPROVED AS TO FORM:

CITY ATTORNEY

Passed First Reading

Passed Second Reading

ORDINANCE NO. 2017-06

Change 11, January 3, 2008

Change 12, April 20, 2017

TITLE 14**ZONING AND LAND USE CONTROL****CHAPTER**

- 1. MUNICIPAL PLANNING COMMISSION.**
- 2. ZONING ORDINANCE.**

CHAPTER 1**MUNICIPAL PLANNING COMMISSION****SECTION**

- 14-101. Creation and Membership.
14-102. Organization, powers, duties, etc.
14-103. Removal for cause.

AN ORDINANCE TO AMEND THE CITY OF FAIRVIEW, TENNESSEE, MUNICIPAL CODE, TITLE 14, "ZONING AND LAND USE CONTROL," CHAPTER 1, "MUNICIPAL PLANNING COMMISSION," SECTION 14-101., "CREATION AND MEMBERSHIP." AND TITLE 14, "ZONING AND LAND USE CONTROL," CHAPTER 1, "MUNICIPAL PLANNING COMMISSION," SECTION 14-103, "REMOVAL FOR CAUSE."

WHEREAS, the Board of Commissioners of the City of Fairview, Tennessee, have determined that the Municipal Code of the City of Fairview, Tennessee should be revised and that the best interest and welfare of all the citizens of the City of Fairview, Tennessee, will be served by amending the Fairview, Tennessee, Municipal Code, Title 14, "Zoning And Land Use Control," Chapter 1, "Municipal Planning Commission," Section 14-101., Creation And Membership." And Title 14, "Zoning And Land Use Control," Chapter 1, "Municipal Planning Commission," Section 14-103, "Removal For Cause.'

Therefore, Be it Ordained by the City of Fairview, Tennessee as follows:

Fairview, Tennessee, Municipal Code, Title 14, "Zoning And Land Use Control," Chapter 1, "Municipal Planning Commission," Section 14-101., Creation And Membership." And Title 14, "Zoning And Land Use Control," Chapter 1, "Municipal Planning Commission," Section 14-103, "Removal For Cause.' As they currently read is as follows:

14-101. Creation and membership. Pursuant to the provisions of Tennessee Code Annotated, § 13-4-101 there is hereby created a municipal planning commission, hereinafter referred to as the planning commission. The planning commission shall

consist of nine (9) members; two (2) of these shall be the mayor or a person designated by the mayor, and another commissioner selected by the board of commissioners; the other seven (7) members shall be appointed by the board of commissioners. All members of the planning commission shall serve as such with their compensation to be set by resolution of the board of commissioners. Except for the initial appointments, the terms of the seven (7) members appointed by the board of commissioners shall be for three (3) years each. The seven (7) members first appointed shall be appointed for terms of one (1), two (2), three (3), four (4), five (5) six (6) and seven (7) years respectively so that the terms of members expire each year. The terms of the mayor and the commissioner selected by the board of commissioners shall run concurrently with their terms of office. Any vacancy in an appointive membership shall be filled for the unexpired term by the board of commissioners, which shall also have the authority to remove any appointive member at its will and pleasure. (1973 Code, § 11-101, as amended by Ord. #589, Sept. 2004, and Ord. #661, March 2007)

14-103. Removal for cause. Any member of the planning commission, the board of zoning appeals or the board of adjustment and review, whose term is not expired may be removed from office by the Fairview City Commission and a replacement for the unexpired term may be appointed, upon three (3) successive absences by the member from regularly scheduled or specially called meetings. (1973 Code, § 11-103, as amended by Ord. #660, March 2007)

THEREFORE BE IT ORDAINED, by the Fairview Board of Commissioners that the Fairview Municipal Code, be amended to include this Ordinance as amended to read as follows:

14-101. Creation and membership.

(a) Pursuant to the provisions of Tennessee Code Annotated, § 13-4-101 there is hereby created a municipal planning commission, hereinafter referred to as the planning commission. The planning commission shall consist of nine (9) members; two (2) of these shall be the mayor or a person designated by the mayor, and another commissioner selected by the board of commissioners; the other seven (7) members shall be appointed by the board of commissioners. All members of the planning commission shall serve as such with their compensation to be set by resolution of the board of commissioners. Except for the initial appointments, the terms of the seven (7) members appointed by the board of commissioners shall be for three (3) years each. The seven (7) members first appointed shall be appointed for terms of one (1), two (2), three (3), four (4), five (5) six (6) and seven (7) years respectively so that the terms of members expire each year. The terms of the mayor and the commissioner selected by the board of commissioners shall run concurrently with their terms of office. Any vacancy in an appointive membership shall be filled for the unexpired term by the board of commissioners, which shall also have the authority to remove any appointive member at its will and pleasure. (1973 Code, § 11-101, as amended by Ord. #589, Sept. 2004, and Ord. #661, March 2007, and Ord. # 2017-06, April 2017)

(b) No member of the Planning Commission appointed by the Board of Commissioners shall serve on the Planning Commission for more than three (3) consecutive terms. These term limits shall not apply to any Planning Commission member appointed by the Board of Commissioners unless and until the first term of a current member following the enactment of the date of this Ordinance. These term limits shall not apply to any current or future member of the Planning Commission member appointed by the Board of Commissioners who sets out at least one (1) term following the three (3) consecutive terms at which time the limits would reset relative to such member and they could serve a maximum of three (3) additional terms before having to set out at least one (1) term.

14-103. Removal for cause.

(a) Any member of the planning commission, the board of zoning appeals or the board of adjustment and review, whose term is not expired may be removed from office by the Fairview City Commission and a replacement for the unexpired term may be appointed, upon two (2) successive absences by the member from regularly scheduled or specially called meetings or is absent from twenty five (25%) of any regularly scheduled or specially called meetings in a calendar year.

(b) Additionally Any member of the planning commission, the board of zoning appeals or the board of adjustment may be removed from office by the Fairview City Commission and a replacement for the unexpired term may be appointed for any member who fails to obtain at least the minimum number of hours of training for the said member in any calendar year as required by State Statute or Municipal Ordinance or fails to file with the State of Tennessee the annual ethics statement required by the State Ethics Commission. (1973 Code, § 11-103, as amended by Ord. #660, March 2007, as amended by Ord #2017-06, April 2017)

(c) All members of the Planning Commission appointed by the Fairview City Commission shall obtain at least six (6) hours of approved training for Planning Commission members each calendar year. It shall be the responsibility of such members to report and document their training hours to the appropriate City of Fairview, Tennessee official upon completion of the training session(s).

BE IT FURTHER ORDAINED, that the Chapters and Sections of this Ordinance shall remain unchanged and continue in full force and effect as they are currently enacted.

BE IT FURTHER ORDAINED, If any sentence, clause, phrase or paragraph of this Ordinance is declared to be unconstitutional by any Court of competent jurisdiction, such holding will not affect any other portion of this Ordinance.

BE IT FINALLY ORDAINED, that this Ordinance shall take effect fifteen days (15) days after its first passage or upon second reading, whichever is later, the public welfare requiring it

MAYOR

CITY RECORDER

APPROVED AS TO FORM:

CITY ATTORNEY

Passed First Reading

Passed Second Reading

106

ORDINANCE NO. 2017-07

AN ORDINANCE TO AMEND THE CITY OF FAIRVIEW, TENNESSEE MUNICIPAL CODE, TITLE 1, "GENERAL ADMINISTRATION," CHAPTER 5, "CODE OF ETHICS," BY ADDITION OF SECTION 1-512, "PROTOCOL FOR BOARD AND COMMISSION MEMBERS AFTER DISCLOSURE OF PERSONAL INTEREST BY MEMBERS IN VOTING AND NON-VOTING MATTERS, PER SECTIONS 1-503 AND 1-504."

Be it Ordained by the City of Fairview, Tennessee as follows:

WHEREAS, the Board of Commissioners of the City of Fairview, Tennessee, desire to amend and update Title 1, "General Administration," Chapter 5, "Code of Ethics," by addition of Section 1-512, "Protocol For Board And Commission Members After Disclosure Of Personal Interest By Members in Voting And Non-Voting Matters, Per Sections 1-503 and 1-504."

Therefore, Be it Ordained by the City of Fairview, Tennessee as follows:

Title 1, "General Administration," Chapter 5, "Code of Ethics," is hereby amended to include the following as a new Section of the afore referenced Title and Chapter of the City of Fairview, Tennessee Municipal Code.

Section 1-512. Protocol For Board and Commission Members After Disclosure of Personal Interest By Members in Voting and Non-Voting Matters, Per Sections 1-503 and 1-504. Any person/individual who holds a seat on any Board or Commission whether the elected Board of Commissioners or on any Board or Commission appointed by the duly elected Board of Commissioners of the City of Fairview, Tennessee who pursuant to Code of Ethics, City of Fairview, Tennessee Municipal Code, Chapter 5, Sections 1-503 or 1-504 discloses to said Board or Commission that they have a personal interest in any item(s) before the Board or Commissions shall immediately recuse themselves from any participation, discussion or vote upon said issue and shall further immediately remove themselves from the room or facility in which the discussion is being conducted and shall participate no further in the actions of the Board or Commission until the issue for which the recusal was exercised has been completed.

The remaining sections of this Title and Chapter remain unchanged.

BE IT FURTHER ORDAINED, If any sentence, clause, phrase or paragraph of this Ordinance is declared to be unconstitutional by any Court of competent jurisdiction, such holding will not affect any other portion of this Ordinance.

BE IT FINALLY ORDAINED, that this Ordinance shall take effect fifteen days (15) days after its first passage or upon second reading, whichever is later, the public welfare requiring it.

MAYOR

CITY RECORDER

APPROVED AS TO FORM:

CITY ATTORNEY

Passed First Reading

Passed Second Reading

City of Fairview

7100 City Center Way
Fairview, TN 37062



Phone: 615-799-2484

Fax: 615-799-1383

Email: mayor@fairview-tn.org

April 6, 2017

To: Adams Contracting
501 Darby Creek Rd., STE. 18
Lexington, KY 40509

Re: **Notice to Proceed with Work**
Pin No.: 117004.00
County: Williamson
Federal Project No.: SRTS/STP-M-9400(54)
State Project No.: 94LPLM-F3-046

You are hereby notified to commence **WORK** in accordance with the above referenced contract on April 17, 2017 and you are to complete all work in 100 consecutive calendar days. The date of completion of **ALL WORK** is therefore July 26, 2017.

CITY OF FAIRVIEW, TENNESSEE

BY: _____

Patti Carroll, Mayor

Cc: Local Programs Office
Regional Construction Engineer
Regional Materials and Tests Engineer
Regional Environmental Coordinator
Manager, Comprehensive Inspections Program
Director, Small Business Development Office
Director, Materials and Tests Division
Manager, Program Dev. & Sch. Office
Manager, Operations Office
file