

CITY OF FAIRVIEW

BOARD OF COMMISSIONERS

APRIL 20, 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 April 6, 2017 Board of Commissioners Meeting
 - B. Second and Final Reading of 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."
 - C. Second and Final Reading of 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."
9. **Old Business**
 - A. 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."
10. **New Business**
 - A. Discuss and/or Take Action on Ordinance No. 2017-08, An Ordinance to Change the Zoning of Certain Property in the City of Fairview, Tennessee, Located off Fairview Boulevard, Owned by Donald M. Cunningham and Rosemary Cunningham Revocable Living Trust, as Shown on, Williamson County, Tax Map 23, Parcel 44.01, From RM-12 to R-20
 - B. Discuss and/or Take Action on Resolution 04-17, A Resolution to Set a Public Hearing for the Purpose of Obtaining Public Comment on Changing the Zoning of Certain Property in the City of Fairview, Tennessee, Located off Fairview Boulevard, Owned by Donald M. Cunningham and Rosemary Cunningham Revocable Living Trust, as Shown on, Williamson County, Tax Map 23, Parcel 44.01, From RM-12 to R-20
11. **City Manager Items for Discussion**
 - A. Miscellaneous Updates
 - B. City Attorney Comments
12. **Communications from the Mayor and Commissioners**
13. **Adjournment**

88

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)

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 April 6, 2017

Passed Second Reading _____

8C

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 April 6, 2017

Passed Second Reading _____

10A

AN ORDINANCE TO CHANGE THE ZONING OF CERTAIN PROPERTY IN THE CITY OF FAIRVIEW, TENNESSEE, LOCATED OFF FAIRVIEW BOULAVARD, OWNED BY DONALD M. CUNNINGHAM AND ROSEMARY CUNNINGHAM REVOCABLE LIVING TRUST, AS SHOWN ON, WILLIAMSON COUNTY, TAX MAP 23, PARCEL 44.01, FROM RM - 12, TO R20.

WHEREAS, a public hearing before the Board of Commissioners of the City of Fairview, Tennessee was held on the 18th of May, 2017, pursuant to a resolution adopted on April 20th, 2017; and

WHEREAS, it appears to the Board of Commissioners of the City of Fairview, Tennessee that the owners Donald M. Cunningham and Rosemary Cunningham, 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 RM - 12, TO R – 20. THE PROPERTY FOR WHICH THE ZONING CHANGE IS MADE AND OR ADOPTED IS DESCRIBED AS FOLLOWS:

Williamson County, Tennessee, **Tax Map 23, Parcel 44.01**, Recorded in **Deed Book 4762, Pages 419 - 420**, Register's Office for Williamson County, Tennessee. The description is 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. 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: Justica C. Mangrove, Trustee Date: 2-17-17

FOR OFFICE USE ONLY

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

DATE OF APPROVAL BY PLANNING COMMISSION 3/14/2017

DATE OF FINAL APPROVAL BY BOARD OF COMMISSIONERS _____

CERTIFICATE OF INTEREST AND DESIGNATION

I HEREBY CERTIFY THAT I AM THE LEGAL AND SOLE OWNER OF THE PROPERTY SHOWN AND DESCRIBED AND THAT THE SAME IS BEING DESIGNATED FOR THE PURPOSES SET FORTH IN THE COUNTY OF HARRIS, TEXAS. I HEREBY CERTIFY THAT THE PROPERTY SHOWN AND DESCRIBED IS NOT A PART OF ANY OTHER PROPERTY OWNED BY ME OR BY ANY OTHER PERSON, AND THAT THE SAME IS NOT SUBJECT TO ANY OTHER CLAIM, MORTGAGE, LIEN, OR OTHER BURDEN OF ANY KIND OR CHARACTER. I HEREBY CERTIFY THAT THE PROPERTY SHOWN AND DESCRIBED IS NOT A PART OF ANY OTHER PROPERTY OWNED BY ME OR BY ANY OTHER PERSON, AND THAT THE SAME IS NOT SUBJECT TO ANY OTHER CLAIM, MORTGAGE, LIEN, OR OTHER BURDEN OF ANY KIND OR CHARACTER.

CERTIFICATE OF APPROVAL FOR RECORDING

I HEREBY CERTIFY THAT THE SIGNATURE OF THE PERSON WHOSE NAME IS SET FORTH IN THE COUNTY OF HARRIS, TEXAS, IS A TRUE AND CORRECT REPRESENTATION OF THE PROPERTY SHOWN AND DESCRIBED IN THE PUBLIC RECORDS AND THAT THE SAME IS NOT SUBJECT TO ANY OTHER CLAIM, MORTGAGE, LIEN, OR OTHER BURDEN OF ANY KIND OR CHARACTER.

CERTIFICATE OF APPROVAL FOR UTILITY SERVICE

I HEREBY CERTIFY THAT THE PROPERTY SHOWN AND DESCRIBED IS NOT A PART OF ANY OTHER PROPERTY OWNED BY ME OR BY ANY OTHER PERSON, AND THAT THE SAME IS NOT SUBJECT TO ANY OTHER CLAIM, MORTGAGE, LIEN, OR OTHER BURDEN OF ANY KIND OR CHARACTER.

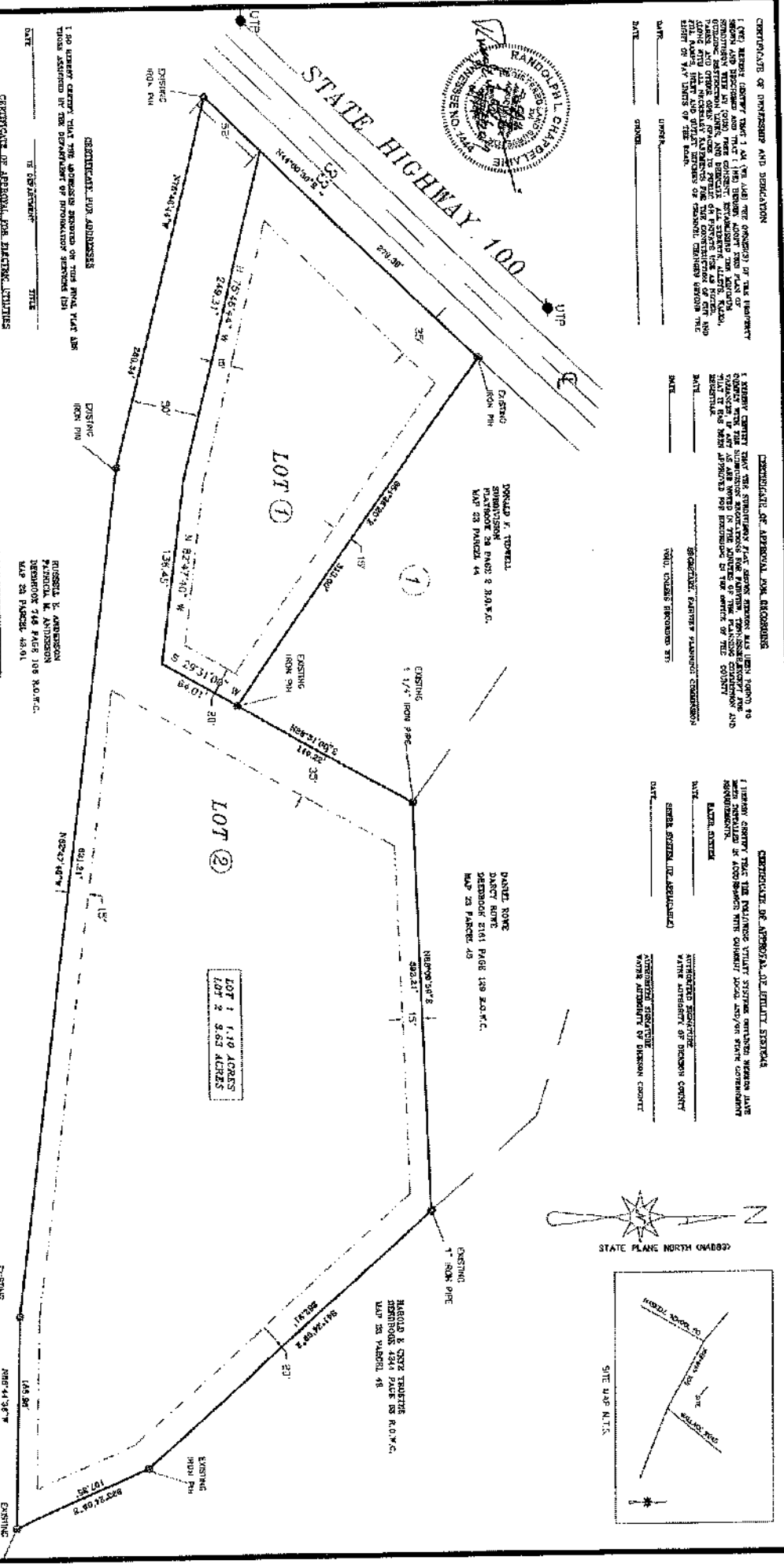


STATE HIGHWAY 100

LOT 1

LOT 2

LOT 3



SECTIONAL MAP ADDRESS

1.50 ACRES TRACT THAT THE ADDRESS SHOWN ON THIS FINAL MAP ARE THE ADDRESS AS APPEARED IN THE PUBLIC RECORDS OF THE COUNTY OF HARRIS, TEXAS.

EXECUTIVE OF APPROVAL FOR ELECTRICAL UTILITIES

I HEREBY CERTIFY THAT THE PROPERTY SHOWN AND DESCRIBED IS NOT A PART OF ANY OTHER PROPERTY OWNED BY ME OR BY ANY OTHER PERSON, AND THAT THE SAME IS NOT SUBJECT TO ANY OTHER CLAIM, MORTGAGE, LIEN, OR OTHER BURDEN OF ANY KIND OR CHARACTER.

EXECUTIVE OF APPROVAL FOR WATER SUPPLY

I HEREBY CERTIFY THAT THE PROPERTY SHOWN AND DESCRIBED IS NOT A PART OF ANY OTHER PROPERTY OWNED BY ME OR BY ANY OTHER PERSON, AND THAT THE SAME IS NOT SUBJECT TO ANY OTHER CLAIM, MORTGAGE, LIEN, OR OTHER BURDEN OF ANY KIND OR CHARACTER.

GENERAL NOTES

1. THIS SURVEY WAS MADE BY ME OR BY A PERSON UNDER MY CLOSE PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IT IS TRUE AND CORRECT. I HEREBY CERTIFY THAT THE PROPERTY SHOWN AND DESCRIBED IS NOT A PART OF ANY OTHER PROPERTY OWNED BY ME OR BY ANY OTHER PERSON, AND THAT THE SAME IS NOT SUBJECT TO ANY OTHER CLAIM, MORTGAGE, LIEN, OR OTHER BURDEN OF ANY KIND OR CHARACTER.

SKETCH PLAN & PROPOSED ZONING CHANGE R-2D

OWNER: DONALD M. & ROSEMARY QUINN/SHAMAR RENOVABLE LIVING TRUST
 1460 W. L. TOWNSEND ST. #111
 HOUSTON, TEXAS 77058
 PHONE: 281-417-1111

1ST CIVIL DISTRICT OF WILLIAMSON COUNTY, TENNESSEE
 PROPRIETY MAP 28 PAGE 180
 PLAT BOOK 49 PAGE 2

SCALE 1"=50'

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 Chapelaine & 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]

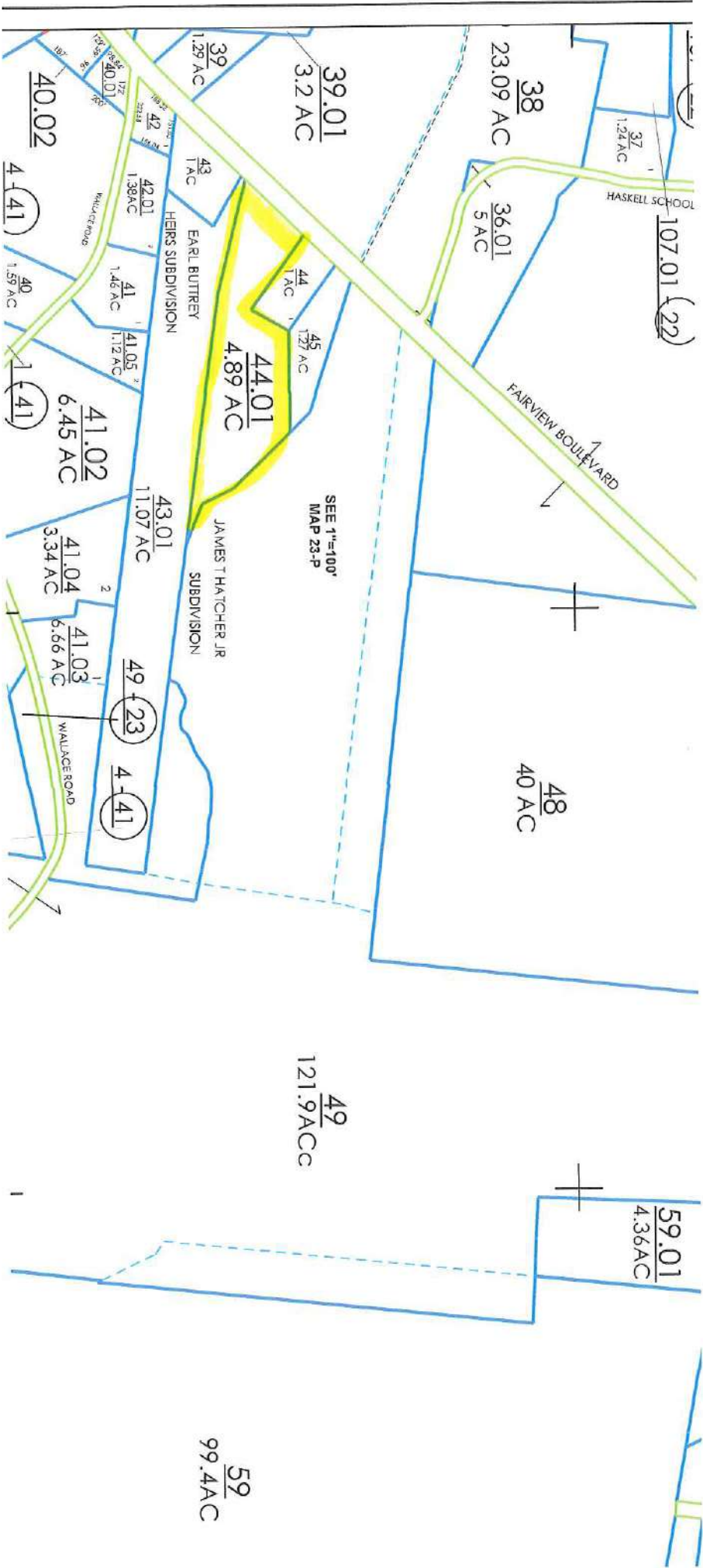
Representative Name: Chapelaine & Associates, any employee within the company.
Representative Signature: [Signature] RLS

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

Notary Public: [Signature]

Commission Expiration: 3-10-2019





107.01 (22)

HASKELL SCHOOL

38
23.09 AC

36.01
5 AC

FAIRVIEW BOULEYARD

48
40 AC

39.01
3.2 AC

39
1.29 AC

44.01
4.89 AC

44
TAC

45
1.27 AC

SEE 1"=100'
MAP 23-P

JAMES T. HATCHER JR
SUBDIVISION

EARL BUTTREY
TAC

43
TAC

43.01
11.07 AC

49
23

4
41

40.02

4
41

40
1.59 AC

41
41.05 AC

41.02
6.45 AC

41.04
3.34 AC

41.03
6.66 AC

49
23

4
41

WALLACE ROAD

49
121.9 AC

59.01
4.36 AC

59
99.4 AC

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

H. Southland

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

Jessie C. Mangrum, Trustee

BK/PG: 4762/419-420
09011454

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

STATE OF TENNESSEE, WILLIAMSON COUNTY

SADIE WADE
REGISTER OF DEEDS

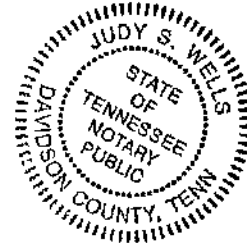
STATE OF TENNESSEE
COUNTY OF WILLIAMSON

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 bargainer, and that he executed the foregoing instrument of his own free will for the purposes therein set forth.

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

J. S. Wells
Notary Public

My Commission Expires: 9/3/2012



STATE OF TENNESSEE
COUNTY OF WILLIAMSON

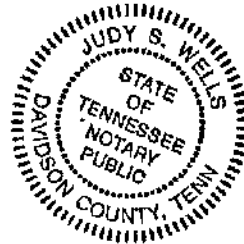
The actual consideration for this transfer is \$0.00.

[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



CITY OF FAIRVIEW, TENNESSEE



RESOLUTION NO. 04-17

A RESOLUTION TO SET A PUBLIC HEARING FOR THE PURPOSE OF OBTAINING PUBLIC COMMENT ON CHANGING THE ZONING OF CERTAIN PROPERTY IN THE CITY OF FAIRVIEW, TENNESSEE, LOCATED OFF FAIRVIEW BOULAVARD, OWNED BY DONALD M. CUNNINGHAM AND ROSEMARY CUNNINGHAM REVOCABLE LIVING TRUST, AS SHOWN ON, WILLIAMSON COUNTY, TAX MAP 23, PARCEL 44.01, FROM RM - 12, TO R20.

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 18, 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 18, 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 23, Parcel 44.01, Recorded in Deed Book 4762, Pages 419 - 420, Register's Office for Williamson County, Tennessee. The description is hereby Incorporated into and made a part of This Resolution by reference as fully as if copied into This resolution verbatim.

Adopted this the _____ day of _____, 2017.

MAYOR

ATTEST:

CITY RECORDER

APPROVED AS TO FORM

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