

ORDINANCE NO. 1621

AN ORDINANCE ZONING A PORTION OF THE PROPERTY OWNED BY NEW ERA FARMS, LLC RECENTLY ANNEXED INTO THE CITY BY RESOLUTIONS 10-2021 THROUGH 13-2021 AND RESOLUTIONS 16-2021 AND 17-2021 AS R-1 RESIDENTIAL

Whereas, prior to 2012, cities were empowered to annex territory by ordinance; and

Whereas the Tennessee General Assembly revised the annexation statutes, which now provide that annexation by written consent be accomplished by resolution; and

Whereas the City of Manchester recently annexed certain property owned by New Era Farms, LLC, by Resolutions 10-2021 through 13-2021 and Resolutions 16-2021 and 17-2021; and

Whereas the City of Manchester has a currently-enacted Zoning Ordinance and Zoning Map; and

Whereas, pursuant to Tennessee law, since the zoning of real estate is accomplished by ordinance; it must be amended by ordinance rather than resolution; and

Whereas the Manchester Planning Commission recommended that the property owned by New Era Farms, LLC, described below, be zoned R-1 Residential.

BE IT THEREFORE ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MANCHESTER, TENNESSEE that Title 14, Chapter 6, Section 1 of the Manchester Municipal Code be, and it is, hereby amended to apply the zoning classification of R-1 Residential to the following described property owned by New Era Farms, LLC:

PARCEL I – NEW ERA FARMS, LLC

Being all of the tract or parcel of land described in DB. 265, P. 640, Registrar's Office of the County of Coffee, State of Tennessee, and being more particularly described as follows:

Commencing at a point that is on the northerly boundary of New Bushy Branch Road (50' R/W), the southwesterly corner of H. Koon (288/756) and the southeasterly corner of the herein described parcel, said point is a ½" IR(O) and the point of beginning; thence along the northerly boundary of New Bushy Branch Road the following calls: N 83° 02' 45" W a distance of 71.54 feet; thence N 75° 39' 40" W a distance of 50.51 feet; thence N 60° 20' 47" W a distance of 51.24 feet; thence N 44° 07' 00" W a distance of 40.30 feet; thence N 32° 25' 17" W a distance of 32.64 feet; thence N 24° 31' 17" W a distance of 35.23 feet' thence N 18° 39' 33" W a distance of 48.42 feet; thence N 16° 50' 06" W a distance of 463.99 feet; thence N 18° 04' 18" W a distance of 94.19 feet; thence N 23° 59' 17" W a distance of 72.25 feet; thence N 35° 21' 17" W a distance of 37.79 feet to an IR(N) being a point on the northerly boundary of New Bushy Branch Road, the southeasterly corner of S. McAllister (296/1) & 285/180) and the southwesterly corner of the herein described parcel; thence leaving the northerly boundary of New Bushy Branch Road and along the easterly boundary of McAllister the following calls: N 16° 20' 46" W a distance of 47.54 feet to a ½" IR(O) at a fence corner; thence N 16° 28' 30" W a distance of 1387.59 feet to a 1" IP(O) near the southerly bank of Wolf Creek; thence N 16° 28' 56" W a distance of 35.94 feet to a point in the center of Wolf Creek being the northeasterly corner of McAllister, a point on the southerly boundary of P. Powers (307/53) and the northwesterly corner of the herein described parcel; thence

along the southerly boundary of Powers and the centerline meanderings of Wolf Creek the following calls: N 71° 42' 22" E a distance of 70.87 feet; thence S 34° 19' 54" E a distance of 65.06 feet; thence S 89° 45' 42" E a distance of 60.72 feet; thence N 74° 50' 32" E a distance of 176.39 feet; thence N 81° 52' 27" E a distance of 219.22 feet; thence N 86° 48' 56" E a distance of 246.67 feet; thence N 87° 04' 01" E a distance of 95.43 feet; thence N 85° 52' 23" E a distance of 159.21 feet to a point in the center of Wolf Creek being a point on the southerly boundary of Powers, the northwesterly corner of Koon and the northeasterly corner of the herein described parcel; thence leaving the southerly boundary of Powers and along the westerly boundary of Koon the following calls: S 04° 29' 12" W a distance of 97.39 feet to an IR(O) at a wood fence corner post; thence S 04° 29' 12" W a distance of 2207.20 feet to the point of beginning and containing 32.35 acres of land (more or less) according to a survey (Job # 080026) of Jordan Geomatics, PLLC, by John A. Best (TN RLS # 2444), 611 West Lincoln Street, Tullahoma, Tennessee, on 31 March, 2008. For source of title, see Book W328, page 655, Register's Office of Coffee County, Tennessee.

PARCEL II – NEW ERA FARMS, LLC

Beginning at a stake located in the north margin of the Bushy Branch blacktop road, the said point of beginning being also located 882 feet west along the north margin of the road from the southwest corner of the Bushy Branch Church lot; thence running with a line of stakes North 04 deg. 30 min. E 2058 feet to the center of Taylor's creek; thence running with the center of the creek North 00 deg. 15 min. East 77 feet; North 42 deg. 30 min. West 207 feet; South 89 deg. 30 min. West 292 feet; North 86 deg. 15 min. West 122 feet; South 55 deg. 30 min. West 43 feet; thence leaving the creek and running with a marked and stated line South 04 deg. 30 min. West 2238.8 feet to a stake; thence along the North margin of the Bushy Branch blacktop road South 85 deg. 30 min. East 608 feet to the beginning, and containing 30.60 acres as surveyed by W. C. Ingram, County Surveyor of Coffee County, Tennessee, in July, 1972.

This conveyance is subject to any and all matters as shown of record in the Register's Office of Coffee County, Tennessee.

PARCEL III – NEW ERA FARMS, LLC

Beginning at a railroad spike set in the center of Grosch Drive (18-foot tar and chip surface), said spike being located 1,771 feet in a northerly direction from the centerline of Kimberly Lane (as measured along the centerline of Grosch Drive); thence along the northerly boundary line of Howard Grosch property (48/530), N 84 deg. 38 min. W, 381.0 feet to a wooden corner fence post; thence N 07 deg. 36 min. E, 304.8 feet to a wooden corner fence post; thence along the southerly boundary line of Powers property (107/120), S 85 deg. 43 min. E, 355.4 feet to an iron pin; thence along the center of Grosch Drive, S 02 deg. 50 min. W, 311.5 feet to the point of beginning, containing 2.60 acres, according to survey by Thomas M. Ore, RLS TN No. 1610, 500 Cherokee Lane, Winchester, TN 37398, dated June 14, 1995.

For source of title, see Book W360, page 174, Register's Office of Coffee County, Tennessee.

BE IT FURTHER ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MANCHESTER, TENNESSEE that Title 14, Chapter 6, Section 2 of the Manchester Municipal Code entitled "Zoning Map" be amended to show this property as R-1 Residential; and

BE IT FURTHER ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MANCHESTER, TENNESSEE that this ordinance shall take effect on and after its publication and passage and public hearing, the public welfare of the City of Manchester, Tennessee requiring it and that all ordinances in conflict be repealed to the extent of this conflict.

This ordinance is presented and passed with the positive recommendation of the Manchester Regional Planning Commission obtained at its meeting March 15, 2021.

PASSED FIRST READING: _____ June 1 _____, 2021

PASSED SECOND AND FINAL READING: _____ July 6 _____, 2021

Marilyn Howard, Mayor

Bridget Anderson, Finance Director