

ORDINANCE NO. 1739

AN ORDINANCE REZONING THAT PROPERTY FORMALLY OWNED BY ROBERT AND SHONTA GILLEY AND NOW OWNED BY SWANSON DEVELOPMENTS, LP, ON MURFREESBORO HIGHWAY AND RECENTLY ANNEXED INTO THE CITY

Whereas previous Ordinance No. 1729 incorrectly described subject property and the Board of Mayor and Alderman now wish to rescind said ordinance, and

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 Robert and Gilley which is now owned by Swanson Developments, LP; 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 formally owned by Robert and Shonta Gilley and now owned by Swanson Developments, LP, be rezoned according to and as described below.

BE IT THEREFORE ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MANCHESTER, TENNESSEE that Ordinance No. 1729 is rescinded and vacated, and

BE IT FURTHER 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 from RS-1 to apply the zoning classification of R-4 to the following described properties owned by Swanson Developments, LP:

Beginning at a wooden fence post in the Northeast margin of U.S. Route 41, being the Southwest corner of this property; thence following the Northeast margin of U.S. Route 41 the next two calls: North 44 degrees 14 minutes 28 seconds West a distance of 4.27' to a concrete monument; thence North 42 degrees 12 minutes 45 seconds West a distance of 606.95' to a fence post; thence N 69 degrees 47'36" E a distance of 351.00' to an iron pin set; thence North 42 degrees 28 minutes 51 seconds West a distance of 257.04' to a nail set in a 30" pine; thence North 45 degrees 30 minutes 34 seconds East a distance of 126.06' to an iron pipe; thence North 42 degrees 49 minutes 00 seconds West a distance of 129.62' to a point; thence South 47 degrees 56 minutes 41 seconds West a distance of 448.82' to a point in the Northeast margin of U.S. Route 41; thence North 42 degrees 12 minutes 45 seconds West a distance of 50.00' to a point in the Northeast margin of U.S. Route 41; thence North 47 degrees 56 minutes 41 seconds East a distance of 397.30' to a point; thence North 41 degrees 57 minutes 30 seconds West a distance of 655.95' to a big corner post, being the Northwest corner of this property; thence North 56 degrees 15 minutes 59 seconds East a distance

of 1809.99' to a cut off metal fence post in the Southwest margin of Interstate 24; thence following the Southwest margin of Interstate 24 the next three calls: South 58 degrees 35 minutes 48 seconds East a distance of 244.93' to a concrete monument; thence South 58 degrees 45 minutes 24 seconds East a distance of 999.78' to a concrete monument; thence South 58 degrees 45 minutes 09 seconds East a distance of 216.80' to a wooden fence post, being the Northeast corner of this property; thence South 06 degrees 19 minutes 46 seconds West a distance of 264.40' to an iron pin found at a metal fence post; thence South 04 degrees 57 minutes 24 seconds West a distance of 55.38' to an iron pipe; thence South 06 degrees 20 minutes 53 seconds West a distance of 405.86' to a pipe at a fence corner; thence North 86 degrees 57 minutes 45 seconds West a distance of 106.06' to a pipe at a fence corner; thence North 89 degrees 57 minutes 24 seconds West a distance of 257.35' to an iron pin found; thence South 05 degrees 26 minutes 29 seconds West a distance of 1057.00' to a wooden fence post; thence South 29 degrees 35 minutes 00 seconds West a distance of 330.26' to a wooden fence post, being the Southeast corner of this property; thence North 38 degrees 49 minutes 39 seconds West a distance of 284.56' to a pipe at a fence corner; thence North 42 degrees 58 minutes 57 seconds West a distance of 587.87' to a 50" red oak; thence South 53 degrees 15 minutes 06 seconds West a distance of 304.83' to an iron pin set at a corner post; thence North 42 degrees 53 minutes 41 seconds West a distance of 209.70' to a pipe at a fence corner; thence South 51 degrees 45 minutes 37 seconds West a distance of 406.57' to the point of beginning, having an area of 4,325,795 square feet or 99.31 acres, more or less, according to a survey conducted by Elkins Surveying dated September 10, 2024.

Being a portion of the same property conveyed to Robert F. Gilley and Shonta S. Gilley, Co-Trustees of the Gilley Joint Revocable Trust by Warranty Deed from Vicki A. Gilley, Trustee of the Amended and Restated Vicki A. Gilley Revocable Trust, originally created on December 27, 2010 and subsequently amended and restated on October 11, 2018 of record in Book W408, page 395, Register's Office for Coffee County, Tennessee, dated December 18, 2020 and recorded on December 29, 2020.

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 these properties zoned R-4 as described above; 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 December 16, 2024.

PASSED FIRST READING: _____ April 1 _____, 2025

PASSED SECOND AND FINAL READING: _____ May 6 _____, 2025


Anthony Burrows, Finance Director


Joey Hobbs, Mayor