

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY LOCATED ALONG TIDEWATER COURT FROM THE A-1, AGRICULTURAL DISTRICT AND B-4P, PLANNED BUSINESS DISTRICT TO M-1R, LIGHT MANUFACTURING RESTRICTED DISTRICT IN THE 13TH CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

BE IT ORDAINED BY THE CITY OF KINGSPORT, AS FOLLOWS:

SECTION I. That the zoning code, text, and map, be and the same is hereby further amended to rezone property located along Tidewater Court from the A-1, Agricultural District and B-4P, Planned Business District to the M-1R, Light Manufacturing District in the 13th Civil District of Sullivan County; said area to be rezoned being further and more particularly described as follows:

Tract:

THIS BEING PART OF THE LAND ACQUIRED BY ROY CLEVELAND ANDERSON II FROM A & P PARTNERSHIP ET. AL. BY DEED DATED THE 31ST DAY OF DECEMBER 1996 AND RECORDED IN DEED BOOK 1188C, PAGE 505 RECORDED IN THE SULLIVAN COUNTY REGISTER OF DEEDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON PIN SET (5/8" REBAR X 18" LONG WITH ALUMINUM SURVEY CAP STAMPED PLS #3136 AS WILL BE TYPICAL FOR ALL SET MONUMENTS), SAID PIN BEING: • ON THE SOUTHERN EDGE OF RIGHT-OF-WAY OF TIDEWATER COURT (40' RIGHT-OF-WAY, PER PLAT BOOK 34, PAGE 43) • BEING APPROXIMATELY 415 FEET EAST OF THE INTERSECTION OF CENTERLINES OF TIDEWATER COURT AND JOHN B. DENNIS HIGHWAY • 24.1 FEET SOUTH OF THE AS-BUILT CENTERLINE OF TIDEWATER COURT • N00°27'13"E – 10.10 FEET FROM A 1/2" IRON PIN FOUND (OLD), SAID PIN FOUND BEING THE NORTHEAST CORNER OF CRO-BAR, LLC (D.B. 3493, PAGE 1960) • LYING WITHIN THE CITY OF KINGSPORT, SULLIVAN COUNTY, TENNESSEE; THENCE CONTINUING WITH THE SOUTHERN EDGE OF RIGHT-OF-WAY OF TIDEWATER COURT, S89°30'22" E – 235.00 FEET TO AN IRON PIN SET, SAID PIN BEING 24.1 FEET SOUTH OF THE AS-BUILT CENTERLINE OF TIDEWATER COURT AND BEING THE POINT OF BEGINNING FOR THIS DESCRIPTION; THENCE WITH THE SOUTHERN EDGE OF RIGHT-OF-WAY OF TIDEWATER COURT, S89°30'22" E - 313.40 FEET TO AN IRON PIN SET, SAID

PIN BEING A CORNER OF THE RIGHT-OF-WAY OF TIDEWATER COURT AND KINGSGATE CROSSING (D.B. 2275C, PAGE 22), SAID PIN BEING 25.2 FEET SOUTH OF THE CENTERLINE OF TIDEWATER COURT; THENCE LEAVING THE RIGHT-OF-WAY OF TIDEWATER COURT AND WITH THE RIGHT-OF-WAY OF KINGSGATE CROSSING (D.B. 2275C, PAGE 22) THE FOLLOWING SIX (6) COURSES: S37°13'06" E - 65.25 FEET TO AN IRON PIN SET, WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 255.56 FEET AND A CHORD BEARING & DISTANCE OF S25°54'28"E – 100.25 FEET TO AN IRON PIN SET, N75°24'09" E – 92.00 FEET TO AN IRON PIN SET, N16°23'15" W - 21.72 FEET TO AN IRON PIN SET, N16°02'03" E - 70.84 FEET TO AN IRON PIN SET, AND N68°32'28" E - 76.04 FEET TO AN IRON PIN SET, SAID PIN BEING ON THE SOUTHERN EDGE OF RIGHT-OF-WAY OF TIDEWATER COURT AND BEING ON THE WESTERN EDGE OF RIGHT-OF-WAY OF KINGSGATE CROSSING, SAID PIN BEING 20.2 FEET FROM THE AS-BUILT CENTERLINE OF TIDEWATER COURT; THENCE CONTINUING WITH THE SOUTHERN EDGE OF RIGHT-OF-WAY OF TIDEWATER COURT, S89°30'22" E - 415.14 FEET TO AN IRON PIN SET, SAID PIN BEING A CORNER OF THE RIGHT-OF-WAY OF TIDEWATER COURT AND BEING 25.8 FEET SOUTH OF THE AS-BUILT CENTERLINE OF TIDEWATER COURT; THENCE FIRST CONTINUING WITH THE RIGHT-OF-WAY OF TIDEWATER COURT AND SECOND WITH THE LINE OF JAVIER A. BENITEZ (D.B. 3267, PAGE 220) AND LEAVING THE RIGHT-OF-WAY OF TIDEWATER COURT, S00°29'23" W - 55.00 FEET TO A 1/2" IRON PIN FOUND (OLD); THENCE CONTINUING WITH THE LINES OF JAVIER A. BENITEZ (D.B. 3267, PAGE 220) THE FOLLOWING FIVE (5) COURSES: S89°28'30" E - 49.98 FEET TO A 1/2" IRON PIN FOUND (OLD); S00°28'24" W - 69.97 FEET TO AN IRON PIN SET, WITH A CURVE TO THE LEFT HAVING A RADIUS OF 75.10 FEET AND CHORD BEARING & DISTANCE OF S44°31'21"E – 106.21 FEET TO A 3/8" IRON PIN FOUND (OLD) S89°31'21" E – 366.51 FEET TO AN IRON PIN SET AND N00°29'23" E - 200.00 FEET TO AN IRON PIN SET, SAID PIN BEING THE NORTHEAST CORNER OF JAVIER A. BENITEZ (D.B. 3267, PAGE 220) AND BEING ON THE SOUTHERN LINE OF TELE-OPTICS, INC. (D.B. 746C, PAGE 468); THENCE LEAVING THE LINE OF JAVIER A. BENITEZ (D.B. 3267, PAGE 220) AND WITH THE SOUTHERN BOUNDARY LINE OF TELE-OPTICS, INC. (D.B. 746C, PAGE 468), S89°30'38" E - 418.83 FEET TO A 1/2" IRON PIN FOUND (OLD), SAID PIN BEING THE SOUTHEAST CORNER OF TELE-OPTICS, INC. (D.B. 746C, PAGE 468) AND BEING ON THE WESTERN BOUNDARY LINE OF NOW OR FORMERLY ADA MOORE RODEFER (D.B. 61A, PAGE 160); THENCE LEAVING SAID TELE-OPTICS, INC. (D.B. 746C, PAGE

468) AND WITH THE WESTERN BOUNDARY LINE OF SAID NOW OR FORMERLY ADA MOORE RODEFER (D.B. 61A, PAGE 160), S01°34'49" W - 700.47 FEET TO A 1-1/4" IRON PIN FOUND (OLD), SAID PIN BEING ON THE WESTERN BOUNDARY LINE OF RODEFER AND BEING THE NORTHEAST CORNER OF SOUTH KINGSPORT DEVELOPMENT, INC. (D.B. 1546C, PAGE 146); THENCE LEAVING THE LINE OF SAID RODEFER AND WITH FIRST THE NORTHERN BOUNDARY LINE OF SOUTH KINGSPORT DEVELOPMENT, INC. (D.B. 1546C, PAGE 146), SECOND THE NORTHERN BOUNDARY LINE OF SHANNON L. HURD ET. AL. (D.B. 3372, PAGE 2449) AND THIRD THE NORTHERN BOUNDARY LINE OF SOUTH KINGSPORT DEVELOPMENT INC, (D.B. 1546C, PAGE 146), N80°37'55" W - 1737.31 FEET TO AN IRON PIN SET; THENCE CONTINUING WITH THE LINE OF SOUTH KINGSPORT DEVELOPMENT INC, (D.B. 1546C, PAGE 146) THE FOLLOWING FOUR (4) COURSES: S64°55'55" W - 445.11 FEET TO AN AXLE FOUND (OLD), S25°35'10" E - 38.78 FEET TO AN AXLE FOUND (OLD), S21°28'26" W - 500.03 FEET TO A 1/4" IRON PIN FOUND (OLD) AND N62°45'59" W - 415.47 FEET TO AN AXLE FOUND (OLD). THENCE CONTINUING FIRST WITH THE LINE OF SOUTH KINGSPORT DEVELOPMENT INC, (D.B. 1546C, PAGE 146) AND SECOND WITH SOUTH KINGSPORT DEVELOPMENT INC. (LOT 2 OF PLAT BOOK 52, PAGE 733; D.B. 1546C, PAGE 146), S85°27'30" W - 520.13 FEET TO AN IRON PIN SET, SAID PIN BEING ON THE NORTHERN BOUNDARY LINE OF LOT 2 OF PLAT BOOK 52, PAGE 733 AND BEING A CORNER OF A GORE AREA; THENCE LEAVING SAID LOT 2 AND WITH SAID GORE AREA, N38°11'38" E - 494.74 FEET TO AN IRON PIN SET AND N56°14'41" W - 423.80 FEET TO A 3/8" REBAR FOUND (OLD), SAID PIN BEING ON THE SOUTHERN EDGE OF RIGHT-OF-WAY OF JOHN B. DENNIS HIGHWAY AND BEING THE NORTHERN MOST CORNER OF SAM B. KITE, JR. (D.B. 1372C, PAGE 38); THENCE LEAVING THE CORNER OF SAID KITE AND WITH THE SOUTHERN EDGE OF RIGHT-OF-WAY OF JOHN B. DENNIS HIGHWAY THE FOLLOWING TWO COURSES: N64°46'21" E - 272.81 FEET TO A 5/8" REBAR FOUND BENT (OLD) WITH A CURVE TO THE LEFT HAVING A RADIUS OF 5859.58 FEET AND A CHORD BEARING AND DISTANCE OF N62°53'44"E - 383.50 FEET TO AN IRON PIN SET, SAID PIN BEING S50°40'48"E - 2.23 FEET FROM AN IRON PIN FOUND PLS# 2089 (OLD), SAID PIN BEING THE SOUTHWESTERN CORNER OF CRO-BAR, LLC; THENCE LEAVING THE RIGHT-OF-WAY OF JOHN B. DENNIS HIGHWAY, S50°40'48"E - 137.10 FEET TO AN IRON PIN FOUND- PLS# 2089 (OLD), AND S89°35'08"E - 411.44 FEET TO A 1/2" IRON PIN FOUND (OLD), SAID PIN BEING THE SOUTHEAST CORNER OF

CRO-BAR, LLC; THENCE LEAVING THE LINE OF CRO-BAR, LLC AND WITH NEW LINES ACROSS THE PARENT TRACT THE FOLLOWING THREE COURSES: S00°27'13" W - 220.51 FEET TO AN IRON PIN SET, S89°30'22" E - 235.00 FEET TO AN IRON PIN SET, AND N00°27'13" E - 370.72 FEET TO THE POINT OF BEGINNING AND CONTAINING 40.266 ACRES BY SURVEY.

SECTION II. That this ordinance shall take effect from and after the date of its passage and publication, as the law directs, the public welfare of the City of Kingsport, Tennessee requiring it.

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PATRICK W. SHULL  
Mayor

ATTEST:

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ANGELA MARSHALL  
Deputy City Recorder

APPROVED AS TO FORM:

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RODNEY B. ROWLETT, III  
City Attorney

PASSED ON 1ST READING \_\_\_\_\_  
PASSED ON 2ND READING \_\_\_\_\_