

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

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY LOCATED ALONG SHIPP SPRINGS ROAD FROM THE COUNTY R-1 DISTRICT TO THE CITY R-3 DISTRICT IN THE 11<sup>TH</sup> 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 Shipp Springs Road from the County R-1, Residential District to the R-3, Low Density Apartment District in the 11<sup>th</sup> Civil District of Sullivan County; said area to be rezoned being further and more particularly described as follows:

NEW DESCRIPTION COMMITMENT PARCEL 1 LOCATED IN THE ELEVENTH CIVIL DISTRICT OF SULLIVAN COUNTY, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:: TO FIND THE POINT OF BEGINNING COMMENCE ON AN IRON ROD WITH VOLUNTEER SURVEYING IDENTIFICATION CAP FOUND IN THE WESTERLY RIGHT OF WAY LINE OF SHIPP SPRINGS ROAD (MISCELLANEOUS BOOK 121, PAGE 580), BEING THE NORTHERNMOST CORNER OF SUBDIVISION OF NEIL PROPERTY (PLAT BOOK 33, PAGE 35); THENCE WITH SAID WESTERLY RIGHT OF WAY LINE THREE CALLS: (1) ON AN ARC TO THE RIGHT HAVING A DELTA ANGLE OF 16°48'49", RADIUS 196.00', ARC LENGTH 57.52' AND CHORD N 53°52'28" W 57.31' TO AN IRON ROD SET, (2) ON AN ARC TO THE RIGHT HAVING A DELTA ANGLE OF 13°49'28", RADIUS 375.00', ARC LENGTH 90.48' AND CHORD N 38°33'20" W 90.26' TO AN IRON ROD SET, (3) N 31°38'35" W 112.90' TO AN UNMARKED POINT NEAR THE WEST EDGE OF ROACH BRANCH, THE POINT OF BEGINNING; THENCE TWO CALLS WITH THE COMMON BOUNDARIES OF PROPERTIES DESCRIBED IN BOOK 15A, PAGE 122 (SECOND PARCEL) AND BOOK 32A, PAGE 473 (TRACT NO. 11): (1) S 54°12'48" W, CROSSING A POST FOUND AT 9.89', A TOTAL 11): (1) S 54°12'48" W, CROSSING A POST FOUND AT 9.89', A TOTAL ): (1) S 54°12'48" W, CROSSING A POST FOUND AT 9.89', A TOTAL DISTANCE OF 1267.83' TO A " DIAMETER IRON ROD SET, (2) S 72°00'47" W 667.71' TO A " 12" DIAMETER IRON ROD SET, (2) S 72°00'47" W 667.71' TO A " 12" DIAMETER IRON ROD FOUND; THENCE N 24°05'41" W 355.90' TO A " DIAMETER IRON ROD FOUND, 12" DIAMETER IRON ROD FOUND, COMMON CORNER TO PROPERTY DESCRIBED IN BOOK 32A, PAGE 473 (TRACT NO. 11) AND BOOK 11) AND BOOK ) AND BOOK 842C,

PAGE 134; THENCE WITH THE COMMON LINE OF LAST SAID PROPERTIES, N 52°24'47" E, CROSSING A POST AT 1886.40', A TOTAL DISTANCE OF 1905.02' TO AN UNMARKED POINT IN THE SAID WESTERLY RIGHT OF WAY LINE OF SHIPP SPRINGS ROAD AND NEAR THE EAST EDGE OF ROACH BRANCH; THENCE WITH SAID WESTERLY RIGHT OF WAY LINE SIX CALLS: (1) S 28°29'49" E 49.83' TO AN IRON ROD SET, (2) ON AN ARC TO THE RIGHT HAVING A DELTA ANGLE OF 6°04'48", RADIUS 975.00', ARC LENGTH 103.46' AND CHORD S 25°27'25" E 103.41' TO AN IRON ROD SET, (3) S 22°25'01" E 128.99' TO AN IRON ROD SET, (4) ON AN ARC TO THE LEFT HAVING A DELTA ANGLE OF 13°22'19", RADIUS 625.00', ARC LENGTH 145.87', CHORD S 29°06'11" E 145.54' TO AN IRON ROD SET, (5) S 35°47'20" E 177.43' TO AN IRON ROD SET, (6) S 31°38'35" E 13.88' TO THE POINT OF BEGINNING, CONTAINING 23.915 ACRES. BEARINGS IN THE FOREGOING DESCRIPTION ARE REFERENCED TO TENNESSEE STATE PLANE GRID NORTH (NAD83) AND IRON ROD SET IS A "DIAMETER IRON ROD 12" DIAMETER IRON ROD WITH MATTERN & CRAIG IDENTIFICATION CAP.

NEW DESCRIPTION COMMITMENT PARCEL 2 LOCATED IN THE ELEVENTH CIVIL DISTRICT OF SULLIVAN COUNTY, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:: TO FIND THE POINT OF BEGINNING COMMENCE ON AN IRON ROD WITH VOLUNTEER SURVEYING IDENTIFICATION CAP FOUND IN THE WESTERLY RIGHT OF WAY LINE OF SHIPP SPRINGS ROAD (MISCELLANEOUS BOOK 121, PAGE 580), BEING THE NORTHERNMOST CORNER OF SUBDIVISION OF NEIL PROPERTY (PLAT BOOK 33, PAGE 35); THENCE WITH SAID WESTERLY RIGHT OF WAY LINE EIGHT CALLS: (1) ON AN ARC TO THE RIGHT HAVING A DELTA ANGLE OF 16°48'49", RADIUS 196.00', ARC LENGTH 57.52' AND CHORD N 53°52'28" W 57.31' TO AN IRON ROD SET, (2) ON AN ARC TO THE RIGHT HAVING A DELTA ANGLE OF 13°49'28", RADIUS 375.00', ARC LENGTH 90.48' AND CHORD N 38°33'20" W 90.26' TO AN IRON ROD SET, (3) N 31°38'35" W 126.78' TO AN IRON ROD SET, (4) N 35°47'20" W 177.43' TO AN IRON ROD SET, (5) ON AN ARC TO THE RIGHT HAVING A DELTA ANGLE OF 13°22'19", RADIUS 625.00', ARC LENGTH 145.87' AND CHORD N 29°06'11" W 145.54' TO AN IRON ROD SET, (6) N 22°25'01" W 128.99' TO AN IRON ROD SET, (7) ON AN ARC TO THE LEFT HAVING A DELTA ANGLE OF 6°04'48", RADIUS 975.00', ARC LENGTH 103.46' AND CHORD N 25°27'25" W 103.41' TO AN IRON ROD SET, (8) N 28°29'49" W 49.83' TO AN UNMARKED POINT NEAR THE EAST EDGE OF ROACH BRANCH, THE POINT OF BEGINNING; THENCE WITH THE

COMMON LINE OF THE PROPERTIES DESCRIBED IN BOOK 32A, PAGE 473 (TRACT NO. 11) AND BOOK 842C, PAGE 134, S 11) AND BOOK 842C, PAGE 134, S ) AND BOOK 842C, PAGE 134, S 52°24'47" W 1905.02' TO A " DIAMETER IRON ROD FOUND; THENCE N 27°38'14" W 377.31' TO 12" DIAMETER IRON ROD FOUND; THENCE N 27°38'14" W 377.31' TO AN IRON ROD FOUND WITH VOLUNTEER SURVEYING IDENTIFICATION CAP, BEING THE SOUTHERNMOST CORNER OF WAKEFIELD ESTATES (PLAT BOOK 39, PAGES 65 & 71), BEING WITHIN THE RIGHT OF WAY OF LE AMRON DRIVE AS SHOWN ON SAID PLATS OF WAKEFIELD ESTATES AND NEAR THE SOUTHERLY TERMINUS OF LE AMRON DRIVE PAVED ROAD; THENCE WITH THE LINE OF SAID WAKEFIELD ESTATES AND THEN THE LINE OF THE REMAINING PORTION OF R. C. BOWEN AND NORMA BOWEN PROPERTY (BOOK 416C, PAGE 116), N 45°48'35" E, CROSSING AN IRON ROD FOUND WITH VOLUNTEER SURVEYING IDENTIFICATION CAP AT 21.11', A TOTAL DISTANCE OF 1480.67' TO AN IRON ROD SET; THENCE TWO CALLS CONTINUING WITH THE SAID LINE OF BOWEN: (1) N 41°23'37" E 104.45' TO AN IRON ROD SET, (2) N 40°44'18" E 386.11' TO AN IRON ROD SET IN THE WESTERLY RIGHT OF WAY LINE OF SHIPP SPRINGS ROAD (MISCELLANEOUS BOOK 122, PAGE 110); THENCE FOUR CALLS WITH THE LAST SAID WESTERLY RIGHT OF WAY LINE: (1) S 24°46'08" E 19.87' TO AN IRON ROD SET, (2) S 28°26'18" E 242.20' TO AN IRON ROD SET, (3) S 27°14'44" E 348.35' TO AN IRON ROD SET, (4) S 28°29'49" E 39.31' TO THE POINT OF BEGINNING, CONTAINING 21.406 ACRES. BEARINGS IN THE FOREGOING BEARINGS IN THE FOREGOING DESCRIPTION ARE REFERENCED TO TENNESSEE STATE PLANE GRID NORTH (NAD83) AND IRON ROD SET IS A "DIAMETER IRON ROD WITH MATTERN & CRAIG IDENTIFICATION CAP.12" DIAMETER IRON ROD WITH MATTERN & CRAIG IDENTIFICATION CAP.

NEW DESCRIPTION NO COMMITMENT PARCEL LOCATED IN THE ELEVENTH CIVIL DISTRICT OF SULLIVAN COUNTY, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:: BEGINNING ON AN IRON ROD WITH VOLUNTEER SURVEYING IDENTIFICATION CAP FOUND IN THE WESTERLY RIGHT OF WAY LINE OF SHIPP SPRINGS ROAD (MISCELLANEOUS BOOK 121, PAGE 580), BEING THE NORTHERNMOST CORNER OF SUBDIVISION OF NEIL PROPERTY (PLAT BOOK 33, PAGE 35); THENCE WITH THE LINE OF SAID SUBDIVISION OF NEIL PROPERTY, S 31°20'40" W 312.22' TO A " DIAMETER IRON 12" DIAMETER IRON ROD FOUND; THENCE WITH THE LINE OF SAID SUBDIVISION OF NEIL PROPERTY AND THEN THE LINE

OF SUSAN M. QUAY (BOOK 3283, PAGE 2264), S 25°48'20" E 310.20' TO A " DIAMETER IRON ROD 12" DIAMETER IRON ROD SET ON OR NEAR THE NORTHERNMOST CORNER OF STONE EDGE P.D. (PHASE TWO) FINAL (BOOK P51, PAGE 316); THENCE WITH THE LINE OF SAID STONE EDGE P.D. (PHASE TWO) FINAL, S 63°52'55" W 857.68' TO A " DIAMETER IRON ROD FOUND, CORNER TO KING'S VIEW L.P. (BOOK 2181C, PAGE 12" DIAMETER IRON ROD FOUND, CORNER TO KING'S VIEW L.P. (BOOK 2181C, PAGE 89); THENCE WITH THE LINE OF SAID KING'S VIEW L.P., S 63°59'25" W 1057.12' TO A " 58" DIAMETER IRON ROD FOUND IN THE LINE OF COBBLESTONE PLACE PHASE 4 (BOOK P51, PAGE 547); THENCE WITH THE LINE OF SAID COBBLESTONE PLACE PHASE 4, N 6°23'10" W 333.92' TO A " 12" DIAMETER IRON PIN FOUND, CORNER TO SAID COBBLESTONE PLACE PHASE 4 AND THE NORTHERLY LINE OF A 10' WIDE AREA DEDICATED TO CITY OF KINGSPORT AS SHOWN ON PLAT OF SAID COBBLESTONE PLACE PHASE 4; THENCE N 7°30'55" W 310.79' TO A " DIAMETER IRON ROD FOUND, CORNER TO 12" DIAMETER IRON ROD FOUND, CORNER TO PROPERTIES DESCRIBED IN BOOK 15A, PAGE 122 (SECOND PARCEL) AND BOOK 32A, PAGE 473 (TRACT NO. 11); THENCE WITH THE COMMON LINES OF LAST SAID PROPERTIES TWO CALLS: (1) N 11); THENCE WITH THE COMMON LINES OF LAST SAID PROPERTIES TWO CALLS: (1) N ); THENCE WITH THE COMMON LINES OF LAST SAID PROPERTIES TWO CALLS: (1) N 72°00'47" E 667.71' TO A " DIAMETER IRON ROD SET, (2) N 54°12'48" E, CROSSING A POST AT 12" DIAMETER IRON ROD SET, (2) N 54°12'48" E, CROSSING A POST AT 1257.94', A TOTAL DISTANCE OF 1267.83' TO AN UNMARKED POINT NEAR THE WEST EDGE OF ROACH BRANCH AND IN THE SAID WESTERLY RIGHT OF WAY LINE OF SHIPP SPRINGS ROAD; THENCE WITH THE SAID WESTERLY RIGHT OF WAY LINE THREE CALLS: (1) S 31°38'35" E 112.90' TO A " DIAMETER IRON 12" DIAMETER IRON ROD SET, (2) ON AN ARC TO THE LEFT HAVING A DELTA ANGLE OF 13°49'28", RADIUS 375.00', ARC LENGTH 90.48' AND CHORD S 38°33'20" E 90.26' TO A " DIAMETER IRON ROD SET, (3) ON AN 12" DIAMETER IRON ROD SET, (3) ON AN ARC TO THE LEFT HAVING A DELTA ANGLE OF 16°48'49", RADIUS 196.00', ARC LENGTH 57.52' AND CHORD S 53°52'28" E 57.31' TO THE POINT OF BEGINNING, CONTAINING 26.206 ACRES. BEARINGS IN THE FOREGOING DESCRIPTION ARE REFERENCED TO TENNESSEE STATE PLANE GRID NORTH (NAD83) AND IRON ROD SET IS A "DIAMETER IRON ROD WITH MATTERN & CRAIG IDENTIFICATION CAP. 12" DIAMETER IRON ROD WITH MATTERN & CRAIG IDENTIFICATION CAP.

SECTION II. Any person violating any provisions of this ordinance shall be guilty of an offense and upon conviction shall pay a penalty of FIFTY DOLLARS (\$50.00) for each offense. Each occurrence shall constitute a separate offense.

SECTION III. That this ordinance shall take effect on May 8, 2023, 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 \_\_\_\_\_