

ORDINANCE NO. 2024-1127

AN ORDINANCE ACCEPTING A PORTION OF MAGNOLIA DRIVE AS A CITY STREET

WHEREAS, Brightland Homes of Tennessee, LLC (“Brightland Homes”) has requested the City of Mount Pleasant accept ownership and maintenance of **a portion of Magnolia Drive** that crosses Brightland Homes’ property (Deed Book R3010, Page 216, Register’s Office of Maury County).

WHEREAS, upon information and belief, the City constructed and paved Magnolia Drive, has maintained and policed Magnolia Drive and that Magnolia Drive has been used for public use since its construction in 1989; and,

WHEREAS, notwithstanding the above, this portion of Magnolia Drive is currently included in the legal description for the property owned by Brightland Homes and Brightland Homes desires to transfer the legal ownership of the portion of Magnolia Drive that crosses its property to the City; and,

WHEREAS, Brightland Homes has executed a deed transferring the portion of Magnolia Drive to the City, the same being attached hereto and incorporated herein as **Exhibit A**; and,

WHEREAS, the City of Mount Pleasant wishes to accept ownership and maintenance of the portion of Magnolia Drive identified in **Exhibit A**; and,

WHEREAS, the City of Mount Pleasant may locate, construct, or accept any street by ordinance or other measure if the proposal is first submitted to the planning commission for approval; and,

WHEREAS, the Mount Pleasant Municipal Planning Commission has reviewed and recommended the acceptance of this portion of Magnolia Drive (and modification to the Zoning Map) after public hearing on October 8, 2024.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF MOUNT PLEASANT, TENNESSEE, AS FOLLOWS:

Section 1. The City of Mount Pleasant does hereby accept the transfer of and ownership of said portion of Magnolia Drive as shown on **Exhibit A**.

Section 2. The City of Mount Pleasant does hereby accept the maintenance of said portion of Magnolia Drive as shown on **Exhibit A**.

Section 3. If any one or more of the provisions of this Ordinance, or any exhibit or attachment thereof, shall be held invalid, illegal, or unenforceable in any respect, by final decree of any court of lawful jurisdiction, such invalidity, illegality, or unenforceability shall not affect any other provision hereof, or of any exhibit or attachment thereto, but this Ordinance, and the exhibits and attachments thereof, shall be construed the same as if such invalid, illegal, or unenforceable provision had never been contained herein, or therein, as the case may be.

Section 4. This Ordinance shall take effect upon final passage.

Approved and adopted this ____ day of _____, 2024.

WILLIAM F. WHITE, JR., MAYOR

ATTEST:

SHIPHRAH COX, RECORDER

LEGAL FORM APPROVED:

KORI BLEDSOE JONES, ATTORNEY

PASSED ON FIRST READING: _____

PASSED ON SECOND READING: _____