

RESOLUTION NO. 339

A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THAT CERTAIN PART OF THE SEVENTH (7th) CIVIL DISTRICT OF HAWKINS COUNTY, TENNESSEE, KNOWN AS FOX RUN ENTERPRISES, L.L.C., CARTERS VALLEY ROAD PROPERTY (FORMERLY KEMP ELLIS FARM).

WHEREAS, before any territories may be annexed under *Tenn. Code Ann. §6-51-102*, the governing body shall have previously adopted a plan of services setting forth the identification and timing of municipal services; and,

WHEREAS, before any such plan of services shall have been adopted, it must have been submitted to the local planning commission for study and a written report; and,

WHEREAS, a plan of services for the proposed annexation of the **FOX RUN ENTERPRISES, L.L.C., CARTERS VALLEY ROAD PROPERTY (FORMERLY KEMP ELLIS FARM)** was submitted to the Mount Carmel Planning Commission on February 13, 2006, for its consideration and a written report; and,

WHEREAS, prior to the adoption of a plan of services, the Town shall hold a public hearing; and,

WHEREAS, a public hearing was held on February 24, 2006; and,

WHEREAS, notice of the time and place of the public hearing shall be published in a newspaper of general circulation in the municipality seven (7) days prior to the hearing; and,

WHEREAS, notice of the time and place of the public hearing was published in the Kingsport Times-News on 2-16-06; and,

WHEREAS, the Town of Mount Carmel, pursuant to the provisions of *Tenn. Code Ann. §6-51-102, et seq.*, is considering the annexation of a portion of the Seventh (7th) Civil District of Hawkins County, Tennessee, commonly known as the **FOX RUN ENTERPRISES, L.L.C., CARTERS VALLEY ROAD PROPERTY (FORMERLY KEMP ELLIS FARM)**, said area being bounded and further described as follows:

BEGINNING at a point in the corporate limits of the Town of Mount Carmel, said point being the southwest corner of Hawkins County Tax Parcel: Map 11 Group __ Control Map 11 Parcel 96, also being on an iron pin at the intersection of the northerly sideline of a 60 foot right of way of Carter's Valley Road with the divisional line between the Dessa Hamilton farm and the C. C. Martin farm; thence with said divisional line North 17° 25' West 1818.00 feet to an iron pin corner to the said LeRoy Martin farm and the N. J. Bussell farm; thence with the line adjoining the said Bussell farm with bearings and distances copied from a survey of the said Bussell farm in September 1935, North 19° 40' West 1227.00 feet to a set stone corner to N. J. Bussell farm; thence with the line adjoining the said Bussell farm and the Margaret Johnson farm, South 87° 25' West 399 feet to a set stone, corner to Johnson Farm; thence with the line of said Johnson farm bought from James R. Ford in May 1956, with bearing and distances copied from said survey, South 21° 50' East 500 feet to an iron pin on line of the Dessa Hamilton farm and corner to the said Johnson farm, and the Emmitt Barrett farm; thence with the divisional line between the said Dessa Hamilton farm and the Emmitt Barrett farm, South 20° 25' East 2666.00 feet to a fence post on the northerly side of the Carter's Valley Road and corner for the said Barrett farm and the Hamilton farm; thence with the northerly side line of a 60 foot right of way line of Carter's Valley Road, North 66° 45' East 268.5 feet to the point of BEGINNING, containing an area of 24.03 acres, more or less, as per survey of Hugh E. Alley, dated May 15, 1970.

AND BEING the same property which was conveyed to Fox Run Enterprises, L.L.C. by deed from Kemp Ellis and Charles Ellis, dated _____, 2006, and duly recorded in Deed Book ___, page ___ in the Register's Office for Hawkins County, at Rogersville, Tennessee, to which reference is hereby made.

WHEREAS, the Town of Mount Carmel deems it advisable to adopt a Plan of Services for the proposed annexation area. Now, therefore,

BE IT RESOLVED by the Board of Mayor and Aldermen of the Town of Mount Carmel as follows:

SECTION I. That a Plan of Services for the **FOX RUN ENTERPRISES, L.L.C., CARTERS VALLEY ROAD PROPERTY (FORMERLY KEMP ELLIS FARM)** as bounded and described above is hereby adopted, subject to enactment of an annexation ordinance for the annexation area, the said Plan of Services to be as follows:

1. Police Protection

All routine police services will be provided on the effective date of annexation. The Town of Mount Carmel Police Department already patrols the Carters Valley Road adjacent to this annexation area.

2. **Fire Protection**

Fire suppression and prevention services will be provided on the effective date of annexation.

3. **Water**

Water will continue to be provided by the current water utility.

4. **Electricity**

Electricity will continue to be provided by the current electric utility.

5. **Sanitary Sewer**

Sanitary sewer service will be extended to the site, pursuant to the SEWER EXTENSION POLICY stated in Chapter 8 of Title 18 of the Code of Ordinances of the Town of Mount Carmel, Tennessee, within three (3) years of the effective date of this ordinance.

6. **Solid Waste Disposal**

Sanitation garbage (routine household refuse) and trash (grass clippings, tree trimmings, bulky items) collection will be provided to the annexed area on the same basis as that received by properties located within the existing Town limits. Collection will begin within one (1) month following the effective date of annexation.

7. **Road/Street Construction and Repair**

Emergency and routine maintenance of streets will begin upon final approval and completion of the proposed development of the Territory; to include cleaning of streets and snow clearing on the same basis as provided within the present Town limits.

8. **Recreational Facilities**

- a. Residents of the annexed area may use all existing Town recreational facilities, programs, parks, etc. on the effective date of annexation with no non-residential fee.
- b. Residents of the annexed area may use all existing library facilities and will be exempt from the non-residential fee on the effective date of annexation.

- c. Residents of the annexed area (50 years or older) will be eligible to use the Senior Citizens Center with no non-residential fees and with transportation provided on the effective date of annexation.

9. **Street Lighting**

Within 90 days of the effective date of annexation the Town will request that current electric utility install additional street lights on collector-class and lower streets in accordance with the policy on roadway lighting within three (3) years of the effective date of annexation. Lighting on minor and major arterials will be installed per prevailing Town policy.

10. **Zoning Services**

The area will initially be zoned R-l Low Density Residential District pursuant to Sec. 14-609 of the Code of Ordinances of the Town of Mount Carmel, Tennessee, relating to annexations.

11. **Schools**

Schools will continue to be provided by the current school system.

The previous sections are titled and listed in the order prescribed by *Tennessee Code Annotated 6-51-102(b)(2)*. The following sections are provided by the Town of Mount Carmel in addition to the minimum requirements.

12. **Traffic Control**

The Town will verify all street name signs and traffic control devices in accordance with the Manual on Uniform Traffic Control Devices.

13. **Inspection Services**

All inspection services now provided by the Town on a fee basis (building, electrical, plumbing, gas, housing, sanitation, etc.) will begin in the annexed area on the effective date of annexation.

14. **Animal Control**

Animal control service equivalent to that presently provided within the Town will be extended to the annexed area on the effective date of annexation.

15. **Storm Sewers**

The installation of any needed storm sewers will be accomplished in accordance with existing standards and engineering principles provided for by present Town policies.

16. **Leaf Removal**

The Town's leaf removal program will be provided to the annexation area on the same basis as it is currently provided to other Town residents beginning on the effective date of annexation.

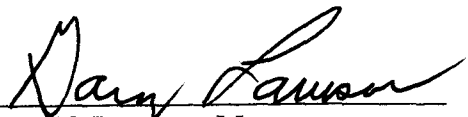
17. **Litter Control**

The Town's litter control program will be provided to the annexation area on the effective date of annexation.

18. **Other Services**

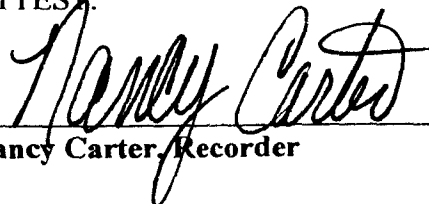
All other services not classified under the foregoing headings such as Finance and Administration and other support services will be available upon the effective date of annexation.

ADOPTED this 24th day of February, 2006.



Gary W. Layson, Mayor

ATTEST:



Nancy Carter, Recorder

FIRST READING	AYES	NAYS	OTHER
Alderman Henry Bailey	✓		
Vice-Mayor Eugene Christian	✓		
Mayor Gary Lawson	✓		
Alderman Tresa Mawk	✓		
Alderman Thomas Wheeler	✓		
Alderman Carl Wolfe	✓		
Alderman Wanda Worley	<i>absent</i>		
TOTALS			

PASSED FIRST READING 2-28-06

KINGSPORT TIMES-NEWS

PUBLICATION CERTIFICATE

Kingsport, TN March 1, 2006

This is to certify that the Legal Notice hereto attached was published in the Kingsport Times-News, a daily newspaper published in the City of Kingsport, County of Sullivan, State of Tennessee, beginning in the issue of 2-16-06, and appearing 1 consecutive weeks/times, as per order of Town of Mount Carmel

Signed Karen C. Mulvey

Pub. 1T: 02/16/06

NOTICE TO PUBLIC HEARING

NOTICE IS HEREBY GIVEN to all citizens of the Town of Mount Carmel, Tennessee, to all persons interested, and the public at large that the Mount Carmel Board of Mayor and Aldermen will conduct a Public Hearing during its regular business meeting on Tuesday, February 28, 2006 to consider the annexation, zoning and Plan of Services for the Carters Valley Road Annexation Area being Fox Ridge Subdivision (formerly Kemp Ellis Farm) now owned by Fox Run Enterprises, L.L.C. The regular business meeting will begin at 7:00 p.m. in the Town Hall, 110 East Main Street, Mount Carmel, Tennessee.

The property proposed for annexation is generally described as follows:

BEGINNING at a point in the corporate limits of the Town of Mount Carmel, said point being the southwest corner of Hawkins County Tax Parcel: Map 11 Group Control Map 11 Parcel 96, also being on an iron pin at the intersection of the northerly sideline of a 60 foot right of way of Carter's Valley Road with the divisional line between the Dessa Hamilton farm and the C. C. Martin farm; thence with said divisional line North 17° 25' West 1818.00 feet to an iron pin corner to the said Le-Roy Martin farm and the N.J. Bussell farm; thence with the line adjoining the said Bussell farm with bearings and distances copied from a survey of the said Bussell farm in September 1935. North 19° 40' West 1227.00 feet to a set stone corner to N.J. Bussell farm; thence with the line adjoining the said Bussell farm and the Margaret Johnson farm, South 87° 25' West 399 feet to a set stone, corner to Johnson Farm; thence with the line of said Johnson farm bought from James R. Ford in May 1956, with bearing and distances copied from said survey, South 21° 50' East 500 feet to an iron pin on line of the Dessa Hamilton farm and corner to the said Johnson farm, and the Emmitt Barrett farm; thence with the divisional line between the said Dessa Hamilton farm and the Emmitt Barrett farm, South 20° 25' East 2666.00 feet to a fence post on the northerly side of the Carter's Valley Road and corner for the said Barrett farm and the Hamilton farm; thence with the northerly side line of a 60 foot right of way line of Carter's Valley Road, North 66° 45' East 268.5 feet to the point of BEGINNING, containing an area of 24.03 acres, more or less, as per survey of Hugh E. Alley, dated May 15, 1970; and being all of that property having Hawkins County Tax Identification Number Map 11 Group Control Map 11 Parcel 96.

AND BEING the same property which was conveyed to Fox Run Enterprises, L.L.C. by deed from Kemp Ellis and Charles Ellis, dated June 10, 2005, and duly recorded in Deed Book 755, page 293 in the Register's Office for Hawkins County, at Rogersville, Tennessee, to which reference is hereby made.

All interested persons are invited to attend this meeting and public hearing. A detailed map and description is on file in the offices of the Mount Carmel Town Hall and Recording Secretary of the Planning Commission for inspection. Additional information concerning this proposal may be obtained by contacting the Mount Carmel Town Hall, telephone 423-357-7311.

STATE OF TENNESSEE, SULLIVAN COUNTY, TO-WIT:

Personally appeared before me this 1st day of March 2006, Karen C. Mulvey of the Kingsport Times-News and in due form of law made oath that the foregoing statement was true to the best of my knowledge and belief.

My commission expires 6-26-07

William David Richards

NOTARY PUBLIC

