



**CLARKSVILLE CITY COUNCIL
EXECUTIVE SESSION
MAY 30, 2013, 4:30 P.M.**

**COUNCIL CHAMBERS
106 PUBLIC SQUARE
CLARKSVILLE, TENNESSEE**

AGENDA

1) PLANNING COMMISSION

ZONING: PUBLIC HEARING

1. **ORDINANCE 95-2012-13** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Seay/Wilson Properties, Wade Hadley-Agent, for zone change on property at the intersection of 101st Airborne Division Parkway & Trenton Road from R-1 Single Family Residential District to C-5 Highway & Arterial Commercial District (*RPC: Approval/Approval*)
2. **ORDINANCE 96-2012-13** (First Reading) Amending the Zoning Ordinance and the Official Code of the City of Clarksville relative to cluster option and other text amendments (*RPC: Approval/Approval*)

2) CONSENT AGENDA

All items in this portion of the agenda are considered to be routine and non-controversial by the Council and may be approved by one motion; however, a member of the Council may request that an item be removed for separate consideration under the appropriate committee report:

1. **ORDINANCE 75-2012-13** (Second Reading) Accepting property from Charles C. Powers for the Hickory Wild Sewer Lift Station
2. **ORDINANCE 78-2012-13** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Eric Huneycutt for zone change on property at West Washington Street and Kline Alley from R-4 Multiple Family Residential District to CBD Central Business District

3. **ORDINANCE 79-2012-13** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Gateway Financial Services, Howard Poff-Agent, for zone change on property at Rossview Road and Earl Slate Road from R-1 Single Family Residential District to R-2D Two Family Residential District
4. **RESOLUTION 48-2012-13** Approving a Certificate of Compliance for Steven A. Howard (University Package Store, 303 College Street)
5. **RESOLUTION 52-2012-13** Approving a Certificate of Compliance for Tim Crocker (Crocker's Fine Wines, 224 Dover Road)
6. **RESOLUTION 53-2012-13** Approving a Certificate of Compliance for Amber M. Heggie (Pal's Package Store, 1820-G Madison Street)
7. **RESOLUTION 57-2012-13** Approving a Certificate of Compliance for CRM Liquors, LLC (Calvin R. McKay) (Elite Wine & Spirits, 1849-C Madison Street)
8. Approval of board appointments:

Housing Authority: Angela Jones (replace Bill Harpel-resigned) – June 2013 through September 2016

Human Relations Commission: Mercedes Acuna, Mohsun Uddin Ghias, Johnny Jones, Candy Johnson – July 2013 through June 2016; Kenneth Roberts, Dr. Jonnieann Butterfield – July 2013 through June 2015; Dr. Roxanne Gerbrandt, Dr. Bill Gordon, Ferosete Melandrez – July 2013 through June 2014; Jeff Burkhart – July 2013 through June 2-15

Madison Street Design Review Board: Carter Briggs (replace Jimmy Mann-resigned) – June 2013 through April 2016; Marc Harris (replace Bill Summers) – June 2013 – April 2016

Power Board: Sally Castleman (replace Jane Olson-term expired) – July 2013 through June 2016; Leo Milan (reappointment) – July 2013 through June 2016

Tree Board: Diann Nance (reappointment) – July 2013 through June 2016; Mary Beth Wilder (replace Phil Brown-term expired) – June 2013 through June 2015

9. Adoption of Minutes: Regular Session May 2

3) COMMUNITY DEVELOPMENT COMMITTEE

David Allen, Chair

4) FINANCE COMMITTEE

Joel Wallace, Chair

1. **ORDINANCE 81-2012-13** (First Reading) Authorizing acquisition of property on Tylertown Road for area drainage improvements (*Finance Committee: Approval*)
 2. **ORDINANCE 82-2012-13** (First Reading) Amending the Official Code relative to water and sewer rates (*Finance Committee: Approval*)
 3. **ORDINANCE 83-2012-13** (First Reading) Authorizing partial release of sanitary sewer line easement on property owned by Governor's Square Company (*Finance Committee: Approval*)
 4. **ORDINANCE 84-2012-13** (First Reading) Amending the Official Code relative to time and place of executive and regular sessions of the City Council (*Finance Committee: Approval*)
- ORDINANCE 84-2012-13** (First Reading) Amending the Official Code relative to time and place of executive and regular sessions of the City Council (*Proposed Revisions*)
5. **RESOLUTION 55-2012-13** Authorizing a bond issue for Gas & Water (*Finance Committee: Approval*)

5) GAS & WATER COMMITTEE

Jeff Burkhardt, Chair

1. **ORDINANCE 92-2012-13** (First Reading) Approving extension of utilities to 3301 Highway 41-A; request of Danell Welch
2. **ORDINANCE 93-2012-13** (First Reading) Approving extension of utilities to property on Ashland City Road; request of David Welch

6) PARKS, RECREATION, GENERAL SERVICES

Wallace Redd, Chair

1. **ORDINANCE 99-2012-13** (First Reading) Amending the Official Code relative to fireworks (*Parks & Recreation Committee: Approval*)

7) PUBLIC SAFETY COMMITTEE

(Building & Codes, Fire, Police)

Geno Grubbs, Chair

1. **ORDINANCE 80-2012-13** (First Reading) Amending the Official Code relative to retirement of law enforcement animals (*Public Safety Committee: No Recommendation*)

8) STREET COMMITTEE

James Lewis, Chair

9) TRANSPORTATION COMMITTEE

Marc Harris, Chair

10) NEW BUSINESS

1. **ORDINANCE 94-2012-13** (First Reading) Rescheduling the July 2013 regular meeting of the City Council (*Mayor McMillan*)
2. **ORDINANCE 97-2012-23** (First Reading) Amending the Official Code relative to police escort of funeral processions (*Councilman Allen*)
3. **ORDINANCE 98-2012-13** (First Reading) Amending the Official Code relative to special event beer permits (*Councilman Wallace*)
4. **RESOLUTION 54-2012-13** Approving application for Tennessee Department of Transportation permits for intersection modifications for Hazelwood Road, North Henderson Way, and Rossvie Road (*Councilman Lewis*)
5. **RESOLUTION 56-2012-13** Appointing Laurie Matta as Commissioner of Finance & Revenue/Director of Finance/Chief Financial Officer (*Mayor McMillan*)
6. Discussion regarding City Council information policy (*Councilwoman McLaughlin*)
7. Discussion regarding Liberty Park restaurant and marina leases (*Councilman Allen*)

11) FY14 BUDGETS: PUBLIC HEARING AND FIRST READING

1. **ORDINANCE 85-2012-13** FY14 Community Development Budget
2. **ORDINANCE 86-2012-13** FY14 Parking Authority Budget
3. **ORDINANCE 87-2012-13** FY14 Transit Budget
4. **ORDINANCE 88-2012-13** FY14 CDE Budget
5. **ORDINANCE 89-2012-13** FY14 GWS Budget
6. **ORDINANCE 90-2012-13** FY14 Internal Service Fund
7. **ORDINANCE 91-2012-13** FY14 General Government Budget

12) MAYOR AND STAFF REPORTS

13) ADJOURNMENT

14) PUBLIC COMMENTS

ORDINANCE 95-2012-13

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF SEAY/WILSON PROPERTIES, WADE HADLEY-AGENT, FOR ZONE CHANGE ON PROPERTY AT 101ST AIRBORNE DIVISION PARKWAY & TRENTON ROAD

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the Zoning Ordinance and Map of the City of Clarksville, Tennessee are hereby amended by designating the zone classification of the property described in Exhibit A, currently zoned R-1 Single Family Residential District, as C-5 Highway & Arterial Commercial District.

Mayor

ATTEST:

City Clerk

PUBLIC HEARING:

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at a point in the southeast corner of Pea Ridge Road and 101st Airborne Division Parkway intersection; thence with the south right-of-way of 101st Airborne Division Parkway in an easterly direction, 1358+/- feet to a point being the southwest corner of the 101st Airborne Division Parkway and Trenton Road intersection; thence crossing Trenton Road in an easterly direction, 225+/- feet to a point being the southeast corner of the Trenton Road and 101st Airborne Division Parkway intersection; thence continuing with the south right-of-way of 101st Airborne Division Parkway along a curve to the right for a distance of 1650+/- feet to a point, said point being the northwest corner of the James Love property; thence with the west line of Love in a southerly direction, 963+/- feet to a point, said point being the northeast corner of the Joe Cross property; thence with the north line of Cross and the north property line of Henry Lentz in a westerly direction, 1071+/- feet to a point in the eastern right-of-way of Trenton Road; thence crossing Trenton Road in a westerly direction, 60+/- feet to a point in the western right-of-way of Trenton Road, said point also being the northeast corner of the James Baggett property; thence with the north line of Baggett and the north line of the Kevin Kennedy property in a westerly direction, 1676+/- feet to a point in the eastern right-of-way of Pea Ridge Road; thence with the eastern right-of-way of Pea Ridge Road in a northerly direction, 1956+/- feet to the point of beginning; containing 113.4+/- acres. (Tax Map 041, parcel 039.00)

ORDINANCE 75-2012-13

AN ORDINANCE ACCEPTING PROPERTY FROM CHARLES C. POWERS FOR
HICKORY WILD SEWER LIFT STATION

WHEREAS, the City of Clarksville seeks to acquire title to certain real property owned by Charles C. Powers and identified in Exhibit A attached hereto (the “Property”) for the purpose of maintaining and operating the Hickory Wild # 2 sewer lift station;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the Clarksville City Council hereby authorizes the acquisition of the Property, more fully described in Exhibit A attached hereto, from Charles C. Powers.

FIRST READING: May 2, 2013

SECOND READING: May 2, 2013

EFFECTIVE DATE:

EXHIBIT A

Being the site of a sewage lift station adjacent to the existing sewer line easement and in the proximity of the Hickory Wild club house. Said parcel being a portion of the Hickory Wild, Section 1C, Cluster Final Plat as recorded in Plat Book F, Page 782, in the Register's Office for Montgomery County, Tennessee. Said parcel being generally described as South of Kirkwood Road, northwest of Shield Drive and east of and adjacent to John Duke Tyler Boulevard, said parcel being more particularly described as follows, to-wit:

Beginning at a point, said point being on the eastern right of way of said John Duke Tyler Boulevard, said point also being North 03 degrees 14 minutes 14 seconds west, a distance of 346.4 feet from the intersection of said Shield Drive and said John Duke Tyler Boulevard, said point also being the southwestern corner of the herein described parcel; thence leaving said point and with the northern right of way of John Duke Tyler Boulevard, on a curve to the right, having a radius of 252.50 feet, an arc length of 147.18 feet, a tangent of 75.75 feet, a delta of 33 degrees 23 minutes 51 seconds and being subtended by a chord bearing and distance of north 00 degrees 57 minutes 26 seconds east, a chord distance of 145.11 feet to a point, said point being on the boundary line of said Hickory Wild, Section 1C Cluster Final Plat, said point being the northwestern corner of the herein described parcel; thence leaving said right of way and with said boundary line, south 67 degrees 32 minutes 05 seconds east a distance of 254.82 feet to a point, said point being the northwestern corner of the herein described parcel; thence leaving said northern boundary line and with the boundary lines of said 1.24 +/- acre open area the following four (4) calls, south 22 degrees 27 minutes 55 seconds west a distance of 28.29 feet to a point; thence south 18 degrees 02 minutes 30 seconds west a distance of 94.35 feet to a point; thence south 74 degrees 15 minutes 32 seconds west a distance of 20.00 feet to the point of beginning.

Together with and subject to all rights of ways, easements, covenants and conveyances of record and not of record.

The above property being a portion of the same conveyed to the Grantor by deed of record in ORBV 1370, Page 1668 in the Register's Office for Montgomery County, Tennessee.

ORDINANCE 78-2012-13

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF ERIC HUNEYCUTT FOR ZONE CHANGE ON PROPERTY AT WEST WASHINGTON STREET AND KLINE ALLEY

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the Zoning Ordinance and Map of the City of Clarksville, Tennessee are hereby amended by designating the zone classification of the property described in Exhibit A, currently zoned R-4 Multiple Family Residential District, to CBD Central Business District.

PUBLIC HEARING: May 2, 2012

FIRST READING: May 2, 2013

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at an 1" pipe in the north right of way of West Washington Street and the east right of way of Kline's Alley lying North 42 degrees 06 minutes 31 seconds East for 15.22 feet from the intersection of the centerlines of West Washington Street and Kline's Alley, also being the southwest corner of herein described parcel; Thence along the Kline's Alley east right of way, North 04 degrees 55 minutes 42 seconds East for 188.66 feet to an 1" pipe; Thence continuing along the east right of way, North 02 degrees 57 minutes 25 seconds East for 40.22 feet to a nail in the southwest corner of the Centerstone Community property as recorded in ORV 386, Page 2121 ROMCT, being the northwest corner of herein described parcel; Thence leaving the right of way along the south property line of Centerstone, South 81 degrees 36 minutes 21 seconds East for 67.67 feet to a ½" rebar being the southeast corner of Centerstone property; Thence along the Centerstone east property line, North 05 degrees 02 minutes 49 seconds East for 40.02 feet to a ½" rebar capped Young, also being the southwest corner of the Mario Raygoza property as recorded in ORV 995, Page 129 ROMCT; Thence along Raygoza south property line, South 80 degrees 51 minutes 46 seconds East for 44.07 feet to a 1" pipe at the southwest corner of the Mario Raygoza property as recorded in ORV 793, Page 907 ROMCT; Thence continuing along Raygoza south property line, South 84 degrees 55 minutes 12 seconds East for 41.80 feet to a ½" pipe lying in the west property line of the John Davenport property as recorded in ORV 43, Page 155 ROMCT; Thence leaving the Raygoza property along the west property line of Davenport property, South

07 degrees 12 minutes 08 seconds West for 20.93 feet to an iron stake at the northwest corner of the Davenport property as recorded in ORV 312, Page 5 ROMCT; Thence along the west property line of the Davenport property, South 02 degrees 07 minutes 24 seconds West for 111.60 feet to a ½" rebar capped Byrd, lying at the northwest corner of the John Davenport property as recorded in ORV 1015, Page 382 ROMCT; Thence along said Davenport west property line, South 06 degrees 00 minutes 55 seconds West for 137.61 feet to a 2" pipe at the southwest corner of the Dwight Eversole property as recorded in ORV 1348, Page 301 ROMCT, lying in the north right of way of West Washington Street; Thence along the north right of way, North 83 degrees 43 minutes 52 seconds West for 32.26 feet to a railroad spike; Thence continuing along the right of way, North 84 degrees 42 minutes 26 seconds West for 48.31 feet to an iron stake' Thence continuing along the right of way, North 79 degrees 16 minutes 04 seconds West for 73.83 feet to the point of beginning. Said parcel-contains 0.90 +/- acres. Tax Map 66-J-D, Parcel(s) 14.00 thru 20.00

ORDINANCE 79-2012-13

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF GATEWAY FINANCIAL SERVICES, HOWARD POFF-AGENT, FOR ZONE CHANGE ON PROPERTY AT ROSSVIEW ROAD AND EARL SLATE ROAD

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the Zoning Ordinance and Map of the City of Clarksville, Tennessee are hereby amended by designating the zone classification of the property described in Exhibit A, currently zoned R-1 Single Family Residential District, as R-2D Two Family Residential District.

PUBLIC HEARING: May 2, 2013

FIRST READING: May 2, 2013

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at a point in the east ROW of Rossview Rd. said point 425+/- feet north of the Earl Slate Rd and the Rossview Rd. intersection said point also being the southwest corner of the Welch Properties property, thence with the south property line of the Welch Property 403 +/- feet to a point, thence in a northerly direction with the Welch east property line 183 +/- feet to a point, said point being the southeast corner of the Harvey E. Hoskins property, thence in an easterly direction with the southern boundary of the Hoskins property 237 +/- feet to a point said point being the northwest corner of the William Clark Jr. property, thence in a southerly direction with the Clark property line 213 +/- feet to a point said point being in the northern boundary of the John Key property, thence in a westerly direction 636 +/- feet to a point in the eastern ROW of Rossview Rd. thence in a northerly direction with the Rossview Rd. ROW 12 +/- feet to the point of beginning, said tract containing 1.17 +/- acres. (Tax Map 041 Parcel 166.00)

RESOLUTION 48-2012-13

A RESOLUTION APPROVING A RETAIL LIQUOR STORE CERTIFICATE OF COMPLIANCE FOR STEVEN A. HOWARD (UNIVERSITY PACKAGE STORE)

WHEREAS, Steven A. Howard, has applied for a Certificate of Compliance from the City of Clarksville according to regulations of the Tennessee Alcoholic Beverage Commission, for the operation of University Package Store located at 303 College Street; and

WHEREAS, the applicant(s) who is/are to be in actual charge of said business has/have not been convicted of a felony within a ten year period immediately preceding the date of the application and, if a corporation, that the executive officers, or those in control, have not been convicted of a felony within a ten year period immediately preceding the date of the application; and further that it is the undersigned's opinion that the applicant will not violate any provisions of *Tennessee Code Annotated, Title 57, Chapter 3*;

WHEREAS, the applicant(s) has/have secured a location which complies with all restrictions of the laws, ordinances, or resolutions;

WHEREAS, the applicant(s)s has/have complied with the residency provision;

WHEREAS, the issuance of this license will not exceed the numerical limit established in City Code Sec. 2-205.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the Clarksville City Council hereby approves a Certificate of Compliance for Steven A. Howard for operation of University Package Store located at 303 College Street, Clarksville, Tennessee.

ADOPTED:

RESOLUTION 52-2012-13

A RESOLUTION APPROVING A RETAIL LIQUOR STORE CERTIFICATE OF COMPLIANCE FOR TIM CROCKER

WHEREAS, Tim Crocker has applied for a Certificate of Compliance from the City of Clarksville according to regulations of the Tennessee Alcoholic Beverage Commission, for the operation of Crocker's Fine Wines located at 224 Dover Road; and

WHEREAS, the applicant(s) who is/are to be in actual charge of said business has/have not been convicted of a felony within a ten year period immediately preceding the date of the application and, if a corporation, that the executive officers, or those in control, have not been convicted of a felony within a ten year period immediately preceding the date of the application; and further that it is the undersigned's opinion that the applicant will not violate any provisions of *Tennessee Code Annotated, Title 57, Chapter 3*;

WHEREAS, the applicant(s) has/have secured a location which complies with all restrictions of the laws, ordinances, or resolutions;

WHEREAS, the applicant(s)s has/have complied with the residency provision;

WHEREAS, the issuance of this license will not exceed the numerical limit established in City Code Sec. 2-205.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the Clarksville City Council hereby approves a Certificate of Compliance for Tim Crocker for operation of Crocker's Fine Wines located at 224 Dover Road, Clarksville, Tennessee 37042.

ADOPTED:

RESOLUTION 53-2012-13

A RESOLUTION APPROVING A RETAIL LIQUOR STORE CERTIFICATE OF COMPLIANCE FOR AMBER HEGGIE

WHEREAS, Amber Heggie has applied for a Certificate of Compliance from the City of Clarksville according to regulations of the Tennessee Alcoholic Beverage Commission, for the operation of Pal's Package Store located at 1820-G Madison Street; and

WHEREAS, the applicant(s) who is/are to be in actual charge of said business has/have not been convicted of a felony within a ten year period immediately preceding the date of the application and, if a corporation, that the executive officers, or those in control, have not been convicted of a felony within a ten year period immediately preceding the date of the application; and further that it is the undersigned's opinion that the applicant will not violate any provisions of *Tennessee Code Annotated, Title 57, Chapter 3*;

WHEREAS, the applicant(s) has/have secured a location which complies with all restrictions of the laws, ordinances, or resolutions;

WHEREAS, the applicant(s)s has/have complied with the residency provision;

WHEREAS, the issuance of this license will not exceed the numerical limit established in City Code Sec. 2-205.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the Clarksville City Council hereby approves a Certificate of Compliance for Amber Heggie for operation of Pal's Package Store located at 1820-G Madison Street, Clarksville, Tennessee 37043.

ADOPTED:

RESOLUTION 57-2012-13

A RESOLUTION APPROVING A RETAIL LIQUOR STORE CERTIFICATE OF COMPLIANCE FOR CRM LIQUORS, LLC (CALVIN R. MCKAY)

WHEREAS, CRM LIQUORS, LLC (Calvin R. McKay), has applied for a Certificate of Compliance from the City of Clarksville according to regulations of the Tennessee Alcoholic Beverage Commission, for the operation of Elite Wine & Spirits to be 1849-C Madison Street; and

WHEREAS, the applicant(s) who is/are to be in actual charge of said business has/have not been convicted of a felony within a ten year period immediately preceding the date of the application and, if a corporation, that the executive officers, or those in control, have not been convicted of a felony within a ten year period immediately preceding the date of the application; and further that it is the undersigned's opinion that the applicant will not violate any provisions of *Tennessee Code Annotated, Title 57, Chapter 3*;

WHEREAS, the applicant(s) has/have secured a location which complies with all restrictions of the laws, ordinances, or resolutions;

WHEREAS, the applicant(s)s has/have complied with the residency provision;

WHEREAS, the issuance of this license will not exceed the numerical limit established in City Code Sec. 2-205.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the Clarksville City Council hereby approves a Certificate of Compliance for CRM Liquors, LLC (Calvin R. McKay), for operation of Elite Wine and Spirits located at 1849-C Madison Street, Clarksville, Tennessee.

ADOPTED:



**CLARKSVILLE CITY COUNCIL
REGULAR SESSION
MAY 2, 2013**

MINUTES

CALL TO ORDER

The regular session of the Clarksville City Council was called to order by Mayor Kim McMillan on Thursday, May 2, 2013, at 7:00 p.m. in City Council Chambers, 106 Public Square, Clarksville, Tennessee.

A prayer was offered by Councilman Jeff Burkhardt; the Pledge of Allegiance was led by Councilman Nick Steward.

ATTENDANCE

PRESENT: Nick Steward (1), Deanna McLaughlin (2), James Lewis, Mayor Pro Tem (3), Wallace Redd (4), Valerie Guzman (5), Marc Harris (6), Geno Grubbs (7), David Allen (8), Joel Wallace (9), Bill Summers (10), Kaye Jones (11), Jeff Burkhardt (12)

SPECIAL RECOGNITIONS

Councilman Redd and Brandon Reed presented Mayor McMillan with the Tri-Cities Magician Association "Merlin Award" for her support of the organization's fundraisers.

Mayor McMillan proclaimed May 18 as "Kids to Parks Day" and expressed appreciation to the Parks & Recreation Staff for their support of this national program.

MAYOR'S YOUTH COUNCIL

Following the group's study and evaluation of proposed facilities for the City, Hieler Meek and Makagin Gray presented the recommendations of the Mayor's Youth Council for a recreational center to be located at Exit 1 and a multi-purpose convention center to be located at Exit 8 or Exit 11.

PUBLIC HEARING

Councilman Grubbs made a motion to conduct a public hearing to receive comments regarding requests for zone change. The motion was seconded by Councilman Steward. A voice vote was taken; the motion passed without objection.

ORDINANCE 78-2012-13 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Eric Huneycutt for zone change on property at West Washington Street and Kline Alley from R-4 Multiple Family Residential District to CBD Central Business District

Cal Burchett, DBS & Associates, said the developer planned to construct single-family homes on the property. Dwight Eversol said a single-family development would create traffic problems including access to and from the property.

ORDINANCE 79-2012-13 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Gateway Financial Services, Howard Poff-Agent, for zone change on property at Rossview Road and Earl Slate Road from R-1 Single Family Residential District to R-2D Two Family Residential District

There was no voiced support for or opposition to this request.

Councilman Grubbs made a motion to revert regular session. The motion was seconded by Councilwoman McLaughlin. A voice vote was taken; the motion passed without objection.

ZONING

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 78-2012-13**. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Redd. In response to Councilman Wallace's question, Street Department Engineer Jack Frazier said sidewalks and street lighting would not be required on existing streets, but some regulations of the downtown district overlay may apply. The following vote on the motion was recorded:

AYE: Burkhart, Grubbs, Lewis, McMillan, Redd, Steward, Wallace

NAY: Allen, Guzman, Harris, Jones, McLaughlin, Summers

The motion to adopt this ordinance on first reading passed.

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 79-2012-13**. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Redd. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, Redd, Steward, Summers, Wallace

NAY: McLaughlin

The motion to adopt this ordinance on first reading passed.

PUBLIC IMPROVEMENTS PROGRAM

RESOLUTION 47-2012-13 Adopting the 2013-14 through 2017-18 Public Improvements Program

The recommendation of the Regional Planning Commission was for approval of this program. Councilman Grubbs made a motion to adopt this resolution. The motion was seconded by Councilman Redd. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, Redd, Steward, Summers, Wallace

The motion to adopt this resolution unanimously passed.

CONSENT AGENDA

All items in this portion of the agenda are considered to be routine and non-controversial by the Council and may be approved by one motion; however, a member of the Council may request that an item be removed for separate consideration under the appropriate committee report:

1. **ORDINANCE 77-2012-13** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Joe A. Winn, Jr. and Joe Winn, David Riggins-Agent, for zone change on property at Tiny Town Road & Barkers Mill Road from AG Agricultural District to C-5 Highway & Arterial Commercial District
2. **RESOLUTION 44-2012-13** Approving a retail liquor store Certificate of Compliance for Horace Heggie, Jr. (Pals Package Store, 1820 Madison Street)
3. Adoption of Minutes: Special Session March 28th, Regular Session April 4th

Councilman Summers requested a notation of his vote to abstain on RESOLUTION 42-2012-13 in the April 4th minutes. Councilman Burkhart made a motion to adopt the Consent Agenda. The motion was seconded by Councilman Steward. Councilwoman McLaughlin voted “nay” on ORDINANCE 77-2012-13. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, Redd, Steward, Summers, Wallace

The motion to adopt the Consent Agenda passed.

COMMUNITY DEVELOPMENT COMMITTEE

David Allen, Chair

Councilman Allen said the Community Development Department recently completed one home re-construction and four property demolitions totaling \$147,760.

FINANCE COMMITTEE

Joel Wallace, Chair

ORDINANCE 75-2012-13 (First Reading) Accepting property from Charles C. Powers for the Hickory Wild Sewer Lift Station

The recommendation of the Finance Committee was for approval. Councilman Wallace made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Harris. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, Redd, Steward, Summers, Wallace

The motion to adopt this ordinance on first reading unanimously passed.

RESOLUTION 45-2012-13 Authorizing issuance and sale of refunding bonds for the City of Clarksville Electric System, not to exceed \$52,000,000

The recommendation of the Finance Committee was for approval. Councilman Wallace made a motion to adopt this resolution. In response to Councilman Summers' questions, Bond Attorney Jeff Oldham said as long as CDE is under the direct or indirect control of the City, future refinancing would not be required if by chance the current Power Board was dissolved, and that in the event CDE is unable to pay its bills, the utility could be forced to increase rates to cover its obligations. The motion was seconded by Councilman Redd. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, Redd, Steward, Summers, Wallace

The motion to adopt this resolution unanimously passed.

RESOLUTION 46-2012-13 Adopting the 2013-14 Action and Budget for the Community Development Block Grant and HOME Programs

The recommendation of the Finance Committee was for approval. Councilman Wallace made a motion to adopt this resolution. The motion was seconded by Councilman Redd. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, Redd, Steward, Summers, Wallace

The motion to adopt this resolution unanimously passed.

GAS & WATER COMMITTEE

Jeff Burkhart, Chair

No report.

PARKS, RECREATION, GENERAL SERVICES

Wallace Redd, Chair

Councilman Redd mentioned upcoming special events including the Queen City Road Race, 50+ Olympics, Movies in the Park, and the Downtown Market.

PUBLIC SAFETY COMMITTEE

(Building & Codes, Fire, Police)

Geno Grubbs, Chair

RESOLUTION 43-2012-13 Authorizing a Mutual Aid Agreement with Montgomery County Volunteer Fire Service

The Public Safety Committee recommended approval. Councilman Grubbs made a motion to adopt this resolution. The motion was seconded by Councilman Lewis. In response to Councilwoman McLaughlin's question, Councilman Grubbs said any County expenses would not be reimbursed by the City. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, Redd, Steward, Summers, Wallace

The motion to adopt this resolution unanimously passed.

Councilman Grubbs reported the following monthly department statistics: Building & Codes Enforcement-378 cases; Building & Codes Construction-1,928 inspections; Building & Codes Administration-79 single-family permits; Fire & Rescue-817 emergency calls; Police-12,853 responses.

Councilman Grubbs announced the designation of May 6-10 as "Fire Safety Week," and May as "National Building Safety Month."

Deputy Police Chief Mike Parr shared the Tennessee Bureau of Investigation's local 2012 crime report. Chief Parr said Clarksville had 91 incidents per 1,000 residents as compared to 95 in 2011, and 12,448 "crimes against society" as compared to 12,960 in 2011. The department contributed the fall in crime statistics to progressive law enforcement, especially in the areas of drug and narcotics violations, prostitution, burglaries, and theft of property. Chief Parr thanked the City Council for their support in providing funding for manpower and equipment.

STREET COMMITTEE

James Lewis, Chair

Councilman Lewis said paving projects throughout the City were currently underway. He reported 230 work orders completed by the Street Department during the month of April.

TRANSPORTATION COMMITTEE

Marc Harris, Chair

Councilman Harris noted Clarksville Transit System's Lift program.

NEW BUSINESS

Councilman Steward made a motion to consider board appointments. The motion was seconded by Councilwoman McLaughlin. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, Redd, Steward, Summers, Wallace

The motion to consider unanimously passed. Councilman Summers made a motion to approve the following board appointments:

Madison Street Design Review Board: Frank Parcells – May 2013 through April 2015

Senior Citizens Board: Sonya Baggett, Al Colvin, Claudia Erb, Elizabeth Evans – May 2013 through April 2015

The motion was seconded by Councilman Steward. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, Redd, Steward, Summers, Wallace

The motion to approve the board appointments unanimously passed.

ADJOURNMENT

Councilman Harris made a motion to adjourn at 7:57 p.m. The motion was seconded by Councilman Redd.

Mayor McMillan recognized Councilman Steward who had already made a request to speak. He expressed appreciation for well wishes following his recent kidney donation surgery.

In response to Councilman Allen's inquiry regarding the Mayor's May 2nd email relative to City Council requests for information, Mayor McMillan referenced the City Charter provision that states the City Council must act as a body and not individually instruct department heads or city employees to provide information. She restated her directive that future City Council requests for information that require research and compilation of reports must be made through the Mayor's Office.

Councilman Redd called for a point of order stating this issue was not listed on the agenda and called for a vote on the motion to adjourn.

The following vote was recorded:

AYE: Burkhart, Grubbs, Guzman, Harris, Lewis, McMillan, Redd

NAY: Allen, Jones, McLaughlin, Steward, Summers

The motion to adjourn passed at 8:01 p.m.

ORDINANCE 81-2012-13

AN ORDINANCE AUTHORIZING ACQUISITION OF PROPERTY ON TYLERTOWN ROAD FOR AREA DRAINAGE IMPROVEMENTS

WHEREAS, acquisition of a portion of the property known as 1411 Tylertown Road appears to be in the best interest of the City of Clarksville to provide adequate drainage for Trenton Road / Tylertown Road area; and

WHEREAS, the City of Clarksville seeks to acquire title to a portion of the property currently owned by Mack and Lee Ann Phillips; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the Clarksville City Council hereby authorizes acquisition of a portion of the property at 1411 Tylertown Road, more fully described in Exhibit A attached hereto, from Mack and Lee Ann Phillips.

BE IT FURTHER ORDAINED that the Clarksville City Council hereby authorizes exercise of right of eminent domain if negotiations for purchase of said property are unsuccessful.

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

INGRESS/EGRESS EASEMENT ON TAX PARCEL 2.02 MAP 008

Beginning at a 5/8 inch diameter existing iron rebar in the northern right of way line of Tylertown Road common corner with Dotson Gregory Guinn, Jeffery Thomas Purvis and Michael Cherry of record in Deed Book 554, Page 574 (Tax Map 008 Parcel 2.0) in the Register of Deeds Office for Montgomery County, Tennessee, thence with said right of way line North 75 Degrees 00 Minutes 41 Seconds West 37.42 feet to corner with Mack Phillips of record in Deed Book 1126, Page 1468 (Tax Map 008 Parcel 2.08) in the Register of Deeds Office for Montgomery County, Tennessee; (POB also being located 2797.77 feet more or less from the west right of way of Tennessee Highway Number 48).

Thence with said line North 01 Degrees 45 Minutes 28 Seconds East 502.18 feet to corner with Mack Phillips of record in Deed Book 1126 Page 1468 (Tax Map 008 Parcel 2.08) in the Register of Deeds Office for Montgomery County, Tennessee;

Thence crossing said Tax Parcel 2.02 the following two (2) calls and distances:

1. North 01 Degrees 45 Minutes 28 Seconds East 77.28 feet;
2. South 87 Degrees 51 Minutes 09 Seconds East for 35.61 feet to a 5/8 inch diameter existing iron rebar marking the common corner of Cathryn Mehgan of record in Deed Book 912, Page 899 (Tax Map 008 Parcel 2.06) in the Register of Deeds Office for Montgomery County, Tennessee, and Dotson Gregory Guinn, Jeffery Thomas Purvis and Michael Cherry of record in Deed Book 554, Page 574 (Tax Map 008 Parcel 2.0) in the Register of Deeds Office for Montgomery County, Tennessee;

Thence with the Guinn, Purvis, and Cherry the following two (2) calls and distances:

1. South 01 Degrees 04 Minutes 28 Seconds West 68.41 feet;
2. South 01 Degrees 45 Minutes 28 Seconds West 519.38 feet to the Point of Beginning,

Said parcel containing 21,208 Square Feet more or less or 0.49 Acres more or less.

DRAINAGE EASEMENT ON PART OF TAX PARCEL 202 (0.72 Acres more or less)

Beginning at a point corner with Mack Phillips of record in Deed Book 1126, Page 1468 (Tax Map 008 Parcel 2.02) in the Register of Deeds Office for Montgomery County, Tennessee, said point being located North 75 Degrees 00 Minutes 41 Seconds West 37.42 feet and North 01 Degrees 45 Minutes 28 Seconds East 502.18 feet from a 5/8 inch diameter existing iron rebar in the northern right of way line of Tylertown Road common corner with Dotson Gregory Guinn, Jeffery Thomas Purvis and Michael Cherry of record in Deed Book 554, Page 574 (Tax Map 008 Parcel 2.0) in the Register of Deeds Office for Montgomery County, Tennessee;

Thence with the line of Parcel 2.08 the following two (2) calls and distances:

1. North 87 Degrees 51 Minutes 09 Seconds West 404.83 feet;
2. North 01 Degrees 34 Minutes 13 Seconds East 77.28 feet;

Thence crossing parcel 2.02 the following two (2) calls and distances:

1. South 87 Degrees 51 Minutes 09 Seconds East 405.08 feet;
2. South 01 Degrees 45 Minutes 28 Seconds West 77.28 feet to the Point of Beginning,

Said parcel containing 31,315 Square Feet more or less or 0.72 Acres more or less.

FEE SIMPLE ACQUISITION OF KARST AREA ON TAX PARCEL 208 (0.77 Acres more or less)

Beginning at a point in the line of Cathryn Mehgan of record in Deed Book 912, Page 899 (Tax Map 008 Parcel 2.06) in the Register of Deeds Office for Montgomery County, Tennessee, being located North 02 degrees 59 minutes 00 seconds West 346.04 feet from a 5/8 inch diameter existing iron rebar in the northern right of way line of Tylertown Road (located 3378.30 feet more or less from the west right of way of Tennessee Highway Number 48) and marking the common corner of Mehgan and Richard F. Twombly of record in Deed Book 755, Page 551 (Tax Map 008 Parcel 2.12) in the Register of Deeds Office for Montgomery County, Tennessee;

Thence with Mehgan line North 03 Degrees 00 Minutes 32 Seconds West 164.00 feet;

Thence leaving said line and crossing Tax Parcel 2.08 South 84 Degrees 58 Minutes 44 Seconds East 196.43 feet to the line of Tax Parcel 202;

Thence with said line South 01 Degrees 34 Minutes 13 Seconds West 118.14 feet to common corner with Tax Parcels 2.02 and 2.08;

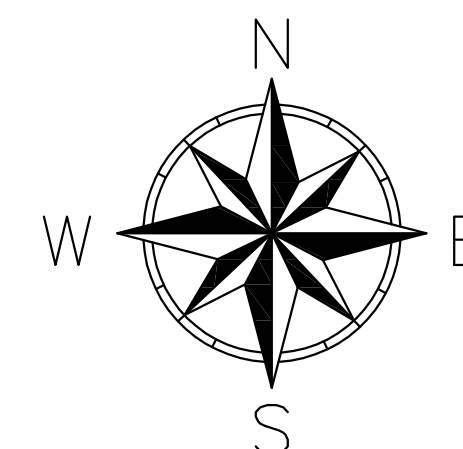
Thence crossing Tax Parcel 2.08 South 01 Degrees 34 Minutes 13 Seconds West for 75.34 feet to a point in the line of Richard F. Twombly of record in Deed Book 755, Page 551 (Tax Map 008 Parcel 2.12) in the Register of Deeds Office for Montgomery County, Tennessee;

Thence with said line North 75 Degrees 33 Minutes 10 Seconds West 187.70 feet to the Point of Beginning,

Said parcel containing 33,641 Square Feet more or less or 0.77 Acres more or less.

Preceding descriptions based upon field work conducted on September 14, 2011 by Gresham Smith and Partners with Source of North from Deed Book 554 Page 574. Description prepared by Kenneth D. Church, TN RLS 1004 with Gresham Smith and Partners, 1400 Nashville City Center, 511 Union Street, Nashville, Tennessee, 37219.

DOTSON GREGORY GUINN, JEFFERY THOMAS PURVIS
AND MICHAEL CHERRY
DEED BOOK 554 PAGE 574
TAX MAP 008 PARCEL 2.0



Source of North
PER DEED
BOOK 755 PAGE 551

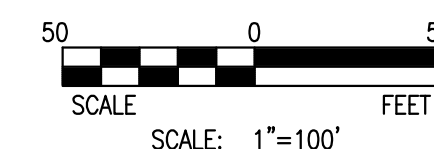


EXHIBIT
FOR EASEMENT
CLARKSVILLE
MONTGOMERY COUNTY
TENNESSEE
DEED BOOK 1126 PAGE 1468
TAX MAP 008 PARCELS 2.02 AND 2.08

Prepared for:

CITY OF CLARKSVILLE

Gresham Smith and Partners

1400 Nashville City Center

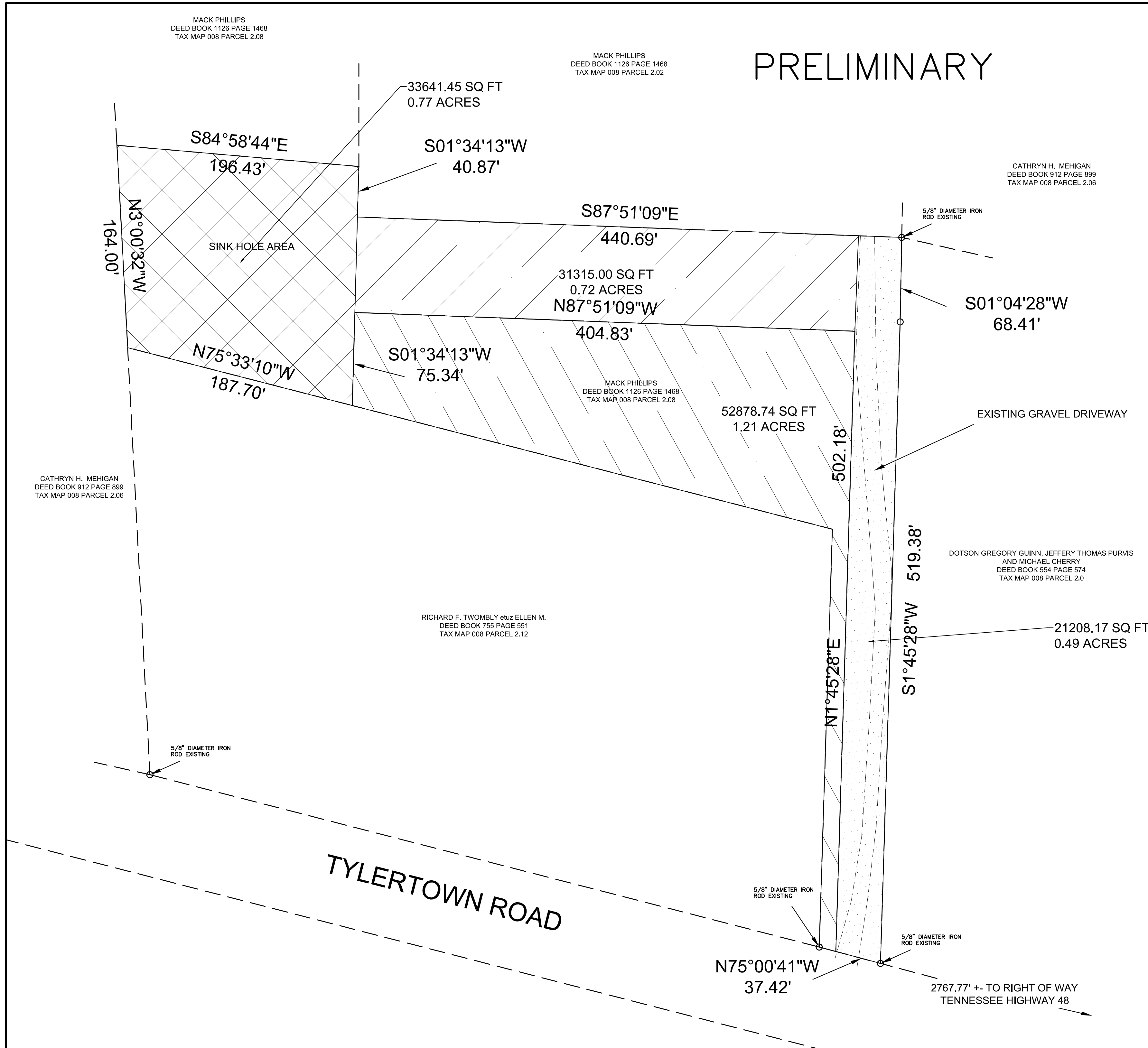
511 Union Street

Nashville, Tennessee 37219

615-770-8100

WWW.GSPNET.COM

Project: 28594.07 Date:9/26/11

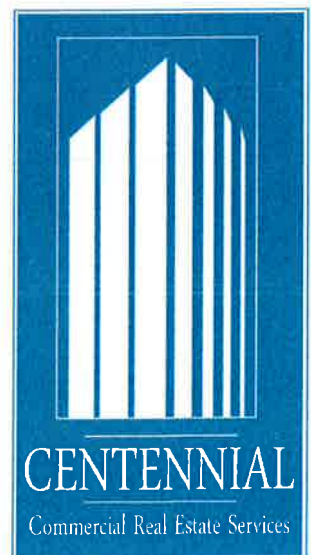


APPRAISAL OF:

**1411 Tylertown Road
Clarksville, TN 37040**

Prepared For:

**Ms. Carol A. Croft, SRWA
Croft and Associates, LLC.
352 Lynn Drive
Nashville, TN 37211**





Centennial Inc.
3310 West End Avenue, Suite 420
Nashville, TN 37203

615.320.7500 main
615.320.1458 fax
www.centenn.com
Independently Owned and Operated

December 18, 2012

Ms. Carol A. Croft, SRWA
Croft and Associates, LLC
352 Lynn Drive
Nashville, TN 37211

Re: Mack Phillips Property
1411 Tylertown Road
Clarksville, TN 37040

Dear Ms. Croft:

The captioned property was appraised for the purpose of estimating the current market value of its fee simple estate, the current values of the proposed easements and the value of the remainder parcel.

Subject is a 15.70 +/- acre tract of land that is improved with a home, a structure that I call a tenant home and a cemetery. These improvements are listed on the National Register of Historic Homes. The property had been previously used as a bed and breakfast facility but is now vacant. Also, the land is classified as R-4, multi-family, by Clarksville's Planning Commission. Theoretically, the best use of the property would be achieved by subdividing a parcel containing the home and ancillary structures from the balance of the tract and developing the land with apartment units. However, Clarksville's building codes require that any driveway that would serve the created parcel must be built to roadway standards which could be cost prohibitive. Therefore, In order to appraise the property, it was necessary to make an **Extraordinary Assumption**. The assumption is that the land is vacant and is ready to be developed to its highest and best use which is for apartments. This assumption is permitted under USPAP.

The report which follows contains descriptions of the property and easements and relevant market data and summaries of the research and analyses which form the basis of the following estimates. The effective date of this appraisal was April 4, 2012.

As of the date of appraisal, it was my opinion that the subject property's fee simple estate, remainder values and the amount due to the property's owners are as follows:

<u>Before Value</u>	<u>Remainder Value</u>	<u>Amount Due Owner</u>
\$695,600	\$634,679	\$60,921

To the best of my knowledge, this appraisal was prepared in conformance with the Uniform Standards of Professional Appraisal Practice (USPAP). If you have any questions regarding this report, please call me at 615-320-7500.

Sincerely,

A handwritten signature in blue ink, appearing to read "James W. Wainwright". The signature is fluid and cursive, written over the word "Sincerely,".

Executive Summary

Client: Ms. Carol A. Croft, SRWA

Property Location: 1411 Tylertown Road
Clarksville, TN 37040

Property Owner: Mack Phillips

Date of Appraisal: April 4, 2012

Date of Report: December 18, 2012

Estate Appraised: Fee Simple
Partial Interest

Estimated Value:

Before Value	\$695,600
Remainder Value	<u>\$634,679</u>
Amount Due Owner	\$ 60,921

Intended Use: Assist Ms. Croft with property acquisition

Intended User: Ms. Carol A. Croft, SRWA

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PURPOSE AND INTENDED USE OF THE APPRAISAL

The purpose of this appraisal is to estimate the market value of the property located at 1411 Tylertown Road, Clarksville, TN. 37040. The City of Clarksville desires to acquire some of the property in fee simple and the rights to an access easement and a permanent drainage easement over other parts of the property. The area to be acquired in fee simple is the location of a sink hole. The permanent drainage easement is an area that will contain an underground pipe that will channel runoff water from the lands that are located to the east of the subject property. The access easement will encumber the area of the subject that links the body of the tract with Tylertown Road. The proposed access easement will provide access to the permanent drainage easement and to the area to be acquired in fee simple.

The appraisal will be utilized by Croft & Associates and the City of Clarksville.

DATE OF APPRAISAL - DATE OF REPORT

The effective date of this appraisal was April 4, 2012, which was the date of the first inspection of the property. The date of this report is December 18, 2012.

PROPERTY RIGHTS APPRAISED

Real property refers to "all interests, benefits, and rights inherent in the ownership of physical real estate" (page 234, The Dictionary of Real Estate Appraisal, Fourth Edition). Property rights are economic interests supported by the law. The bundle of rights referred to as a property's legal interests may include easements, encroachments, liens, leases, etc. The various rights may be separated and held by different individuals or entities. The most complete form of ownership is the fee simple estate, which are the property rights addressed in this appraisal.

DEFINITION OF MARKET VALUE

Market value as used in this appraisal is defined as: "The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of the date of appraisal and the passing of title from seller to buyer under conditions whereby:

1. Buyer and seller are typically motivated;
2. Both parties are well informed or well advised and each acting in what he considers his own best interest;

3. A reasonable time is allowed for exposure in the open market;
4. Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
5. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale."

AREA OVERVIEW

The client and any other identified users of this report are familiar with the city and area in which the subject property is located. Therefore, for the sake of brevity, this section is limited to the data that pertains to the subject property's highest and best use.

Subject is located in the northeast corner of the Clarksville's corporate district. The main roads serving the area are I-24, Trenton Road and Tiny Town Road. The Interstate Highway 24/ Trenton Road interchange is located about one quarter mile south of the subject property. Trenton Road provides access to Clarksville's central business district and Tiny Town Road provides access to Fort Campbell. Access to the subject is considered to be good.

Development around the I-24 interchange consist of retail/ commercial properties, restaurants hotel/ motels and etc. The development along Tylertown Road in subject's immediate area is composed of residential and industrial/ warehousing type properties. Queen City Metals Company, a metal recycling operation adjoins subject along subject's eastern line. A small warehouse is located across Tylertown Road from subject and another warehouse is located just west of subject. A relatively new residential development containing both single family detached homes and apartment homes is located at the terminus of Tylertown Road, north of subject.

IDENTIFICATION OF THE SUBJECT PROPERTY

The subject is composed of two parcels which are identified on Montgomery County Property Map 8 as Parcels 2.02 and 2.08. These parcels are contiguous and are utilized as a single property. The mailing address is 1411 Tylertown Road, Clarksville, TN 37040.

Aerial Photo of Subject Property



TITLE DATA

Title to the property (both parcels) is vested in the name of Mack Phillips. The deed is of record in Volume 1126 Page 1468 Register's Office for Montgomery County, Tennessee (ROMC). Mr. Phillips acquired the properties on September 6, 2006. The grantee was Wells Fargo Bank and the stated consideration was \$330,000.

The property was listed for sale with an asking price of \$750,000. It has now been withdrawn from the market.

SITE DESCRIPTION

Parcel 2.02 contains 9.9 acres and fronts 37.42 feet along the northern margin of Tylertown Road. Parcel 2.08 contains 5.8 acres. Parcel 2.08 does not have any road frontage and its access is provided by the strip of land that connects the body of Parcel 2.02 with Tylertown Road. Therefore, for the purpose of this appraisal, these two parcels are combined to constitute the "subject property", which contains 15.70 +- acres.

The entire tract has 37.42 feet of road frontage and is irregular in shape. Basically this property is a rear parcel which lies behind Parcel 2.12 and is linked to Tylertown Road by a driveway.

The land slopes upward from its southern property line to the home site where it levels. Then it slopes downward to its rear property line. The relatively level area is improved with a historic home, a structure that appears to be a tenant house and a cemetery.

Public water, sanitary sewer, natural gas, electricity and telephone services are available to the property.

According to Digital Media Services, the property is located on FEMA Map 470137-0090D. The indicated flood zone is X and the date of the map was March, 18, 2008.

ZONING CLASSIFICATION

Clarksville's Planning Commission classifies subject as R-4, Multi Family Residential District. Clarksville's Zoning Ordinance describes this classification as follows. "The R-4 Multiple-Family Residential District is intended to promote and encourage the establishment and maintenance of a suitable environment for urban residence in areas which by location and character are appropriate for occupancy by high density multiple family dwellings and related facilities." Basically, this classification permits residential utilizations, group facilities including assisted living facilities and group assembly areas. There are other uses permitted and the reader is referred to the Zone Districts, Use Tables contained within the zoning ordinance.

It is my understanding that subject was once used as a Bed and Breakfast facility. According to an employee of the Planning Commission, this type of use remains available to subject. Multi-family use of the property is also permitted under the R-4 classification. This classification permits a maximum allowable density of 16 units per acre.

A chart containing the bulk regulations for the R-4 classification is presented in the addendum.

TAX ASSESSMENT

The Assessor of Property for Montgomery County has assigned the following values for the subject properties.

Parcel 2.02:

<u>Component</u>	<u>Appraised Value</u>	<u>Assessed Value</u>
Land	\$ 57,900	\$14,475
Improvements	<u>143,100</u>	<u>35,775</u>
Totals	\$201,000	\$50,250

Parcel 2.08:

<u>Component</u>	<u>Appraised Value</u>	<u>Assessed Value</u>
Land	\$ 53,400	\$13,350
Improvements	<u>0</u>	<u>0</u>
Totals	\$ 53,400	\$13,350

The Assessor assesses residential properties at 25% of their appraised values. The current tax rate for the City of Clarksville is \$1.24 and the Montgomery County is \$3.14. The 2012 taxes for Parcel 2.02 are \$2,201.00 and the taxes for Parcel 2.08 are \$585.00.

IMPROVEMENTS

Parcel 2.08 is improved with a one and one half story, brick dwelling that was constructed in the early 1800's. The assessor's records indicate that it was built in 1814. The county historian does not have a definitive date. The home was built by John Walton Barker who was born Aug. 19, 1798 and died Jan. 16, 1867, so the 1814 date seems plausible. The home is known as Cloverlands and was placed on the National Historic Register in 1979. Its recordation number is 79002451.

The home contains approximately 2,977 gross square feet on the first floor and 1,003 square feet on the second floor. A cellar contains 1,145 square feet.

The dwelling's first floor contains a living room, dining room, kitchen, breakfast room, an unfinished room, a half bath, a bedroom and a bathroom. The ceiling heights range from 9 feet to 11 feet. The entire dwelling has been renovated including new HV/AC systems, plumbing system, electrical system, roof and windows. The kitchen has granite countertops, appliances, ceramic tile floor and ceramic tile backsplash. The floors in the balance of the home are wood. Per the owner, dry wall was installed over the original plaster walls and ceilings.

The second floor contains two bedrooms and a bath. The floors are wood and the walls and ceilings are dry wall.

What appears to have been a tenant house is located behind the main house and contains 486 gross square feet. The structure is in poor condition.

The Barker Cemetery is located to the side of the main residence. The area is enclosed with a wrought iron fence. There are a number of graves located therein. The enclosed area contains approximately 1,800 square feet.

A gravel paved driveway connects the dwelling with Tylertown Road.

APPRAISAL METHODOLOGY & EXTRAORDINARY ASSUMPTION

The subject property is somewhat unique in that it is improved with a dwelling that is listed on the National Register of Historic Homes and its land is zoned under a classification that permits multi-family utilization. The dwelling has been used as bed and breakfast inn that, according to information provided, failed. The dwelling, a tenant house and a cemetery are located in the approximate center of the tract. Further, the tract contains 15.70 acres but has only 37.42 feet of road frontage, which complicates the subdivision of the dwelling, its ancillary structure and the cemetery. It is my understanding that in order to subdivide an individual parcel from the tract a roadway and/or a driveway contained within an easement would have to be extended from the proposed parcel to Tylertown Road. Further, if a driveway was constructed it would have to be built to roadway standards.

The property is located next door to a metal scrap yard. The dwelling is located about 470 +/- feet from the closest affected area to be appraised, the drainage easement. The drainage easement lies within an area that now channels runoff water from subject and its surrounding properties to the sink hole. The area containing the sink hole cannot be built upon for obvious reasons. Clarksville's Building Codes Administration will not permit construction of habitable space within an area encompassed by the 1% flood elevation.

I do not think that the future use of the dwelling will be compromised by the proposed acquisition. It is the property owner's decision as to whether he wants to operate the dwelling as a bed and breakfast inn, develop the land with multi-family units, or sell the property to a developer who will probably develop the land with multi-family units. It is my understanding that homes that are listed on the National Historic Register may be demolished.

It should be noted that Mr. Phillips submitted a proposed condominium development to the Clarksville-Montgomery County Regional Planning Commission in 2007. The plan called for 118 condominium units to be built on the property but the historic home,

parcels, contains 15.70 acres. There are no known soil or geologic conditions that would preclude use of the subject for the legally permitted uses under its zoning classification. However, there is at least one sink hole located on the property.

As stated previously, subject's zoning classification permits a number of "residential" types of uses. Subject's R-4 classification permits a residential density of 16 units per acre. A property that is zoned R-4 is located just west of subject has been and is being improved with multi-family residential units. Demand for housing exists and multi-family development is judged to be the highest and best use for subject's land.

In the development plan submitted to the Planning Commission by Mr. Phillips, 118 condominium units were proposed for the property. The existing dwelling, tenant house and cemetery were retained. The proposed units surround these improvements. The existing driveway area would be the property's only roadway access. There is an area on the plat identified as "Retention Area" and "Proposed Class V", the sink hole, which are proposed to be undeveloped. Or, no units are proposed for these areas. The portions of subject's land that are proposed to be affected by the City's acquisition are located within the areas set aside from areas containing the proposed improvements in the development plan. Obviously, Mr. Phillips and Moore Design Services, the engineering firm that completed the "Cloverlands Condo Development" plan realized that it would be inappropriate to locate dwelling units in the areas designated Retention Area and Proposed Class V.

As to whether development of subject with condominium units or apartment units would result in subject's highest value, I offer the following observation. During my research of subject's market for sales of land zoned R-4, subject's classification, I found several sales of land that were either developed with apartments or were going to be developed with apartments. I did not find any sales of properties that were developed with condominiums or were proposed to be developed with condominiums. This is not an in-depth feasibility study, but to me it indicates that a demand exist for apartments. Therefore, it is my opinion that the highest and best use of the subject property, specifically subject's land, is for development with apartment units.

SCOPE OF APPRAISAL

The scope of work included an investigation, analysis and reporting of all factors derived through my research that are considered relevant to estimating the current market value of the fee simple estate, including:

1. Personal inspection of the property on April 4, 2012.
2. An investigation of public records relative to the subject properties, including the source of title, applicable zoning and current tax appraisal.
3. Analysis of the subject's and comparable sales' zoning classifications.
4. Consideration of the economic and development trends in subject's area that may influence the development potential and market value of the subject land.
5. Research for sales of similar sites located within the subjects' area. All sales have been verified by public records and parties to the transactions.
6. Preparation of a limited appraisal report in compliance with the Uniform Standards of Professional Appraisal Practice (USPAP).

SALES COMPARISON APPROACH

Land Valuation

An investigation of the market was conducted for the purpose of gathering information on the sales of properties that are comparable to the subject property. The following chart contains the results of the investigation and presents the relevant data for each sale.

SALES CHART

No.	LOCATION	SELLER BUYER	ZONING	DEED PAGE	DATE OF SALE	SALE PRICE	AREA ACRES	No. UNITS	PRICE UNIT
1	Tylertown Rd. Map 8 H A Parcel 14.00	Develco LLC. To William D. Hadley, Jr.	R-4	V1332 672	4/22/2010	\$230,000	12.650	70	\$3,286
2	2871 Trenton Rd. Map 32 Parcel 30.02	WBW Developers To Autumn Crest LLC.	R-4	V1329 2347	4/7/2010	\$834,480	21.960	226	\$3,692
3	Big Sky Dr. Map 40 Parcel 19.03	Meadow Wood Park Partnership To South Clarksville General Partnership	R-4	V1330 2445	4/13/2010	\$732,200	11.370	184	\$3,979
4	Peachers Mill Rd. Map 31 Parcel 1.01	Peachers Mill Properties, Inc. To Peachers Mill LLC.	R-4	V1374 1624	8/17/2010	\$960,000	15.650	216	\$4,444

Comparable 1



Comparable 2



Comparable 3



Comparable 4



Comparable 1 is located one parcel west of subject. It is being developed into individual lots each of which may be improved with 4 units. Utilities were available to the property when it sold. The land has gently rolling topography but did require some grading. The tract sold for \$3,286 per unit.

Development of Comparable 2 has not started, however the Planning Commission has approved 226 units for the property. All utilities were available to the property as of the date of sale. The topography is rolling. The land sold for \$3,692 per unit.

Comparable 3 is improved with the Meadow Wood Apartments. According to the seller, all utilities were available to the property on the date of sale. The land's topography is

PROPOSED ACQUISITIONS

The City of Clarksville proposes to acquire property rights to three areas of the subject property. Different property rights are proposed to be acquired in each area. Meets and bounds descriptions of these areas are contained in the Addendum. The areas and the rights to be acquired are identified hereafter.

Area 1: This is the area that surrounds the sink hole. The area measures approximately 165 feet by 190 feet and contains 33,641.45 square feet, rounded to 33,642 square feet or .77 acres. The property rights proposed to be acquired are the fee simple estate. The City desires to acquire full title to this area.

Area 2: This area is a strip of land that extends from the existing driveway area westward to the eastern margin of Area 1. The area will be approximately 77 feet wide and approximately 405 feet in length. The proposed area will contain 33,315 square feet or .72 acres. This area is proposed to be a permanent drainage area and will contain an underground pipe that will flow water from lands located east of subject into the sink hole. Title to this area will remain in Mr. Phillips. Dwellings may not be located in this area but the area could possibly be paved and used as a parking lot. The City would have to approve any improvements proposed for the area.

Area 3: This is the area of subject which contains the existing driveway and which provides the property with access to Tylertown Road. The area is proposed to be approximately 37 feet wide and 519 feet long and will contain 21,208.17 square feet, rounded to 21,209 square feet, or .49 acres. The City proposes to use this area as an access from Tylertown Road to the proposed drainage easement. Title to this area will remain in Mr. Phillips name and he may use it as access to serve the existing dwelling or to serve future development of the property.

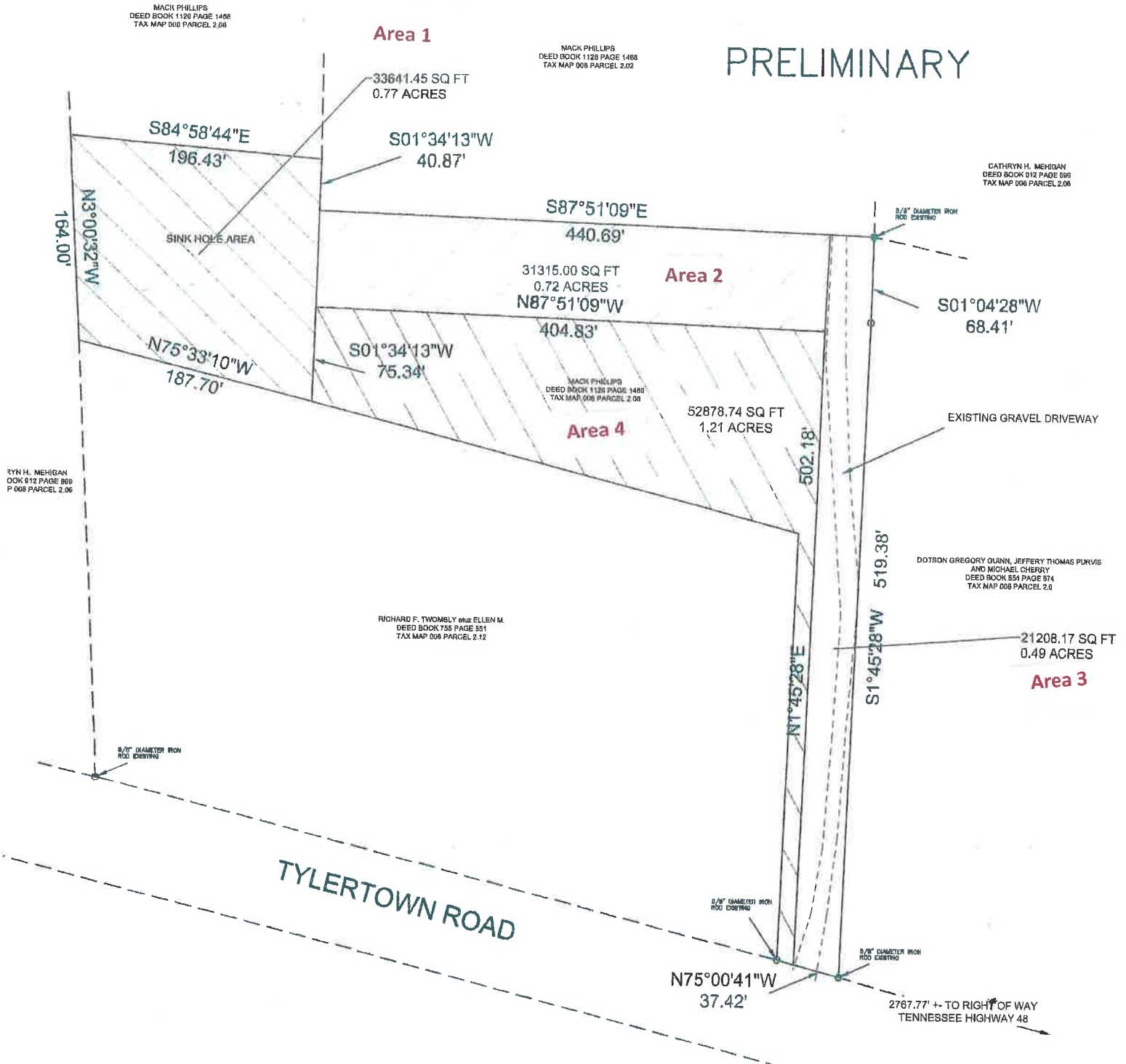
There is a fourth area indicated on the following plat that I identify as Area 4. No property rights will be acquired from this area but the City requested that I specifically address this area. The area is irregular in shape and extends westward from the driveway to the sink hole area. According to the plat, the area will contain 52,878.74 square feet, rounded to 52,879 square feet or 1.21 acres.

Areas 1, 2 and 4 are now raw land that is covered with scattered trees and bushes. Area 3 contains the gravel driveway with some trees and vegetation along the driveway's sides. The remainder contains of 14.93 acres (15.70 acres - .77 acres = 14.93 acres). The 14.93 acres is larger than two of the comparable sales presented herein. The before and after access to the subject property will not change. It is my opinion that the remainder parcel will not suffer damages.

A plat of the affected areas is presented on the following page.

PLAT OF AFFECTED AREAS

PRELIMINARY



VALUATION OF AFFECTED AREAS

The first step in this process was to estimate the value of the overall property. As stated previously, the subject property was defined as being 15.70 acres of land. The existing dwelling, tenant house and cemetery were not considered. In the Sales Comparison Approach, subject's land was compared to sales of comparable land that were analyzed on the number of multi-family units that could be placed on the property or a Per Unit Basis. The affected areas are valued in the same manner but the per unit value was converted to a per square foot and/or a per acre value. Subject's land value was estimated to be \$695,600 which equates to \$1.02 per square foot or \$44,306 per acre. The reader is reminded that these values are only being rounded to the nearest \$1.00 because the purpose of this appraisal is to value the partial acquisition. This minimal rounding indicates an accuracy that is not supported in the real estate market.

Partial property rights do not trade in the "typical real estate market". Easements may be acquired for the purpose of ingress/egress, mineral rights, timber rights and etc. However, drainage easements are generally acquired by a governmental agency or utility company and these entities have the power of eminent domain. I have found that it is common practice for appraisers to allocate 50% of the fee simple estate value for easements which encumber less than the fee simple value of the property.

The following chart contains the before value of the subject property, the areas to be acquired, the unit values applicable to the fee simple estate, the unit values applicable to the partial acquisitions and the remainder parcel's value.

Value of Land Before Acquisition	188 Units		\$3,700 Per Unit			\$695,600
Amount Due Owner if Only Part Acquired (Detail Breakdown)						
Land Acquired (Fee Simple) - Area 1	0.77 Acres		\$44,306 Per Acre	100%		\$34,116
Drainage Easement - Area 2	0.72 Acres		\$44,306 Per Acre	50%		\$15,950
Access Easement - Area 3	0.49 Acres		\$44,306 Per Acre	50%		\$10,855
Improvements Acquired						\$0
Value of Part Acquired Land & Improvements						\$60,921
Total Damages						\$0
Value of property Rights Acquired						\$60,921
Benefits						\$0
Total Amount Due Owner (Partial Acquisition)						\$60,921
Value of Remainder Property						\$634,679

Certification

I hereby certify that, to the best of my knowledge and belief:

1. The statements of fact contained in this report are true and correct.
2. The opinions and conclusions contained in this report are based on my personal, unbiased professional analysis and such opinions and analyses are limited only by the accompanying statement of general assumptions and limiting conditions.
3. I have no present or prospective interest in the property that is the subject of this report, nor do I have any personal interest or bias with respect to the parties that may be involved in its sale, leasing, management, or financing.
4. My compensation is **not** contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event. Nor was this report based on a requested minimum or maximum valuation.
5. I made a personal inspection of this property.
6. No one other than the undersigned is responsible for the conclusions and opinions concerning the final estimates of value of the property, which is the subject of this appraisal.
7. I currently hold an appropriate state certification allowing the performance of real estate appraisals in connection with federally related transactions in the State of Tennessee.
8. To the best of my knowledge, this summary appraisal report has been prepared in accordance with the Uniform Standards of Professional Appraisal Practice (USPAP), and because of my education and experience in the appraisal of vacant land, I am qualified to appraise this property without seeking special outside assistance. For these reasons, I comply with the USPAP competency provision.
9. I have performed no services as an appraiser or in any other capacity regarding the property that is the subject of this report within the past three years from the period immediately preceding acceptance of this assignment.


James W. Comstock, Jr.

TN. Certificated General Appraiser CG-392

General Assumptions And Limiting Conditions

This appraisal is subject to the following general assumptions and limiting conditions:

No investigation has been made of, and no responsibility is assumed for, the legal description of the property being valued or for the quality of title under which it is held. Title to the property is assumed to be good and marketable and capable of being conveyed in fee simple.

Information furnished by others, upon which all or portions of this appraisal is based, is believed to be reliable but has not been personally verified in all cases. Therefore, no warranty is given as to the accuracy of such information.

The subject property's compliance with applicable federal, state, and local zoning, use, and environmental regulations is assumed unless otherwise stated.

No obligation is assumed by the appraiser to revise this report to reflect events or changes in market conditions, which occur subsequent to the effective date of appraisal noted in the letter of transmittal.

Areas and dimensions of the subject land were obtained from sources believed to be reliable. However, maps and sketches included in this report are only intended to assist the reader in visualizing the property, and no responsibility is assumed for their accuracy.

It is assumed that there are no hidden or unapparent conditions of the site that could render the property, as a whole, more or less valuable than the estimate(s) of market value transmitted by this report.

Centennial, Inc. shall not be required to update this appraisal at a later date, give verbal or written consultation, appear for discovery depositions, pretrial conferences, or court testimony unless separate arrangements for additional compensation are made therefor.

This report has been made only for the purposes stated and should not be used for any other purpose. The City of Clarksville and Croft and Associates are clients and the intended users of this report.

I did not make any observations or interpretations regarding the presence of hazardous materials on, in or near the property. I am not an expert in these fields, and realize I am not qualified to make such determinations. My value estimate is predicated upon the property owners bearing no costs for compliance or clean up.

Centennial, Inc. maximum liability relating to services rendered under this report shall be limited to the charges paid to Centennial, Inc.

RESUME OF QUALIFICATIONS

James W. Comstock, Jr.
3310 West End Avenue, Suite 420
Nashville, Tennessee 37203

EDUCATION

Trevecca Nazarene College Nashville, TN; 1989.
Bachelor of Science in Management of Human Resources

Certificate in Real Estate – University of Tennessee

PROFESSIONAL SUMMARY

Presently employed by Centennial, Inc. performing real estate appraisals.

Formally employed by Norman Hall & Assoc. as a real estate appraiser for 6 years.

Formally employed by the Metropolitan Government of Nashville & Davidson County as Director of the Public Property Administration (4 years) and as Assistant Director for 3 years.

Formally employed by Norman Hall & Associates as a real estate appraiser for 3 years.

Formally employed as an Appraiser for the Davidson County Division of Assessments (3 years).

Hearing Officer – Davidson County Board of Equalization

Scope of appraisal assignments have included residential, shopping centers, office buildings, warehouses, industrial properties, vacant land and subdivision analysis, partial acquisitions, and eminent domain.

Consulting – Sales negotiation and property acquisition for Metropolitan Development and Housing Agency. Negotiated land acquisition for construction of LP Field.

PROFESSIONAL AFFILIATIONS

Certified General Appraiser of the State of Tennessee – License Number CG-392.

Tennessee Real Estate Broker – License Number 2474

Past Member – Board of Directors – Nashville Middle Tennessee Chapter –

Appraisal Institute

Past Chairman of Political Action Committee for Tennessee – Appraisal Institute (all chapters)

Past President – Tennessee Chapter 32 International Right of Way Association.

Member - National Association of Realtors

Member - Tennessee Association of Realtors

Member - Greater Nashville Association of Realtors

PARTIAL CLIENT LIST

Hospital Corp. of America

Metropolitan Development and Housing Agency

Tennessee Department of Transportation

Lawrenceburg Hospital

Skyridge Medical Center

Sun Trust Bank

Bank of Nashville

Bank of America

Landsafe Appraisal Services

Solidifi, Inc.

Realty Mortgage Corp.

CTX Mortgage Company

Guaranty Trust Mortgage Company

AmStar Mortgage Company

Malcap Mortgage Company

Access National Mortgage Company

PMC Lending Corp.

First Horizon Home Loan Corp.

Porter Bridge Loan Corp.

Miller & Martin Attorneys

John Reynolds, Attorney

Heffner & Heffner, Attorneys

Spicer Flynn & Rudstrom, PLLC

Individuals

Instrument prepared by:
U.S. Land Title
2100 Southbridge Parkway, Suite 585
Birmingham, AL 35209
File# 65001651
REO 33163114

Please send tax notice/new owner
Mack Phillips

PARCEL 008 002.02
1411 Tylertown Road
Clarksville TN 37040

224
Connie W. Bell, Register
Montgomery County Tennessee
Rec #: 131550
Rec'd: 20.00
State: 1221.00
Clerk: 1.00
EOP: 2.00
Total: 1244.00
Instrument #: 716214
Recorded
9/29/2006 at 11:42 AM
in Volume
1126
Pgs 1468-1471

SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten and No/100 Dollars (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **Wells Fargo Bank, N.A., successor by merger to Wells Fargo Bank Minnesota, N.A., as Trustee f/k/a Norwest Bank Minnesota, N.A., as Trustee for the registered holders of Terwin Mortgage Trust, Asset-Ba a corporation organized and existing under the laws of the United States**, (herein referred to as "Grantor") has/have this day bargained and sold and, by these presents, does/do hereby transfer and convey unto **Mack Phillips** (herein referred to as "Grantee"), his/her/their heirs and assigns, forever, the following described tract or parcel of land located in **Montgomery County, Tennessee**, to wit:

Please see attached Exhibit "A"

Volume
1126 Pgs 1468

TO HAVE AND TO HOLD said tract or parcel of land together with all the improvements thereon and the appurtenances thereunto belonging unto said Grantee, his/her/their heirs and assigns, in fee simple forever.

GRANTOR COVENANTS with the said Grantee that they are lawfully seized and possessed of said property, that they have a good and lawful right to sell and convey the same and that they are from any lien or encumbrance whatsoever, except for applicable zoning and building regulations, all visible easements, restrictions and limitations of record and any real estate taxes, which are to be prorated.

GRANTOR FURTHER COVENANTS with the said Grantee and binds themselves, his/her/their heirs/successors and assigns, to warrant and forever defend the title thereto of said tract or parcel of land to the said Grantee, his/her/their heirs and assigns, against the lawful claims and demands of all persons whomsoever.

ALL warranties of Grantor herein contained are expressly limited to those person or parties claiming by, through or under Grantor.

WITNESS this the 6th day of September, 2006.

GRANTOR:

Wells Fargo Bank, N.A., successor by merger to Wells Fargo Bank Minnesota, N.A., as Trustee f/k/a Norwest Bank Minnesota, N.A., as Trustee for the registered holders of Terwin Mtg Trust, Asset-Backed Certificates TMTS 2003-8HE by Ocwen Federal Bank FSB n/k/a Ocwen Loan Servicing LLC as atif

BY:

Typed Name:

KEITH CHAPMAN

Title:

VA REO Closing Manager



STATE OF ~~TENNESSEE~~ FL
COUNTY OF Orange

Before me, the undersigned authority, Kavita R. Mehta notary public of the State and County mentioned, personally appeared KEITH CHAPMAN who, upon oath, acknowledged him/herself to be VA REO Closing Manager of Ocwen Federal Bank FSB n/k/a Ocwen Loan Servicing LLC, which is the attorney-in-fact for Wells Fargo Bank, N.A., successor by merger to Wells Fargo Bank Minnesota, N.A., as Trustee f/k/a Norwest Bank Minnesota, N.A., as Trustee for the registered holders of Terwin Mtg Trust, Asset-Backed Certificates TMTS 2003-8HE, the within named bargainor, and that he/she as such VA REO Closing Manager, being authorized to do so, executed the foregoing instrument in behalf of Wells Fargo Bank, N.A., successor by merger to Wells Fargo Bank Minnesota, N.A., as Trustee f/k/a Norwest Bank Minnesota, N.A., as Trustee for the registered holders of Terwin Mtg Trust, Asset-Backed Certificates TMTS 2003-8HE as the VA REO Closing Manager of Ocwen Federal Bank FSB n/k/a Ocwen Loan Servicing LLC, which is the attorney-in-fact for Wells Fargo Bank, N.A., successor by merger to Wells Fargo Bank Minnesota, N.A., as Trustee f/k/a Norwest Bank Minnesota, N.A., as Trustee for the registered holders of Terwin Mtg Trust, Asset-Backed Certificates TMTS 2003-8HE and declared that he/she in his/her capacity as VA REO Closing Manager of Ocwen Federal Bank FSB n/k/a Ocwen Loan Servicing LLC which is the attorney-in-fact for Wells Fargo Bank, N.A., successor by merger to Wells Fargo Bank Minnesota, N.A., as Trustee f/k/a Norwest Bank Minnesota, N.A., as Trustee for the registered holders of Terwin Mtg Trust, Asset-Backed Certificates TMTS 2003-8HE.

WITNESS my hand and seal at office this 6th day of Sept 2006.

Kavita R. Mehta
NOTARY PUBLIC

State of Tennessee

County of Montgomery

The actual consideration for this transfer is \$ 330,000.00.

John M. Rudolph
Affiant

Subscribed and sworn to before me, this 27th day of Sept 2006.

NOTARY PUBLIC-STATE OF FLORIDA
Kavita R. Mehta
Commission # DD454685
Expires: JULY 25, 2009
Bonded Thru Atlantic Bonding Co., Inc.



Exhibit A

Tract I: Beginning at an existing iron pin at the southeast corner of the Cathryn H. Mehigan, et al, property (ORBV 263, Page 274, ROMCT) in the north line of the James M. Bridgman, et al, property (ORBV 422, page 780, ROMCT); thence with an east line of the Cathryn H. Mehigan, et al, property North 02 degrees 02 minutes 36 seconds West 200.00 feet to an iron pin (set); thence with a south line of the Cathryn H. Mehigan, et al, property North 80 degrees 56 minutes 56 seconds East 448.99 feet to an iron pin (set); thence South 02 degrees 03 minutes 04 seconds East 200.00 feet to an existing iron pin; thence South 05 degrees 58 minutes 26 seconds East 296.51 feet to an existing iron pin; thence South 83 degrees 53 minutes 35 seconds West 30.83 feet to an existing iron pin; thence with a portion of the east line of the James M. Bridgman, et al, property along the following call: North 02 degrees 45 minutes 20 seconds East 83.11 feet to an existing iron pin, North 08 degrees 40 minutes 28 seconds West 175.74 feet to an existing iron pin, North 57 degrees 29 minutes 55 seconds West 35.93 feet to an existing iron pin and North 48 degrees 35 minutes 04 seconds East 24.43 feet to an existing iron pin at a fence line and the northeast corner of the James M. Bridgman, et al, property; thence with a portion of the north line of the James M. Bridgman, et al, property South 81 degrees 00 minutes 57 seconds West 414.23 feet to the point of beginning according to survey by Ben R. Weakley, Tennessee Registered Land Surveyor License No. 1457, of Weakley Brothers Land Surveying and Civil Engineering, dated December 11, 1989, and bearing Job No. 89-323, and being designated as Map and Parcel No. 8-2.02 on the Maps of the Assessor of Property for Montgomery County, Tennessee. This description was taken from the previous deed of record. Tract II: Beginning at a found iron pin in the north right of way line of Tylertown Road 2849.5 feet from its intersection with the centerline of Trenton Road; thence north 5 degrees 01 minutes 51 seconds west 852.74 feet to a found iron pin; thence north 82 degrees 19 minutes 17 seconds east 199.68 feet to a found iron pin; thence south 05 degrees 12 minutes 0 seconds east 306.55 feet to a point; thence south 0 degrees 27 minutes 38 seconds east 191.08 feet to a found iron pin; thence south 89 degrees 33 minutes 00 seconds east 404.83 feet to a found iron pin; thence south 07 degrees 13 minutes 36 seconds west 160.25 feet to a found iron pin; thence south 83 degrees 19 minutes 36 seconds east 28.01 feet to a found iron pin; thence south 02 degrees 26 minutes 51 seconds west 338.16 feet to a found iron pin in the north right of way line of Tylertown Road; thence along said right of way line north 77 degrees 35 minutes 23 seconds west 563.63 feet to a found iron pin being the point of beginning, containing 7.945 acres, more or less, according to survey of David B. Smith, Tennessee No. 1409 of David B. Smith Engineering, Inc., 171 West Dunbar Cave Road, Clarksville, TN 37040, dated May 4, 1990 and being designated as Map and Parcel No. 8-2.08 on the Maps of the Assessor of Property for Montgomery County, Tennessee. Included in the above description but expressly excluded here from is the property conveyed to Small Car Enterprises, Inc. by deed of record in Official Record Book Volume 636, page 2374, in the Register's Office for Montgomery County, Tennessee, and further described as follows: Beginning at an iron pin in the north right of way of Tylertown Road, said iron pin being .5 miles from the intersection of Tylertown Road and the centerline of Trenton Road, thence North 75 degrees 33 minutes 10 seconds West 559.19 feet to an iron pin; thence North 02 degrees 59 minutes West 346.04 feet to an iron pin; thence South 75 degrees 33 minutes 10 seconds East 588.84 feet to an iron pin; thence South 01 degrees 48 minutes 01 seconds West 338.33 feet to the point of beginning and containing 4.35 acres more or less according to survey by Ben Robert Weakly, Tennessee Registration, #1457, Weakley Brothers Survey & Engineering, 2121 Old Ashland City Road, Clarksville, Tennessee 37043, dated July 7, 1997. Being the same property conveyed to Linda Sloop, a divorced person, by deed dated September 9, 2003 from Jane Sanford Bridgman (now known as Jane Sanford), of record in Book Volume 923, page 1283, said Register's Office. Beginning in the north margin of a frontage road, said point being 2,640 feet west of the Western boundary of Trenton Road, as measured along the northern margin of said frontage road, thence with said frontage road north 75 degrees 30 minutes west 47 feet to a point; thence, leaving said frontage road north 2 degrees East 330, plus or minus, feet to a point; thence north 82 degrees, 15 minutes west 27.5 feet to a point; thence north 11 degrees east 166 feet to a point; thence north 88 degrees 40 minutes west 447.2 feet to a point; thence north 1 degree 15 minutes east 192 feet to a point; thence north 3 degrees 30 minutes west 307 feet to a point; thence south 84 degrees 30 minutes west 200 feet to a point; thence north 2 degrees 30 minutes west 269 feet to a point; thence north 84 degrees 30 minutes west 200 feet to a point; thence north 80 degrees 30 minutes east 449 feet to a point; thence south 4 degrees East 327 feet to a point; thence south 1 degree 15 minutes west 532, plus or minus, feet to a point; thence south 2 degrees West 518 feet to the point of beginning. Said description contains a parcel of 9.46, plus or minus, acres, together with a roadway from said parcel to said frontage road, said roadway parcel containing .57, plus or minus, acres, all as shown on a survey by William N. Young, dated March 22, 1977. Included in the above legal description but hereby expressly excluded there from is that certain real property (Parcel I) sold of record in Book 313, page 164, said Register's Office, described as follows: Parcel I: Beginning at a point in the northeast corner of the 9.46 acre parcel previously conveyed to the Grantees by the Grantor by deed of record in Book 252, page 798, thence north 2 degrees 30 minutes west 200 feet to a point; thence south 80 degrees 30 minutes west 449 feet to a point; thence south 2 degrees 30 minutes east 200 feet to a point in the Grantees' northern boundary; thence north with said boundary north 80 degrees 30 minutes east 449 feet to the point of beginning and containing 2.0615 acres according to survey by William N. Young made March 22, 1977. Parcel II: Beginning at a point in the southeast corner of the above described parcel I, thence south 4 degrees east 300.1 feet to a point; thence south 85 degrees 45 minutes west 31 feet to a point; thence north 2 degrees 40 minutes east 83.4 feet to a point; thence north 8 degrees 46 minutes west 175.9 feet to a point; thence north 55 degrees 36 minutes west 35.8 feet to a point; thence north 50 degrees 59 minutes east 24.2 feet to a point; thence north 81 degrees 47 minutes east 35.3 feet to the point of beginning and containing .17 acres, plus or minus, according to survey by William N. Young dated October 20, 1980. Parcel III: An easement for purposes of ingress and egress across the Grantor's remaining property from the above described parcel to the public frontage road, said easement being more particularly described as follows: Beginning at a point in the northern margin of said public frontage road, said point being 2,640 feet, plus or minus, west of Trenton Road as measured along the northern margin of said frontage road; thence north 8 degrees 16 minutes East 86 feet to a point; thence north 4 degrees 10 minutes east 87.5 feet to a point; thence north 6 degrees 50 minutes east 103.70

feet to a point; thence north 2 degrees 8 minutes west 42.5 feet to a point; thence north 12 degrees 45 minutes west 95.4 feet to a point; thence north 2 degrees 56 minutes east 103.24 feet to a point; thence north 2 degrees 1 minute east 356.89 feet to a point in the southern margin of the above described parcel II; thence south 85 degrees 45 minutes west 10 feet to a point; thence south 2 degrees 1 minute west 356.98 feet to a point; thence south 2 degrees 56 minutes west 106 feet to a point; thence south 12 degrees 45 minutes east 93.9 feet to a point; thence south 2 degrees 8 minutes east 40 feet to a point; thence south 6 degrees 50 minutes west 104.6 feet to a point; thence south 4 degrees 10 minutes west 86.8 feet to a point; thence south 8 degrees 16 minutes west 85 feet to a point in the northern margin of said public frontage roads; thence with the northern margin of said frontage road 75 degrees 30 minutes east 10 feet to the point of beginning. This being the same property conveyed to James H. Bridgman and wife, Jane S. Bridgman by Trustee's Deed from Samuel K. Crocker, Trustee for Gary R. Ausenbaugh and Mildred A. Ausenbaugh of record in Book Volume 412, page 779, said Register's Office. James Monroe Bridgman, Jr. was divested of all right, title and interest in and to said realty by Final Decree of Divorce of record in the Chancery Court for Montgomery County, Tennessee, File No. 2001-08-0114 entered to record on November 6, 2001.
Commonly known as: 1411 Tybertown Road, Clarksville, Tennessee 37040.

Tax Parcel No.: 008.002.02

This being the same ~~the~~ real estate
conveyed to the Grantor herein
by virtue of a Trustee's deed
of record in OEBV 1116, page 1752,
ROMCT

4 District Bulk Regulations and Explanation

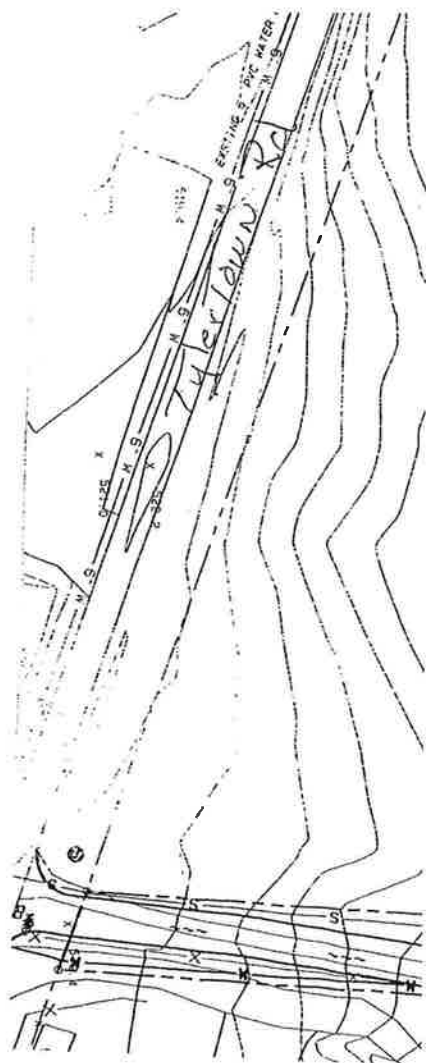
	R-2D	R-3	R-4	R-5
Minimum/Maximum Area For New Zone District				
Min/Max Acreage	N/A	N/A	2 Acres Minimum	2 Acres Minimum
Minimum Lot Area (See Section 4.1.3 For Exceptions)				
Dwellings and Accessories Thereto	12,000 Sq. Feet (1)	15,000 Sq. Feet (1)	11,000 Sq. Feet (4)	5,500 Sq. Feet (4)
Other Principal Uses	30,000 Sq. Feet	30,000 Sq. Feet	20,000 Sq. Feet	20,000 Sq. Feet
Minimum Lot Width (At Front Setback Line)				
Dwellings and Accessories Thereto	75 Feet	80 Feet	90 Feet	90 Feet
Other Principal Uses	120 Feet	100 Feet	100 Feet	100 Feet
Minimum Frontage Requirement				
All Uses (See Section 4.2)	25 Feet	25 Feet	25 Feet	25 Feet
Minimum Front Yard Setbacks (See Section 4.1.1 For Exceptions)				
All Uses	40 Feet	40 Feet	40 Feet	40 Feet
Minimum Side yard Setbacks (See Section 4.1.1 For Exceptions)				
Dwellings	8 Feet	8 Feet	10 Feet (5)	10 Feet (5)
T = The total for both side yard setbacks	T = 20 Feet (3)	T = 20 Feet (3)		For the subject tract
Unattached Accessory Uses	10 Feet	10 Feet	10 Feet	10 Feet
Other Principal Uses	20 Feet	25 Feet	25 Feet	25 Feet
Minimum Rear Yard Setbacks (See Section 4.1.1 For Exceptions)				
Principal Uses	20 Feet	20 Feet	25 Feet	25 Feet
Unattached Accessory Uses	10 Feet	10 Feet	10 Feet	10 Feet
Maximum Lot Coverage				
All Combined Uses	40%	40%	50%	50%
Maximum Height of Structures (See Section 4.1.2 For Exceptions)				
All Uses	35 Feet (2)	35 Feet (2)	N/A	N/A
Site Plan Required (See Section 5.10 For Site Plan Requirements)				
Yes/No	No	Yes	Yes	Yes

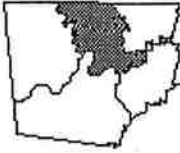
Table 4.3

(1). Only one (1) residential building per lot, except where a Guest House is allowed.

(2). Unattached buildings of accessory use shall be no higher than principal structure or twenty-five (25) feet, whichever is greater.

(3). To facilitate the use of side/rear entry garages, side yard setbacks can be reduced to a minimum of five (5) feet on one (1) side with the total required of the two sides being maintained.





**CLARKSVILLE-MONTGOMERY COUNTY
REGIONAL PLANNING COMMISSION**

329 MAIN STREET; CLARKSVILLE TN 37040

PHONE: 931-645-7448 FAX: 931-645-7481

**CERTIFIED COPY OF
ACTION OF COMMISSION
- SITE REVIEW -**

CASE NUMBER: SR - 19 - 2007

APPLICANT: MACK
PHILLIPS

REQUEST: CLOVERLANDS CONDOMINIUMS

PROP. USE: MULTI FAMILY - 118 UNITS

LOCATION: 1411 TYLERTOWN ROAD

TAX PLAT: 8, parcels 2.20 & 2.08

ACTION OF COMMISSION: APPROVED

DATE: May 30, 2007

REMARKS: APPROVAL, SUBJECT TO THE FOLLOWING CONDITION(S):

1. Approval by the City Street Department of drainage, grading, water quality and erosion control plans. No grading, excavating, stripping, filling, or other disturbance of the natural ground cover shall take place prior to the issuance of a grading and/or water quality permit.
2. Approval of a Traffic Study by the City Street Department.
3. Approval of all utility plans by the City Engineer's office.
4. Approval of a landscape plan.
5. Minor plat completed.

May 30, 2007
DATE


PLANNING DIRECTOR

INGRESS/EGRESS ON TAX PARCEL 2.02 MAP 008

Beginning at a 5/8 inch diameter existing iron rebar in the northern right of way line of Tylertown Road common corner with Dotson Gregory Guinn, Jeffery Thomas Purvis and Michael Cherry of record in Deed Book 554, Page 574 (Tax Map 008 Parcel 2.0) in the Register of Deeds Office for Montgomery County, Tennessee, thence with said right of way line North 75 Degrees 00 Minutes 41 Seconds West 37.42 feet to corner with Mack Phillips of record in Deed Book 1126, Page 1468 (Tax Map 008 Parcel 2.08) in the Register of Deeds Office for Montgomery County, Tennessee; (POB also being located 2797.77 feet more or less from the west right of way of Tennessee Highway Number 48).

Thence with said line North 01 Degrees 45 Minutes 28 Seconds East 502.18 feet to corner with Mack Phillips of record in Deed Book 1126 Page 1468 (Tax Map 008 Parcel 2.08) in the Register of Deeds Office for Montgomery County, Tennessee;

Thence crossing said Tax Parcel 2.02 the following two (2) calls and distances:

1. North 01 Degrees 45 Minutes 28 Seconds East 77.28 feet;
2. South 87 Degrees 51 Minutes 09 Seconds East for 35.61 feet to a 5/8 inch diameter existing iron rebar marking the common corner of Cathryn Meghan of record in Deed Book 912, Page 899 (Tax Map 008 Parcel 2.06) in the Register of Deeds Office for Montgomery County, Tennessee, and Dotson Gregory Guinn, Jeffery Thomas Purvis and Michael Cherry of record in Deed Book 554, Page 574 (Tax Map 008 Parcel 2.0) in the Register of Deeds Office for Montgomery County, Tennessee;

Thence with the Guinn, Purvis, and Cherry the following two (2) calls and distances:

1. South 01 Degrees 04 Minutes 28 Seconds West 68.41 feet;
2. South 01 Degrees 45 Minutes 28 Seconds West 519.38 feet to the Point of Beginning,

Said parcel containing 21,208 Square Feet more or less or 0.49 Acres more or less.

PART OF TAX PARCEL 202 (0.72 Acres more or less) *Drainage E's mT.*

Beginning at a point corner with Mack Phillips of record in Deed Book 1126, Page 1468 (Tax Map 008 Parcel 2.02) in the Register of Deeds Office for Montgomery County, Tennessee, said point being located North 75 Degrees 00 Minutes 41 Seconds West 37.42 feet and North 01 Degrees 45 Minutes 28 Seconds East 502.18 feet from a 5/8 inch diameter existing iron rebar in the northern right of way line of Tylertown Road common corner with Dotson Gregory Guinn, Jeffery Thomas Purvis and Michael Cherry of record in Deed Book 554, Page 574 (Tax Map 008 Parcel 2.0) In the Register of Deeds Office for Montgomery County, Tennessee;

Thence with the line of Parcel 2.08 the following two (2) calls and distances:

1. North 87 Degrees 51 Minutes 09 Seconds West 404.83 feet;
2. North 01 Degrees 34 Minutes 13 Seconds East 77.28 feet;

Thence crossing parcel 2.02 the following two (2) calls and distances:

1. South 87 Degrees 51 Minutes 09 Seconds East 405.08 feet;
2. South 01 Degrees 45 Minutes 28 Seconds West 77.28 feet to the Point of Beginning,

Said parcel containing 31,315 Square Feet more or less or 0.72 Acres more or less.

SOUTH WEST PART OF TAX PARCEL 208 (0.77 Acres more or less) Sink hole

Beginning at a point in the line of Cathryn Mehgan of record in Deed Book 912, Page 899 (Tax Map 008 Parcel 2.06) in the Register of Deeds Office for Montgomery County, Tennessee, being located North 02 degrees 59 minutes 00 seconds West 346.04 feet from a 5/8 inch diameter existing iron rebar in the northern right of way line of Tylertown Road (located 3378.30 feet more or less from the west right of way of Tennessee Highway Number 48) and marking the common corner of Mehgan and Richard F. Twombly of record in Deed Book 755, Page 551 (Tax Map 008 Parcel 2.12) in the Register of Deeds Office for Montgomery County, Tennessee;

Thence with Mehgan line North 03 Degrees 00 Minutes 32 Seconds West 164.00 feet;

Thence leaving said line and crossing Tax Parcel 2.08 South 84 Degrees 58 Minutes 44 Seconds East 196.43 feet to the line of Tax Parcel 202;

Thence with said line South 01 Degrees 34 Minutes 13 Seconds West 118.14 feet to common corner with Tax Parcels 2.02 and 2.08;

Thence crossing Tax Parcel 2.08 South 01 Degrees 34 Minutes 13 Seconds West for 75.34 feet to a point in the line of Richard F. Twombly of record in Deed Book 755, Page 551 (Tax Map 008 Parcel 2.12) in the Register of Deeds Office for Montgomery County, Tennessee;

Thence with said line North 75 Degrees 33 Minutes 10 Seconds West 187.70 feet to the Point of Beginning,

Said parcel containing 33,641 Square Feet more or less or 0.77 Acres more or less.

SOUTHERN PART OF TAX PARCEL 208 (1.21 Acres more or less) No acquisition on this area.

Beginning at a point corner with Mack Phillips of record in Deed Book 1126, Page 1468 (Tax Map 008 Parcel 2.02) in the Register of Deeds Office for Montgomery County, Tennessee, said point being located North 75 Degrees 00 Minutes 41 Seconds West 37.42 feet from a 5/8 inch diameter existing iron rebar in the northern right of way line of Tylertown Road common corner with Dotson Gregory Guinn, Jeffery Thomas Purvis and Michael Cherry of record in Deed Book 554, Page 574 (Tax Map 008 Parcel 2.0) in the Register of Deeds Office for Montgomery County, Tennessee; (POB also being located 2805.19 feet more or less from the west right of way of Tennessee Highway Number 48).

Thence with said right of way line North 75 Degrees 04 Minutes 07 Seconds West 13.85 feet a 5/8 inch diameter existing iron rebar common corner with Richard F. Twombly of record in Deed Book 755, Page 551 (Tax Map 008 Parcel 2.12) in the Register of Deeds Office for Montgomery County, Tennessee;

Thence with said line the following two (2) calls and distances:

1. North 01 Degrees 48 Minutes 01 Seconds East for 338.33 feet;
2. North 75 Degrees 33 Minutes 10 Seconds West for 401.14 feet;

Thence crossing Tax Parcel 2.08 North 01 Degrees 34 Minutes 13 Seconds East 75.34 feet to common corner with Tax Parcel 2.02 and Parcel 2.08;

Thence with line of Tax Parcel 2.02 the following two (2) calls and distances:

1. South 87 Degrees 51 Minutes 09 Seconds East 404.83 feet;
2. South 01 Degrees 45 Minutes 28 Seconds West 502.18 feet to the Point of Beginning

Said parcel containing 52,879 Square Feet more or less or 1.21 Acres more or less.

Preceding descriptions based upon field work conducted on September 14, 2011 by Gresham Smith and Partners with Source of North from Deed Book 554 Page 574. Description prepared by Kenneth D. Church, TN RLS 1004 with Gresham Smith and Partners, 1400 Nashville City Center, 511 Union Street,

PHOTOGRAPHS OF AFFECTED AREAS

Sink Hole



Sink Hole



Drainage Easement



Sink Hole



Drainage Easement



Drainage Easement



Existing Driveway/Proposed Access Easement



Existing Driveway/Proposed Access Easement



**Existing Driveway/Proposed Access Easement
Looking North from Tylertown Road Frontage**



Remainder North of Drainage Easement



Remainder with Home



Remainder Looking South Toward Drainage Easement



ORDINANCE 82-2013-14

AN ORDINANCE AMENDING THE OFFICIAL CODE RELATIVE TO WATER AND SEWER RATES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That effective July 1, 2013, the *Official Code* of the City of Clarksville, Tennessee, Title 13, "Utilities and Service," Chapter 3, "Gas, Water, and Sewer Service," Section 13-312, "Water and sewer rates; basis for charges; surcharges," (3) "Sewer rate schedules," is hereby amended as follows:

Delete the paragraph relative to charge for sewer usage or availability and substitute instead the following:

Per 1,000 gallons

Effective July 1, 2013 to June 30, 2014

Usage (gallons)	<u>Within City</u>	Outside City but served directly by <u>City</u>
First 2,000	\$6.14	\$11.44
All over 2,000	\$6.14	\$10.23

Effective July 1, 2014 to June 30, 2015

Usage (gallons)	<u>Within City</u>	Outside City but served directly by <u>City</u>
First 2,000	\$6.73	\$12.53
All over 2,000	\$6.73	\$11.20

Effective July 1, 2015 to June 30, 2016

Usage (gallons)	<u>Within City</u>	Outside City but served directly by <u>City</u>
First 2,000	\$7.37	\$13.72
All over 2,000	\$7.37	\$12.26

Effective July 1, 2016

Usage (gallons)	<u>Within City</u>	Outside City but served directly by <u>City</u>
First 2,000	\$8.07	\$15.02
All over 2,000	\$8.07	\$13.43

Furthermore, that effective July 1, 2013, the *Official Code* of the City of Clarksville, Tennessee, Title 13, "Utilities and Service," Chapter 3, "Gas, Water, and Sewer Service," Section 13-309, "Fee for new connections; service line," is hereby amended as follows:

Delete the paragraph relative to charge for meter boxes and substitute instead the following:

Meter box fees will be charged for all new meter installation including secondary meters as follows:

Meter Size	Fee
¾"	Cost plus 10%
1"	Cost plus 10%
1½"	Cost plus 10%
2"	Cost plus 10%
3"	Cost plus 10%
4"	Cost plus 10%
6"	Cost plus 10%

FIRST READING:
SECOND READING:
THIRD READING:
PUBLICATION DATE:

ORDINANCE 83-2012-13

AN ORDINANCE AUTHORIZING PARTIAL RELEASE OF SANITARY SEWER LINE EASEMENT ON PROPERTY OWNED BY GOVERNOR'S SQUARE COMPANY IB, AN OHIO GENERAL PARTNERSHIP.

WHEREAS, the City of Clarksville owns an easement for sanitary sewer line (hereinafter, the "easement") on certain real property owned by Governor's Square Company IB, an Ohio General Partnership (hereinafter, the "property owner"), the easement being more particularly described in Collective Exhibit A attached hereto;

WHEREAS, the property owner is abandoning a portion of sewer main in order to build a commercial building and, consequently, seeks to abandon (and have the City release) a portion of the easement and, more specifically, the portion identified in Collective Exhibit A as: "PART OF EXISTING LINE #17 TO BE ABANDONED S59°08'30"E 154.58"; and

WHEREAS, the property owner and the City of Clarksville seek to memorialize the partial release of the easement, in accordance with Collective Exhibit A attached hereto.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the City of Clarksville may release a portion of the sanitary sewer line easement located on property owned by Governor's Square Company IB, an Ohio General Partnership, the portion of the easement being described more particularly in Collective Exhibit A attached hereto and incorporated herein by reference.

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

COLLECTIVE EXHIBIT A

PARTIAL RELEASE OF EASEMENT

In consideration of the sum of \$1.00 and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, THE CITY OF CLARKSVILLE, a municipal corporation organized and existing under the laws of the State of Tennessee, ("CLARKSVILLE"), being the current easement holder, does hereby release and surrender all its right, title and interest in, to and under a portion of the certain Bill of Sale and Easement Agreement granted by GOVERNOR'S SQUARE COMPANY IB, an Ohio general partnership, ("GOVERNOR'S SQUARE") being also the current owner of the premises on which this Partial Release of Easement is located, with a mailing address of 2445 Belmont Avenue, P.O. Box 2186, Youngstown, Ohio 44504-0186 to The City of Clarksville, on land situated in the City of Clarksville, County of Montgomery, State of Tennessee, dated October 14, 1992 and recorded October 23, 1992 at the Montgomery County Court House in Volume 491, Page 0939 (hereinafter referred to as the "Easement Agreement").

In particular, the portion of said easement hereby surrendered is shown as "PART OF EXISTING LINE #17 TO BE ABANDONED S59°08'30"E 154.58'" on Exhibit A attached hereto, made a part hereof, and recorded herewith. CLARKSVILLE, as a result of this Partial Release of Easement, no longer has any right, title or interest in the area identified as "to be abandoned" on Exhibit A attached hereto.

GOVERNOR'S SQUARE:

GOVERNOR'S SQUARE COMPANY IB,
an Ohio general partnership,

By: _____

Its: _____

STATE OF OHIO)
) SS:
COUNTY OF MAHONING)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, _____, known to me to be the Authorized Agent of GOVERNOR'S SQUARE COMPANY IB, the partnership which executed the foregoing instrument for and on behalf of said partnership, being thereunto duly authorized; that the same is his free act and deed as such Authorized Agent and the free act and deed of said partnership.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at
Youngstown, Ohio, this _____, day of _____, 2013.

Notary Public

This instrument prepared by and
after recording please return to:
Robert L. Mackall, III
Attorney at Law
2445 Belmont Avenue
P.O. Box 2186
Youngstown, Ohio 44504-0186

EXHIBIT A

May 9, 2013

STATE OF TENNESSEE
COUNTY OF MONTGOMERY
CITY OF CLARKSVILLE

Governor's Square Plaza

LEGAL DESCRIPTION

Centerline of a 15' Wide Sanitary Sewer Easement to be Abandoned

Situated in the State of Tennessee, City of Clarksville and in the Sixth Civil District of Montgomery County, and being described along a centerline of a 15 foot wide sanitary sewer easement, and being more fully described as follows:

Beginning at an existing manhole known as Point "A" as described in Line #16 in a Bill of Sale and Easement Agreement, as recorded at the Montgomery County Court House in Volume 491, Page 0939, and being know as Line #17;

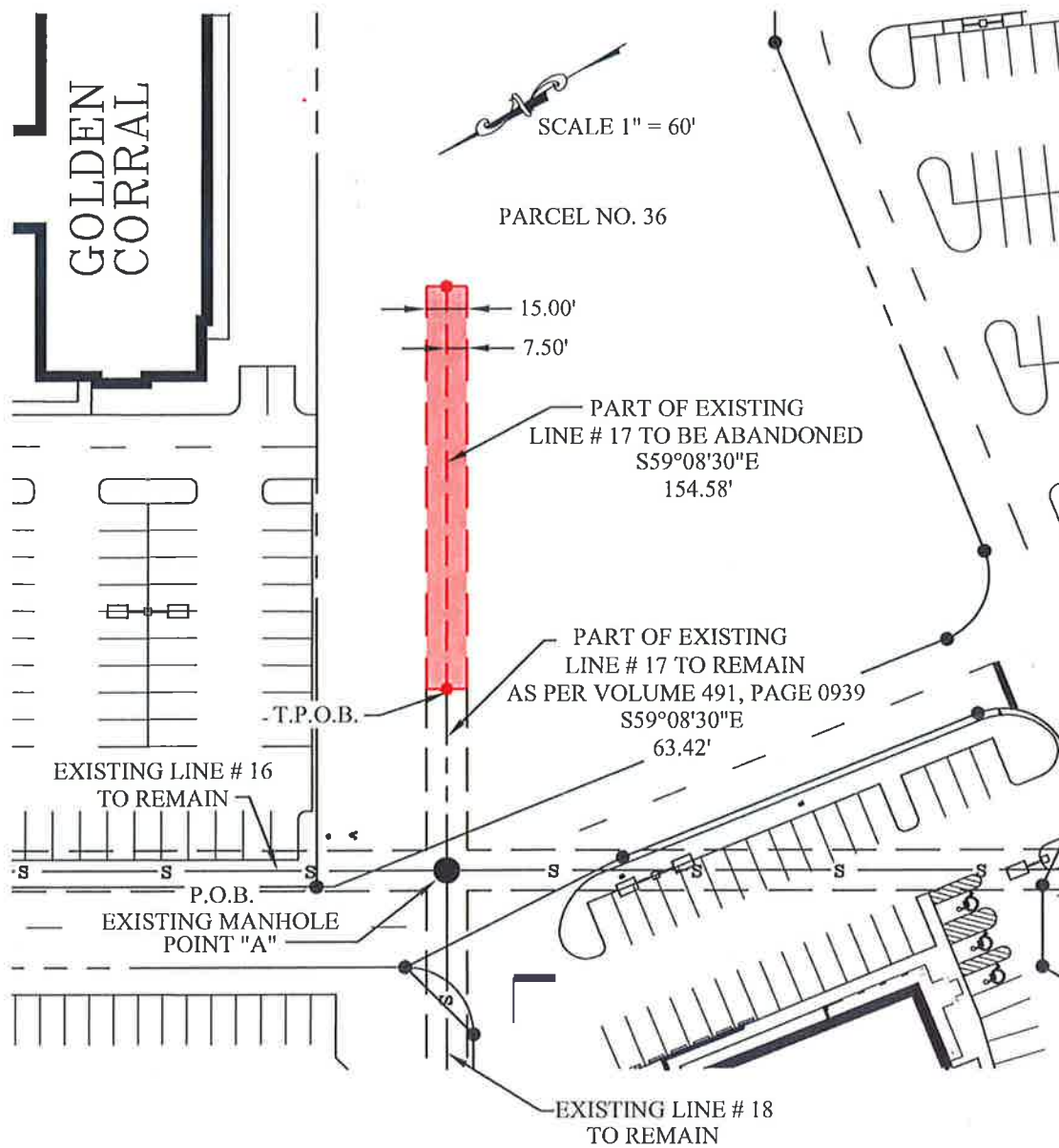
Thence S 59° 08' 30" E, along the centerline of an existing 15 foot wide sanitary sewer easement to remain, a distance of 63.42 feet to the **TRUE PLACE OF BEGINNING** for the herein described centerline of an existing 15 foot wide sanitary sewer easement to be abandoned;

Thence continuing S 59° 08' 30" E, along the centerline of an existing 15 foot wide sanitary sewer easement to be abandoned, a distance of 154.58 feet;

The above said legal description is not based on an actual field boundary survey, but is based on the following: Bill of Sale and Easement Agreement as recorded October 23, 1992 at the Montgomery County Court House in Volume 491, Page 0939.

GOVERNOR'S SQUARE COMPANY 1B

File No. 21 Final



LOCATION PLAN
GOVERNOR'S SQUARE PLAZA
CLARKSVILLE, TENNESSEE

EXHIBIT A

CENTERLINE OF A 15 FT WIDE SANITARY SEWER EASEMENT TO BE ABANDONED
MAY 9, 2013

ORDINANCE 84-2012-13
(Approved by Finance Committee 5-28-13)

AN ORDINANCE AMENDING PART II (CODE OF ORDINANCES), TITLE 1 (ADMINISTRATION, OFFICERS, AND PERSONNEL), CHAPTER 2 (CITY COUNCIL) OF THE OFFICIAL CODE OF THE CITY OF CLARKSVILLE

WHEREAS, the City Council has determined that it is appropriate to amend the Official Code of Ordinances of the City of Clarksville;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

(1) That **Section 1-201**, pertaining to “**Time and place of regular meetings**,” is amended by deleting the current language and substituting therefore the following:

Section 1-201. Time and place of regular meetings.

All regular meetings of the city council shall be held on the first Thursday of each month at 7:00 p.m. in the council chamber of city hall, **except as may otherwise be provided by resolution approved by the city council at any prior regular or special called meeting of the city council.**

(2) **That this ordinance shall be effective upon passage.**

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

ORDINANCE 84-2012-13

AN ORDINANCE AMENDING PART II (CODE OF ORDINANCES), TITLE 1 (ADMINISTRATION, OFFICERS, AND PERSONNEL), CHAPTER 2 (CITY COUNCIL) OF THE OFFICIAL CODE OF THE CITY OF CLARKSVILLE RELATIVE TO TIME AND PLACE OF REGULAR MEETINGS

WHEREAS, the City Council has determined that it is appropriate to amend the Official Code of Ordinances of the City of Clarksville;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

(1) That Section 1-201, pertaining to “Time and place of regular meetings,” is amended by deleting the current language and substituting therefore the following:

Section 1-201. Time and place of regular meetings.

All regular meetings of the city council shall be held on the first Thursday of each month at 7:00 p.m. in the council chamber of city hall, ~~except as may otherwise be provided by resolution~~ ordinance approved by the city council at any prior regular or special called meetings of the city council.

(2) That this ordinance shall be effective upon passage.

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

ORDINANCE 92-2012-13

AN ORDINANCE AUTHORIZING EXTENSION OF CITY OF CLARKSVILLE UTILITY SERVICES OUTSIDE THE CLARKSVILLE CITY LIMITS; REQUEST OF DANELL WELCH FOR PROPERTY LOCATED AT 3301 HIGHWAY 41-A SOUTH, CMAP 82 PARCEL 169.00 AND 170.00,

WHEREAS, proper application has been made by Weakley Brothers Engineering, Britt Little, on behalf of Danell Welch for extensions of City utility service to property located at Cmap 82, Parcel 169.00 and 170.00 with the property address of 3301 Highway 41-A South outside the corporate boundary of the City, said property and the extension of service thereto, which is more particularly described in Exhibit A attached hereto and incorporated herein; and

WHEREAS, the City of Clarksville Gas and Water Department has recommended approval of said application; and

WHEREAS, the Gas, Water and Sewer Committee of the Clarksville City Council has recommended approval of said application; and

WHEREAS, the Clarksville City Council finds that all of the requirements of City Code Section 13-405 have been or are satisfied and the extension of water and sewer service to property as described in Exhibit A will be in the best interest of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

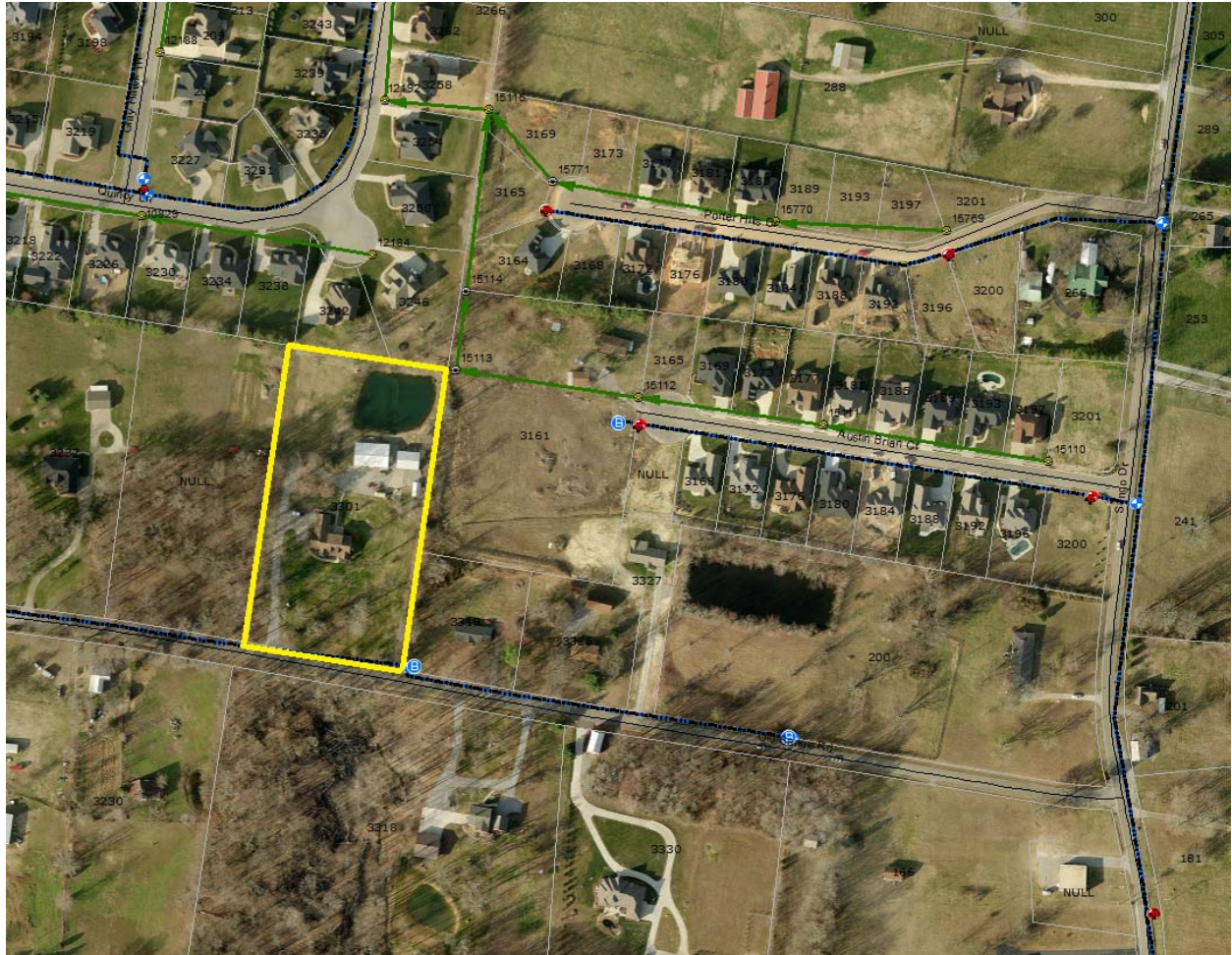
That the City of Clarksville Gas, Water and Sewer Department is hereby authorized to extend utility service to property located at Cmap 82, Parcel 169.00 and 170.00 with the property address of 3301 Highway 41-A South outside the City corporate limits as described in Exhibit A attached hereto and incorporated herein and subject to and in accordance with the provisions of the City Code and Ordinance 37-2009-10.

FIRST READING:

SECOND READING:

EFFECTIVE DATE

EXHIBIT A



ORDINANCE 93-2012-13

AN ORDINANCE AUTHORIZING EXTENSION OF CITY OF CLARKSVILLE UTILITY SERVICES OUTSIDE THE CLARKSVILLE CITY LIMITS; REQUEST OF DAVID WELCH FOR PROPERTY LOCATED AT ASHLAND CITY ROAD, CMAP 88 PARCEL 112.03.

WHEREAS, proper application has been made by Weakley Brothers Engineering, Britt Little, on behalf of David Welch for extensions of City utility service to property located at Cmap 88, Parcel 112.03 with the property address of Ashland City Road outside the corporate boundary of the City, said property and the extension of service thereto, which is more particularly described in Exhibit A attached hereto and incorporated herein; and

WHEREAS, the City of Clarksville Gas and Water Department has recommended approval of said application; and

WHEREAS, the Gas, Water and Sewer Committee of the Clarksville City Council has recommended approval of said application; and

WHEREAS, the Clarksville City Council finds that all of the requirements of City Code Section 13-405 have been or are satisfied and the extension of water and sewer service to property as described in Exhibit A will be in the best interest of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the City of Clarksville Gas, Water and Sewer Department is hereby authorized to extend utility service to property located at Cmap 88, Parcel 112.03 with the property address of Ashland City Road outside the City corporate limits as described in Exhibit A attached hereto and incorporated herein and subject to and in accordance with the provisions of the City Code and Ordinance 37-2009-10.

FIRST READING:

SECOND READING:

EFFECTIVE DATE

EXHIBIT A



ORDINANCE 99-2012-13

AN ORDINANCE AMENDING THE OFFICIAL CODE, TITLE 10 (OFFENSES-MISCELLANEOUS), CHAPTER 2 (ENUMERATED) RELATIVE TO FIREWORKS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the Official Code of the City of Clarksville, Title 10, Offenses-Miscellaneous, Chapter 2, Enumerated, Section 10-215, Fireworks –Unlawful to explode, is hereby amended as follows:

Except as set out below, it shall be unlawful for any person to explode, fire, or set off, or allow to be exploded, fired, or set off, any firecrackers, Roman candles, sparklers, powder-loaded pinwheels, torpedoes, or any other article thought of as constituting "fireworks."

Fireworks which may be lawfully purchased inside the city limits of the city, as specified in [section 10-217](#) may be exploded, fired, or set off inside the city limits of the city on the following dates and times:

July 1 through July 5, between the hours of 6:00 p.m. and 10:00 p.m.; December 28 through December 30, between the hours of 6:00 p.m. and 10:00 p.m.; December 31 between the hours of 6:00 p.m. and 12:00 midnight; and January 1 between the hours of 6:00 p.m. and 10:00 p.m.

It shall be at all times and days of the year, unlawful for any person or organization to possess and/or shoot any type of fireworks from within City Parks. If someone is caught with or discharging fireworks in a city park, the chief of police and/or fire marshal is hereby authorized to issue a citation and items will be confiscated. Exception is for City of Clarksville Department of Parks and Recreation for utilizing a professional pyrotechnics/fireworks company during special events.

It shall at all times be unlawful for any person under the age of sixteen (16) years to use, explode or possess any fireworks within the city limits unless they are under the direct supervision of an adult of at least eighteen (18) years of age.

In addition to those times specified herein, and by a majority vote of those present and voting at any meeting of the city council, activities hereinabove prohibited may be authorized for a certain occasion or occasions.

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

ORDINANCE 80-2012-13

AN ORDINANCE AMENDING THE OFFICIAL CODE, [TITLE 1, CHAPTER 8, SECTION 1-821] RELATIVE TO RETIRING LAW ENFORCEMENT ANIMALS

- WHEREAS*, the City of Clarksville, through the Clarksville Police Department (CPD) has previously established a K-9 Unit; and
- WHEREAS*, the CPD K-9 Unit consists of certain Officers of the Clarksville Police Department and patrol service dogs; and
- WHEREAS*, the City and CPD desire to ensure the adequate care and well being for these K-9 unit dogs after those animals have been retired from law enforcement after years of dutiful service; and
- WHEREAS*, many of these K-9 unit animals live with their police officer handlers and their families both as law enforcement animals and family pets during the years of active K-9 unit service; and
- WHEREAS*, upon retirement from the K-9 unit, the dogs frequently continue living with the police officers and their families as pets; and
- WHEREAS*, the care of these retired K-9 unit animals can become expensive and potentially burdensome on the officers caring for the retired dogs; and
- WHEREAS*, the City and CPD wish to assist the officers and owners caring for these retired K-9 unit animals with financial support for the animals' veterinary care, food expenses, and respite care in appreciation of the animals who have given much effort and service to the City in the name of law enforcement.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

- (1) That Title 1, Chapter 8, Section 1-821 of the official Clarksville City Code be amended by adding the following language:

Section 1-821 - Retired law enforcement animals

- a. It is the policy of the City of Clarksville that former police department canine (K-9) unit dogs be adequately provided for following their service to the Clarksville Police Department.
- b. Once the police department determines that an animal is no longer fit for active service with the department, the department shall first offer to donate the animal to the police officer assigned to the animal at the time such determination is made. If the police officer assigned to the animal declines to accept the donation of the animal, the police department shall offer to donate the retired animal to a different active or retired officer of the police department. If the police officer assigned to

the animal and any other active or retired CPD officers decline to accept the donation of the animal, then the police department shall make a reasonable effort to contact the person(s) that donated the animal to the police department and offer to return the animal to him/her. If neither the police officer assigned to the animal, nor any other active or retired police officers, nor the person(s) that donated the animal to the police department accept the donation of the animal, the police department shall have the authority to donate the animal to another person, law enforcement agency, or organization the department deems appropriate. If the retired K-9 unit animal is donated to a person or group who is not an active or retired CPD officer, the financial support provisions for veterinary care, food expenses, and respite care detailed in subsections (c) through (e) will not apply.

- c. The provisions of subsections (d) through (f) shall apply to all former police department K-9 unit animals under the ownership and care of an active or retired police officer, and to all K-9 unit animals donated to active or retired police officers in the future.
- d. The Clarksville Police Department will be responsible for the veterinary care expenses for retired K-9 unit animals up to two thousand five hundred dollars (\$2,500.00) per animal per calendar year, provided that the animal remains in the possession and care of an active or retired Clarksville police officer and such veterinary care is provided by a licensed veterinarian. Veterinarian expenses incurred by the active or retired police officer shall be reimbursed in accordance with procedures established by the chief of police or the chief's designee.
- e. The Clarksville Police Department shall be responsible for the food expenses for every retired K-9 unit animal in the custody and control of an active or retired police officer up to one thousand dollars (\$1,000.00) per calendar year per animal for the life of the animal.
- f. The Clarksville Police Department shall be responsible for the expenses associated with animal boarding and respite care for up to fourteen days per calendar year for the life of the animal for every retired K-9 unit animal in the custody and control of an active or retired police officer.
- g. All persons, organizations, or agencies accepting a donated animal from the police department shall sign a general release form prepared by the City Attorney's office releasing the City from any liability for the future actions of the animal and indemnifying the City from any and all actions, claims, and demands arising out of the control, possession, maintenance, and/or conduct of the animal.

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

ORDINANCE 94-2012-13

AN ORDINANCE TO RESCHEDULE THE JULY 2013 REGULAR MEETING OF
THE CITY COUNCIL

WHEREAS, the regular meeting of the City Council is now set, per City Code, Section 1-201, for July 4, 2013; and

WHEREAS, the City Council has determined that it is appropriate to reschedule said regular meeting of the City Council.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

(1) Notwithstanding any provision of Section 1-201 of the Official City Code to to the contrary, the regular meeting of the City Council scheduled to occur on July 4, 2013, per said City Code provision, is hereby canceled, and a new regular meeting date of July 2, 2013, at 7:00 p.m. at the City Council Chambers in City Hall is scheduled instead.

(2) That this ordinance shall be effective upon passage.

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

ORDINANCE 97-2012-13

AN ORDINANCE PERTAINING TO POLICE DEPARTMENT ESCORT OF FUNERAL PROCESSIONS

WHEREAS, recently, the Clarksville Police Department implemented a new funeral procession escort policy which would limit the number of vehicles to seven, including the hearse, that the City, through the CPD, would be responsible for escorting in funeral processions, although the number of vehicles in the procession would not be limited; and

WHEREAS, there has been a longstanding tradition and custom in our community, and throughout the southeastern United States, for police departments to escort funeral processions of unlimited numbers of vehicles in order to assist family members and friends of the deceased to arrive safely and promptly from the church, chapel or funeral home to the graveside service, and as a sign of respect for the departed; and

WHEREAS, there has been an enormous outcry from the citizens of Clarksville pertaining to the change in policy limiting the number of vehicles for which the CPD would be responsible for escorting, although not limiting the actual number of vehicles in a funeral procession; and

WHEREAS, it appears that the new policy provides for preferential treatment or may allow for same at the discretion of the Mayor who may decide that some citizens shall be accorded special treatment wherein additional CPD resources / personnel may be used to escort funeral processions larger than seven vehicles for which CPD would be responsible; and

WHEREAS, the change in policy could place those vehicles and family members and friends of the deceased that are behind the seven vehicle maximum at risk of not arriving in a timely manner for the graveside service and paying their final respects to the dearly departed and providing comfort by their presence to their family.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

(1) That the City Code, Title 1 (Administration, Officers, and Personnel), Chapter 8 (Police Department), be amended, by adding the following language as a new Section 1-821:

Section 1-821. Police Department Funeral Escorts.

The Clarksville Police Department shall provide the personnel, vehicles, and other resources reasonably necessary to safely escort the total number of vehicles involved in any funeral procession, as may be requested from time to time by

Clarksville citizens, or funeral home directors, or pastors, preachers, priests, clergy, and the like, within the limits of the City and one mile therefrom, except in cases of dire and immediate emergency or threat to public safety when the Chief of Police, or his designee who shall be at least of the rank of captain, shall have determined that the personnel, vehicles, and other resources reasonably necessary to safely escort the total number of vehicles involved in any such funeral procession cannot be provided due to the emergency or threat to public safety, in which such case, the Clarksville Police Department shall provide such personnel, vehicles, and other resources, if any, as the Chief of Police or his designee may determine may be used without detriment to public safety to escort all or any number of vehicles involved in any such funeral procession as the Chief of Police or his designee may determine may be safely escorted.

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

ORDINANCE 98-2012-13

AN ORDINANCE AMENDING PART II (CODE OF ORDINANCES), TITLE 2 (ALCOHOLIC BEVERAGES), CHAPTER 1 (BEER) OF THE OFFICIAL CODE OF THE CITY OF CLARKSVILLE RELATIVE TO SPECIAL EVENT BEER PERMITS

WHEREAS, the City Council has determined that it is appropriate to amend the Official Code of Ordinances of the City of Clarksville;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

(1) That **Section 2-105**, pertaining to beer “classes of permits,” is amended by deleting the last sentence of said section and substituting therefore the following:

Section 2-105. Classes of permits.

- (1)
- (2)
- (3)
- (4) *Special events permit.*
- ...

Non-profit organizations may receive no more than four (4) special events permits during a calendar year.

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

RESOLUTION 54-2012-13

A RESOLUTION AUTHORIZING APPLICATION TO THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR GRADING PERMITS FOR INTERSECTION MODIFICATIONS

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENENSSEE:

That the City of Clarksville is hereby authorized to apply to the Tennessee Department of Transportation for grading permits, attached hereto as Exhibit A, for intersection modification at SR48 & Hazelwood Road, SR236 & North Henderson Way, and SR237 and SR374 at Rossvie Road.

ADOPTED:



**STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION**

REGION 3 TRAFFIC OFFICE
6603 CENTENNIAL BOULEVARD
NASHVILLE, TENNESSEE 37243-0360
(615) 350-4189

May 14, 2013

JOHN C. SCHROER
COMMISSIONER

BILL HASLAM
GOVERNOR

City of Clarksville
Attn: Chris Cowan
1900 10th Street
Clarksville, TN 37040

Re: Grading Permit
SR 48 [LM 4.6]
Clarksville, Montgomery County

Dear Mr. Cowan:

As requested enclosed are the necessary permit forms, a surety bond form, and a copy regulations which must be followed in order to work on state right of way in conformance with Departmental standards.

Please have both copies signed by the property owner and forward them, the bond and a certificate of liability insurance, to this office within thirty (30) days. If you do not respond within thirty days we will assume that you do not wish to proceed, and your application will be discarded. Any future attempt to obtain a permit for this location would then require a new application.

Your application is still in the processing stage. Once we receive the documentation listed above, we will mail you a copy of the fully executed permit signed by Department representatives. Construction may not begin until you receive this fully executed permit.

If I can be of further assistance please let me know.

Sincerely,

Phillip R. Trammel, PE
Region III Traffic Engineer

Tennessee
Department of Transportation
Region III Traffic Office
Transportation Management Center
6603 Centennial Blvd., 2nd Floor
Nashville, TN 37243-0360
(615) 350-4330 or (615) 350-4332

GRADING PERMIT

In order to assure that construction on State right of-way is to be performed properly and that the State will be protected from liability the following requirements must be met:

1. Permit forms:

Both copies of the permit must be signed by the property owner or a legal representative of the corporation which owns the property. Do not fill in any other blanks on permit form.

2. Insurance:

Either the property owner or the contractor shall carry general liability insurance with an insurer and in a form acceptable to the State. Proof of said insurance shall be furnished to the State in the form of an insurance certificate indicating coverage which shall match the exposure of the State to claims for negligence as set forth in Tenn. Code Ann. Section 9-8-307 as it may be from time to time amended and construed. Said limits are currently three hundred thousand dollars (\$300,000) per person and one million dollars (\$1,000,000) for each occurrence. Certificate holder must be: State of Tennessee, Department of Transportation. Such insurance shall remain in full force and effect from the beginning of construction on the right of way until such construction has been completed and approved, in writing, by the Tennessee Department of Transportation. Please specify permittee's name (property owner), and identify the location (State Route, and county) covered by this certificate of insurance. If this information is not provided the permit process may be delayed.

3. Bond: NA

Please direct correspondence concerning this permit to the above address.

ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

PRODUCER Phone: Fax: f

Insurance Company
AddressTHIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION
ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE
HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR
ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURED

Property Owner (Permittee)
OR Contractor
Mailing Address

INSURERS AFFORDING COVERAGE

NAIC #

INSURER A:

INSURER B:

INSURER C:

INSURER D:

INSURER E:

COVERAGESTHE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED.
NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS
CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL
THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR ADD'L LTR INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO- JECT <input type="checkbox"/> LOC			For the duration of the Permit	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ 300,000 GENERAL AGGREGATE \$ PRODUCTS - COM/OP AGG \$
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EA ACC \$ AGG \$
A	EXCESS/UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$ \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				WC STATU- TORY LIMITS OTH- ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	OTHER				Limit: Ded:

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

Permittee (Name)

Permit Location (State Route, City, County)

CERTIFICATE HOLDERState of Tennessee (Dept of Transportation)
Region 3 - Traffic Office
6603 Centennial Boulevard
Nashville, TN 37243-0360**CANCELLATION**SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED
BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER
WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE
CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO
SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON
THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

Christie Reese

**TENNESSEE DEPARTMENT OF TRANSPORTATION
PERMIT TO STATE AGENCY OR LOCAL GOVERNMENT
FOR PROJECT WITHIN HIGHWAY RIGHT-OF-WAY**

The State of Tennessee, Tennessee Department of Transportation
("TDOT"), hereby grants this special permit for the use of State property under
the following terms and conditions:

PERMITTEE: City of Clarksville
Attn: Chris Cowan
1900 10th Street
Clarksville, TN 37040

AUTHORIZED USE: Construct turn lanes to TDOT standards and specifications
per drawing received 5/10/2013, attached hereto and incorporated by reference.

LOCATION OF PREMISES: SR 48 & Hazelwood Road, Clarksville, Montgomery
Co.

EFFECTIVE DATES OF PERMIT:

STANDARD TERMS AND CONDITIONS

1. PERMITTEE shall assume all liability for third-party claims for damages
arising from its use of the Premises.
2. Prior to commencing the work authorized herein, PERMITTEE shall obtain
any other permits or approvals required by federal, state or local laws, and
shall notify any utility company affected by this project. PERMITTEE shall be
financially responsible for any relocation or replacement of such utilities.
3. Prior to commencing the work authorized herein, PERMITTEE shall notify
Tennessee One Call regarding any excavation(s) and shall ensure that the
provisions of TCA 65-31-101 et seq. are met.

4. Access to the Premises shall only be at those points that have been previously approved by TDOT. Equipment and vehicles shall be confined to unpaved portions of the Premises.
5. A. PERMITTEE shall not cut any tree or similar vegetation that has a trunk over four inches in diameter.
B. PERMITTEE shall not cut any flowering trees regardless of size
6. All work on the premises shall be performed in compliance with current TDOT Standard Specifications for Road and Bridge Construction and TDOT Standard Drawings, in addition to applicable federal, state and local law and regulations.
7. PERMITTEE must obtain prior, written approval from TDOT before deviating from the scope of the project or the manner of its construction as described in this permit, including Attachment A.
8. At no time will work authorized by this permit interfere with the normal flow of traffic on roadways adjoining the Premises. PERMITTEE is responsible for providing traffic control for this work zone in accordance with the requirements of the current *Manual on Uniform Traffic Control Devices*. If proper traffic control is not in place, TDOT may order PERMITTEE to stop work until proper traffic control is put in place.
9. While the project is underway, TDOT may conduct inspections to insure compliance with this Permit. Upon completion of the project, PERMITTEE shall notify TDOT so that the project may be inspected and approved by TDOT.
10. PERMITTEE shall be liable for any damage to state property resulting from the subject work, including but not limited to, the roadway, shoulders,

guardrail, drainage, landscaping, signs and controlled-access fences. All repair or replacement of such damage shall be made in accordance with the current TDOT Standard Specifications for Road and Bridge Construction, TDOT Standard Drawings and any other applicable design and/or construction standards or guidelines.

11. PERMITTEE shall keep all debris, soil, refuse or waste of any kind associated with the project from accumulating within the highway right-of-way. [PERMITTEE shall pay TDOT \$ n/a per cubic yard for usable materials removed from the Premises.] ~~Include this last sentence only if applicable.~~
12. PERMITTEE does hereby covenant and agree that in the event the Permit is for the construction or use of or access to space on, over, or under real property acquired, or improved under the Federal-Aid Highway Program, the PERMITTEE shall comply with all requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.
13. Nothing in this Permit shall be construed to limit TDOT's right to enter the Premises at any time.
14. If the PERMITTEE fails to comply with any of the foregoing conditions, TDOT shall have the right to revoke this permit, and require the immediate vacation of the Premises by the PERMITTEE. In the event of revocation, PERMITTEE must restore the Premises to its original condition. If PERMITTEE fails to do so within a reasonable time after revocation, TDOT may restore the Premises at the expense of the PERMITTEE.

15. This permit is non-transferable.

16. This permit shall not be construed as a conveyance of any interest in real property.

17. All notices required to be given to TDOT under this Permit shall be sent to:

Phillip R. Trammel, P.E.
Regional Traffic Engineer
Traffic Management Center
6603 Centennial Blvd, 2nd Floor
Nashville, TN. 37243-0360

IN WITNESS WHEREOF, the parties, through their authorized representatives, have executed this agreement.

**STATE OF TENNESSEE
TENNESSEE DEPARTMENT OF TRANSPORTATION**

BY: _____
REGIONAL ENGINEERING DIRECTOR DATE _____

APPROVED AS TO FORM:

REGIONAL ATTORNEY DATE _____

PERMITTEE:

BY: _____
DATE _____

TITLE: _____



**STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION**

REGION 3 TRAFFIC OFFICE
6603 CENTENNIAL BOULEVARD
NASHVILLE, TENNESSEE 37243-0360
(615) 350-4189

May 14, 2013

JOHN C. SCHROER
COMMISSIONER

BILL HASLAM
GOVERNOR

City of Clarksville
Attn: Chris Cowan
1900 10th Street
Clarksville, TN 37040

Re: Grading Permit
SR 236 [LM 10.5]
Clarksville, Montgomery County

Dear Mr. Cowan:

As requested enclosed are the necessary permit forms, a surety bond form, and a copy regulations which must be followed in order to work on state right of way in conformance with Departmental standards.

Please have both copies signed by the property owner and forward them, the bond and a certificate of liability insurance, to this office within thirty (30) days. If you do not respond within thirty days we will assume that you do not wish to proceed, and your application will be discarded. Any future attempt to obtain a permit for this location would then require a new application.

Your application is still in the processing stage. Once we receive the documentation listed above, we will mail you a copy of the fully executed permit signed by Department representatives. Construction may not begin until you receive this fully executed permit.

If I can be of further assistance please let me know.

Sincerely,

A handwritten signature in blue ink, reading "Phillip R. Trammel", is written over the typed name.

Phillip R. Trammel, PE
Region III Traffic Engineer

Tennessee
Department of Transportation
Region III Traffic Office
Transportation Management Center
6603 Centennial Blvd., 2nd Floor
Nashville, TN 37243-0360
(615) 350-4330 or (615) 350-4332

GRADING PERMIT

In order to assure that construction on State right of-way is to be performed properly and that the State will be protected from liability the following requirements must be met:

1. Permit forms:

Both copies of the permit must be signed by the property owner or a legal representative of the corporation which owns the property. Do not fill in any other blanks on permit form.

2. Insurance:

Either the property owner or the contractor shall carry general liability insurance with an insurer and in a form acceptable to the State. Proof of said insurance shall be furnished to the State in the form of an insurance certificate indicating coverage which shall match the exposure of the State to claims for negligence as set forth in Tenn. Code Ann. Section 9-8-307 as it may be from time to time amended and construed. Said limits are currently three hundred thousand dollars (\$300,000) per person and one million dollars (\$1,000,000) for each occurrence. Certificate holder must be: State of Tennessee, Department of Transportation. Such insurance shall remain in full force and effect from the beginning of construction on the right of way until such construction has been completed and approved, in writing, by the Tennessee Department of Transportation. Please specify permittee's name (property owner), and identify the location (State Route, and county) covered by this certificate of insurance. If this information is not provided the permit process may be delayed.

3. Bond: NA

Please direct correspondence concerning this permit to the above address.

ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

PRODUCER Phone: Fax: f

Insurance Company
AddressTHIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION
ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE
HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR
ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURERS AFFORDING COVERAGE

NAIC #

INSURED

Property Owner (Permittee)
OR Contractor
Mailing Address

INSURER A:

INSURER B:

INSURER C:

INSURER D:

INSURER E:

COVERAGESTHE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED.
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A	OTHER -				Limit: Ded:

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

Permittee (Name)

Permit Location (State Route, City, County)

CERTIFICATE HOLDERState of Tennessee (Dept of Transportation)
Region 3 - Traffic Office
6603 Centennial Boulevard
Nashville, TN 37243-0360**CANCELLATION**SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED
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CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO
SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON
THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

Christi Reese

**TENNESSEE DEPARTMENT OF TRANSPORTATION
PERMIT TO STATE AGENCY OR LOCAL GOVERNMENT
FOR PROJECT WITHIN HIGHWAY RIGHT-OF-WAY**

The State of Tennessee, Tennessee Department of Transportation
("TDOT"), hereby grants this special permit for the use of State property under
the following terms and conditions:

PERMITTEE: City of Clarksville
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1900 10th Street
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AUTHORIZED USE: Construct turn lanes to TDOT standards and specifications
per drawing received 5/10/2013, attached hereto and incorporated by reference.

LOCATION OF PREMISES: SR 236 & North Henderson Way, Clarksville,
Montgomery Co.

EFFECTIVE DATES OF PERMIT:

STANDARD TERMS AND CONDITIONS

1. PERMITTEE shall assume all liability for third-party claims for damages
arising from its use of the Premises.
2. Prior to commencing the work authorized herein, PERMITTEE shall obtain
any other permits or approvals required by federal, state or local laws, and
shall notify any utility company affected by this project. PERMITTEE shall be
financially responsible for any relocation or replacement of such utilities.
3. Prior to commencing the work authorized herein, PERMITTEE shall notify
Tennessee One Call regarding any excavation(s) and shall ensure that the
provisions of TCA 65-31-101 et seq. are met.

4. Access to the Premises shall only be at those points that have been previously approved by TDOT. Equipment and vehicles shall be confined to unpaved portions of the Premises.
5. A. PERMITTEE shall not cut any tree or similar vegetation that has a trunk over four inches in diameter.
B. PERMITTEE shall not cut any flowering trees regardless of size
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guardrail, drainage, landscaping, signs and controlled-access fences. All repair or replacement of such damage shall be made in accordance with the current TDOT Standard Specifications for Road and Bridge Construction, TDOT Standard Drawings and any other applicable design and/or construction standards or guidelines.

11. PERMITTEE shall keep all debris, soil, refuse or waste of any kind associated with the project from accumulating within the highway right-of-way. [PERMITTEE shall pay TDOT \$ _____ per cubic yard for usable materials removed from the Premises.] *Include this last sentence only if applicable.*
12. PERMITTEE does hereby covenant and agree that in the event the Permit is for the construction or use of or access to space on, over, or under real property acquired, or improved under the Federal-Aid Highway Program, the PERMITTEE shall comply with all requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.
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Regional Traffic Engineer
Traffic Management Center
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Nashville, TN. 37243-0360

IN WITNESS WHEREOF, the parties, through their authorized representatives, have executed this agreement.

**STATE OF TENNESSEE
TENNESSEE DEPARTMENT OF TRANSPORTATION**

BY: _____
REGIONAL ENGINEERING DIRECTOR DATE _____

APPROVED AS TO FORM:

REGIONAL ATTORNEY DATE _____

PERMITTEE:

BY: _____
DATE _____

TITLE: _____



**STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION**

REGION 3 TRAFFIC OFFICE
6603 CENTENNIAL BOULEVARD
NASHVILLE, TENNESSEE 37243-0360
(615) 350-4189

May 14, 2013

JOHN C. SCHROER
COMMISSIONER

BILL HASLAM
GOVERNOR

City of Clarksville
Attn: Chris Cowan
1900 10th Street
Clarksville, TN 37040

Re: Grading Permit
SR 237 & SR 374 [LM 0.0 & 3.8]
Clarksville, Montgomery County

Dear Mr. Cowan:

As requested enclosed are the necessary permit forms, a surety bond form, and a copy regulations which must be followed in order to work on state right of way in conformance with Departmental standards.

Please have both copies signed by the property owner and forward them, the bond and a certificate of liability insurance, to this office within thirty (30) days. If you do not respond within thirty days we will assume that you do not wish to proceed, and your application will be discarded. Any future attempt to obtain a permit for this location would then require a new application.

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If I can be of further assistance please let me know.

Sincerely,

A handwritten signature in blue ink, reading "Phillip R. Trammel".

Phillip R. Trammel, PE
Region III Traffic Engineer

Tennessee
Department of Transportation
Region III Traffic Office
Transportation Management Center
6603 Centennial Blvd., 2nd Floor
Nashville, TN 37243-0360
(615) 350-4330 or (615) 350-4332

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3. Bond: NA

Please direct correspondence concerning this permit to the above address.

ACORDTM CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

PRODUCER Phone: Fax: f

Insurance Company
AddressTHIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION
ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE
HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR
ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURERS AFFORDING COVERAGE

NAIC #

INSURED

Property Owner (Permittee)
OR Contractor
Mailing Address

INSURER A:

INSURER B:

INSURER C:

INSURER D:

INSURER E:

COVERAGESTHE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED.
NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS
CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL
THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR ADD'L LTR INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
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A	AUTOMOBILE LIABILITY ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	GARAGE LIABILITY ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EA ACC \$ AGG \$
A	EXCESS/UMBRELLA LIABILITY OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$ \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				WC STATU- TORY LIMITS OTH- ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	OTHER				Limit: Ded:

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

Permittee (Name)

Permit Location (State Route, City, County)

CERTIFICATE HOLDERState of Tennessee (Dept of Transportation)
Region 3 - Traffic Office
6603 Centennial Boulevard
Nashville, TN 37243-0360**CANCELLATION**SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED
BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER
WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE
CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO
SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON
THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

Christie Reese

**TENNESSEE DEPARTMENT OF TRANSPORTATION
PERMIT TO STATE AGENCY OR LOCAL GOVERNMENT
FOR PROJECT WITHIN HIGHWAY RIGHT-OF-WAY**

The State of Tennessee, Tennessee Department of Transportation
("TDOT"), hereby grants this special permit for the use of State property under
the following terms and conditions:

PERMITTEE: City of Clarksville
Attn: Chris Cowan
1900 10th Street
Clarksville, TN 37040

AUTHORIZED USE: Construct turn lanes to TDOT standards and specifications
per drawing received 5/10/2013, attached hereto and incorporated by reference.

LOCATION OF PREMISES: SR 237 [LM 0.0] & SR 374 [LM 3.8], Clarksville,
Montgomery Co.

EFFECTIVE DATES OF PERMIT:

STANDARD TERMS AND CONDITIONS

1. PERMITTEE shall assume all liability for third-party claims for damages
arising from its use of the Premises.
2. Prior to commencing the work authorized herein, PERMITTEE shall obtain
any other permits or approvals required by federal, state or local laws, and
shall notify any utility company affected by this project. PERMITTEE shall be
financially responsible for any relocation or replacement of such utilities.
3. Prior to commencing the work authorized herein, PERMITTEE shall notify
Tennessee One Call regarding any excavation(s) and shall ensure that the
provisions of TCA 65-31-101 et seq. are met.

4. Access to the Premises shall only be at those points that have been previously approved by TDOT. Equipment and vehicles shall be confined to unpaved portions of the Premises.
5. A. PERMITTEE shall not cut any tree or similar vegetation that has a trunk over four inches in diameter.
B. PERMITTEE shall not cut any flowering trees regardless of size
6. All work on the premises shall be performed in compliance with current TDOT Standard Specifications for Road and Bridge Construction and TDOT Standard Drawings, in addition to applicable federal, state and local law and regulations.
7. PERMITTEE must obtain prior, written approval from TDOT before deviating from the scope of the project or the manner of its construction as described in this permit, including Attachment A.
8. At no time will work authorized by this permit interfere with the normal flow of traffic on roadways adjoining the Premises. PERMITTEE is responsible for providing traffic control for this work zone in accordance with the requirements of the current *Manual on Uniform Traffic Control Devices*. If proper traffic control is not in place, TDOT may order PERMITTEE to stop work until proper traffic control is put in place.
9. While the project is underway, TDOT may conduct inspections to insure compliance with this Permit. Upon completion of the project, PERMITTEE shall notify TDOT so that the project may be inspected and approved by TDOT.
10. PERMITTEE shall be liable for any damage to state property resulting from the subject work, including but not limited to, the roadway, shoulders,

guardrail, drainage, landscaping, signs and controlled-access fences. All repair or replacement of such damage shall be made in accordance with the current TDOT Standard Specifications for Road and Bridge Construction, TDOT Standard Drawings and any other applicable design and/or construction standards or guidelines.

11. PERMITTEE shall keep all debris, soil, refuse or waste of any kind associated with the project from accumulating within the highway right-of-way.
12. PERMITTEE does hereby covenant and agree that in the event the Permit is for the construction or use of or access to space on, over, or under real property acquired, or improved under the Federal-Aid Highway Program, the PERMITTEE shall comply with all requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.
13. Nothing in this Permit shall be construed to limit TDOT's right to enter the Premises at any time.
14. If the PERMITTEE fails to comply with any of the foregoing conditions, TDOT shall have the right to revoke this permit, and require the immediate vacation of the Premises by the PERMITTEE. In the event of revocation, PERMITTEE must restore the Premises to its original condition. If PERMITTEE fails to do so within a reasonable time after revocation, TDOT may restore the Premises at the expense of the PERMITTEE.
15. This permit is non-transferable.

16. This permit shall not be construed as a conveyance of any interest in real property.

17. All notices required to be given to TDOT under this Permit shall be sent to:

Phillip R. Trammel, P.E.
Regional Traffic Engineer
Traffic Management Center
6603 Centennial Blvd, 2nd Floor
Nashville, TN. 37243-0360

IN WITNESS WHEREOF, the parties, through their authorized representatives, have executed this agreement.

**STATE OF TENNESSEE
TENNESSEE DEPARTMENT OF TRANSPORTATION**

BY: _____
REGIONAL ENGINEERING DIRECTOR DATE

APPROVED AS TO FORM:

REGIONAL ATTORNEY DATE

PERMITTEE:

BY: _____
DATE

TITLE: _____

RESOLUTION 56-2012-13

A RESOLUTION APPOINTING THE COMMISSIONER OF FINANCE/DIRECTOR
OF FINANCE/CHIEF FINANCIAL OFFICER

*BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE,
TENNESSEE:*

That, in accordance with Article IV, Section 5 of the Official Charter, the Clarksville City Council hereby appoints Laurie Matta as Commissioner of Finance/Director of Finance/Chief Financial Officer July 1, 2013.

ADOPTED:

February 2, 2013

Clarksville Montgomery County Career Center
350 Pageant Lane, Suite 406
Clarksville, TN 37040

Dear Sirs:

I would appreciate being considered for the Chief Financial Officer position advertised on the GFOA website. I am an experienced municipal finance director and chief financial officer seeking a focused progressive governmental entity. For the majority of my career I have worked in the governmental and non-profit areas as my preference has been to provide for citizens instead of creating profits for investors.

By viewing my personal work history and educational background I believe it proves my dedication and commitment to excellence. In positions I've held, I'm quickly called upon to increase areas of responsibility and considered for promotional opportunities.

As CFO I am committed to providing ethical and accurate oversight and control over the finances of the organization. Under my direction I implemented performance measures and key performance indicators. I have been intimately involved in the creation of the Strategic Plans and Initiatives. I have directed the implementation the creation of internal controls throughout two organizations. As everything ultimately ends in the Finance Division, I quickly gain knowledge of all areas of operations to work collaboratively with all Directors and team members to achieve goals and objectives.

I have extensive customer service and utility billing experience not only directing the department in two organizations but implementing performance improvements and training to provide excellent customer service to rate and tax payers as well as internal customers. I am extremely experienced and knowledgeable of Statutes, Ordinances and Resolutions that guide municipal operations.

From my resume you can see I have 7+ years experience in executive municipal leadership, and 20+ years experience in general accounting and various positions. I hold myself to the highest ethical standards. I am committed and dedicated to the organization of which I am employed in doing what is in the best interest of the citizens and the employees.

Thank you for your consideration,

Laurie Matta

Laurie Matta

79 Fort Caroline Lane

Palm Coast, FL 32137

(386) 864-0251

klinkenl@bellsouth.net

OBJECTIVE

To provide the knowledge, skills and abilities acquired through executive leadership, various employment positions and educational knowledge to lead the organization to greater success.

EDUCATION

University of Central Florida, Orlando, FL

Masters in Business Administration

May 2010

with honors

University of Central Florida, Orlando, FL

Bachelors of Science/Business Administration

December 2005

with honors

Major: Accounting

PROFILE

- Committed to continuous incremental improvements in technology and processes. Implementer of key performance indicators.
- Experienced in creating and implementing Strategic Plans, goals and objectives.
- Dependable, dedicated and committed to the organization, meets and exceeds time constraints and expectations.
- Management style is extremely collaborative to achieve win-win solutions.
- Extensive knowledge of local government, utility operations and management.
- Experienced working with and for developers and small home builders, adds to my knowledge of construction projects and infrastructure needs.
- Extensive knowledge and experience planning and directing budget preparations and financial statements.
- Effective team builder/relationship builder across silo departments to a team environment
- Experienced in grant administration and compliance and control implementations.
- Change Management – directed numerous changes across multiple divisions from process improvements, technology and organizational restructuring.
- Successfully implemented succession planning and career pathing throughout the finance division.
- Extensive knowledge of Procurement Management and Inventory Control processes
- Experience with labor unions and business managers in labor negotiations and settlements.
- Extensive knowledge and experience in bond issuances and financing/investment strategies.
- Pre-disaster planning and coordination with FEMA after natural disaster to full recovery efforts - FEMA – ISO-100, 200, 700, and 800 Certified
- FMEA, FMPA, APPA and GFOA affiliations
- Extensive knowledge of FERC, GAAP, GASB, SAS and FASB standards and requirements.

EMPLOYMENT EXPERIENCE

City of Daytona Beach, Florida

02/11-03/12

Chief Financial Officer

Directs financial activities of the organization through financial planning, control, reporting and compliance matters. Directs Utility Billing, Purchasing, Information Technology, Telecommunications, Accounting, Budgeting and Treasury Management. Responsible for the administration of a \$205 million operating budget; annual and five year capital improvement plan, 26,000 utility customers, 8 governmental funds, 15 special revenue funds (including 5 CRA's), 20 enterprise funds and 4 internal service funds. Responsible for Grant administration, accounting and compliance. Directs financial statement preparation, financial planning, debt administration, annual audit and strategic planning for the City's future. Major Accomplishments – implemented a new payroll software for 800+ employees that allowed for the 1st time in 20+ years for 941's and payroll deductions to balance.

City of New Smyrna Beach, Utilities Commission, FL

03/05-02/11

Chief Financial Officer and Director of Finance

10/06 – 02/11

Directs financial activities of the organization through financial planning, control, reporting and compliance matters. Directs Customer Service, Meter Department, Materials Management (including warehousing), Accounting and Budgeting. Directs creation of management reports from Financial Statements to Forecasts to provide timely accurate information. Recommends economic objectives, manages investment portfolio. Direct internal controls, entity wide, to identify and mitigate the risk of fraud. Responsible for grant administration, accounting and compliance. Directed the implementation of an automated fixed asset system, fully integrated with the accounting system, for control and accurate record keeping of assets. Major Accomplishments – fully automated the financial reporting system providing increased efficiencies, effectiveness and accuracy. Effectively transitioned a staff of 37 through multiple software changes. Proven incremental performance efficiencies through the CAFR's of Fiscal Years 2006 to 2009. Directed the creation and approval of the first comprehensive Materials Management Manual for the UC since, 1987. Directed the implementation and approval of the first fraud risk control policy, procedure and risk assessment tool for the UC.

Chief Accountant

10/05 – 10/06

Responsible for timely and accurate reporting of the financial status of the UC. Creation of monthly financial statements, balancing all bank accounts including investment portfolios. Responsible for creating budget based on all Divisions information. Major Accomplishments – Continuous improvement from a CAFR in 2005 with material weaknesses to CAFR of 2006 with no material weaknesses. Reduced time to publish monthly financial statements from 45 days to 10 days. Worked extensively and coordinated the successful exit of the Telecom industry. Worked closely with Black and Veatch in development of the UC's Rate Study. Created the first Budget document that was easily understood by our stakeholders.

Accountant**03/05 – 10/05**

Responsible for creating reconciliations to assist the Chief Accountant. Responsible for creating reconciliation of cash flows and accounts receivable for the telecommunications division. After four months duties were reassigned within the Accounting Department, while still the Accountant became responsible for bank reconciliations and general ledger administration including creating monthly financial statements. Major Accomplishment – balanced the UC's cash operating account for the first time in almost one year. Issued accurate and timely financial statements.

**Federal Aviation Administration Center for Management Development
(American Systems Corporation), Palm Coast, FL****7/98 – 3/04*****Administrative Assistant to the Director of New Business Development***

Responsible for recruiting and coordinating fee-for-service course deliveries with potential customers. Responsible for preparing financial reports regarding potential clients, as well as preparing annual budget projections with representative graphs and managerial accounting reports. Create and maintain several Access databases, including queries and reports as requested by management. Prepare rough order magnitude cost estimates for potential clients. Assist Associate Director of Professional Development in preparing the Quality performance Plan, monthly operating reports and scheduling of professional development activities. Maintain reports on instructor training and prepare documentation for college accreditation review board. Assisted the Associate Director of Finance in preparation of financial and managerial reporting to the parent company as well as the Centers' Director. Major Accomplishments – Instrumental in the preparation of contract negotiation documents for another 5 year term. Built relationships with other governmental entities to bring new business to the Center.

Pack Rat Discount Pack and Ship, Palm Coast, FL**10/97 – 6/98*****Manager***

Was hired to open a pack and ship store, a new venture from the core company. Developed costing structure, hired employees, located distributors and negotiated contracts. General responsibilities included ordering supplies, implementing cost procedures, computerize shipping, scheduling and supervision of employees. Daily balancing of cash drawer and preparation of profit summaries. Monthly preparation of income and expense reports as well as managerial reporting. Major Accomplishment – Start up of new venture that was eventually sold profitably.

St. Elizabeth Ann Seton Catholic Church, Palm Coast, FL**11/93 – 10/97*****Financial Secretary and Bulletin Editor***

Maintained multiple bank accounts including all investments (CD's, Bonds and Mutual Funds). Costing accounting and budget preparation for 1.7 million dollars annually. Maintained personnel files, new employee orientation and payroll for 30+ employees. Group Administrator for medical, dental and pension plans. Maintained tax deferred annuities, long-term disability and workman's compensation claims. Prepared monthly financial reporting to the Diocese (headquarters). Prepared 941's, payroll tax deposits, unemployment compensation and workman's compensation reports. Prepared annual financial statements, W-2's and 1099's. Troubleshoot and trained all employees on computer software as well as maintained and upgraded computer hardware. Created and published weekly bulletin and telecommunicated to a printing company.

Maintained parish census and mailings. Major Accomplishment – computer automated the parish, created procedures manuals and opening a school (recommending, setting up and training of school management software).

Cree and Morrow Realty, Inc., Palm Coast, FL

1/93 – 11/93

Operations Manager

Managed a busy real estate office and acted on behalf of broker in her absence.

Maintained all aspects of Multiple Listing Service computer system, maintained files on house and lot closings, prepared weekly sales update brochure, maintained inventory of houses and lots for sale, calculated commissions and updated information on closings. Acted as liaison between closing agents and customers. Prepared advertising for several publications. Maintained the bookkeeping and financial reporting, including payroll.

COMPUTER SKILLS

Microsoft products including: Word, Excel, Powerpoint, Outlook, Access, and Project; Word Perfect, Adobe Acrobat, Visual Basic, COBOL programming language, Quickbooks, Quicken, Cogsdale, Great Plains, Flow Charter, Lotus Notes.

HONORS AND COMMUNITY SERVICE

- Lifetime member Beta Gamma Sigma, International Business Honors Society recognized as “Best in Business”, April 2010
- Past Secretary of Volusia/Flagler Government Financial Officers Association
- Recipient of GFOA’s Certificate of Achievement in Financial Reporting 30 years (6 of which were under my direction).
- Recipient – University of Central Florida’s Diversity Scholarship, April 2004
- University of Central Florida President’s List 2004 through 2010
- Daytona Beach Community College Dean’s List 2001 through 2003
- Volunteered as a religious education teacher for 5 years
- Co-directed St. Mary’s Angels for 4 years – a non-profit dance troop to benefit abused children
- Director of Toys for Tots campaign for 3 years