

RESOLUTION NO. 90-10

A RESOLUTION RELINQUISHING A PORTION
OF THE SPRING HILL PLANNING REGION
LYING OUTSIDE THE CORPORATE LIMITS OF THE
TOWN OF SPRING HILL

WHEREAS, the planning region of the Town of Spring Hill extends southwardly to a boundary line heretofore established by the State Planning Commission; and

WHEREAS, on or about January 1, 1987, the City Council of the City of Columbia passed an annexation ordinance, its Ordinance No. 1495, attempting to annex a strip of land 25 feet in width extending generally eastwardly approximately six (6) miles from U.S. Highway 31, one of the purposes of which was to prevent any future annexations by the Town of Spring Hill south of the 25 foot strip; and

WHEREAS, that ordinance was contested by the Town of Spring Hill and certain owners of properties affected by the annexation under the provisions of 6-51-103, Tennessee Code Annotated, by a quo warranto proceeding, which is presently pending in the Chancery Court of Maury County, Tennessee, as Case No. 87-051; and

WHEREAS, representatives of the Town of Spring Hill and the City of Columbia have engaged in negotiations in an attempt to resolve the issues raised by this annexation ordinance and the pending litigation; and

WHEREAS, it has been proposed that the City Council of the City of Columbia adopt an ordinance de-annexing the area which

is the subject of this litigation and agree to an order being entered in the pending quo warranto proceeding nullifying the annexation which is the subject of that suit in exchange for the Town of Spring Hill relinquishing a portion of its planning region to the City of Columbia; and

WHEREAS, the Board of Mayor and Aldermen of the Town of Spring Hill and the Spring Hill Regional Planning Commission have agreed to the terms of this proposed settlement;

NOW THEREFORE, be it resolved by the Board of Mayor and Aldermen of the Town of Spring Hill that it abandon that portion of its planning region which lies south of the following described line, which is identified by a map which is attached hereto as an exhibit and hereby made a part hereof, to-wit:

Beginning at a point in the Planning Region Boundary of the City of Columbia, said point also being Theodore Marvin Davis' Northeast corner (Tax Map 52, Parcel 20); thence in a Northerly direction with Robert R. Jones' East margin to Jones' Northeast corner, a distance of approximately 1400 feet; thence with Willis Ingram's East margin in a Northerly, then Easterly, then Northerly direction again to Ingram's Northeast corner, a distance of approximately 2700 feet; thence with Addie Peach's South margin, in an Easterly direction, to Peach's Southeastern corner, a distance of approximately 140 feet; thence with Peach's East margin, in a Northerly direction, to Peach's Northeastern corner, a distance of approximately 640 feet; thence with Peach's North margin, in a Northwesterly direction to a fence, a distance of approximately 440 feet; thence with a fence, in a Northeasterly direction across the property of Esther W. Pratt to a point in Joe Butler's West margin, a distance of approximately 940 feet; thence with Butler's West margin, in a Northeasterly direction to the center of a stream, a distance of approximately 700 feet; thence with the center of a stream, the same being Butler's West margin, in a Northwesterly direction, to Edgar N. Chumley, Jr.'s Southeastern corner, a distance of approximately 740 feet; thence with the center of the same stream, the same being Chumley's South margin in a Northwesterly direction, to Chumley's South Western corner, a distance of approximately 1100 feet; thence with Chumley's West margin, in a Northeasterly direction, to Gene Humphrey's Southwest corner, a distance of approximately 340 feet; thence with Humphrey's West margin, in a Northeasterly direction, to the center of Butler Road, a distance of approximately 460 feet; thence with the center of Butler Road, in a Southeasterly direction to Robert D. Waddell's Southwestern corner, a distance of approximately 1150 feet; thence with a line, in a Northeasterly direction, to the intersection of the centerline of Freehand Road and the centerline of the

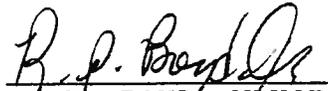
Railroad, a distance of approximately 2400 feet; thence with the center of Freehand Road, in an Easterly direction, to DSH Realty's Northeastern corner, a distance of approximately 3400 feet; thence with DSH Realty's East margin, in a Southerly direction, to the Northwestern corner of Lot 42 of Carter's Station Subdivision, a distance of approximately 550 feet; thence with the North margin of Carter's Station Subdivision in a Southeasterly direction, to the Northeastern corner of said Subdivision, a distance of approximately 600 feet; thence with the North margin of Heritage Development Associates property in a Southeasterly direction, to Heritage Development Associates Northeastern corner, a distance of approximately 1900 feet, thence with West margin of Elizabeth S. Love's property in a Southwesterly direction, to her Southwestern corner, thence with her South margin, in a Southeasterly direction, to her Southeastern corner, thence with her East margin in a Northeasterly direction, to her Northeasterly corner, in all 1360 feet; thence with the West margin of the Old Columbia Highway, in a Northeasterly direction, to the former location of Thomas March's Southeastern corner, a distance of approximately 1700 feet; thence with the former location of Thomas March's South line, in a Westerly direction; thence with the former location of March's West line, in a Northerly direction; thence with the former location of March's North line extended in an Easterly direction, to the centerline of U.S. Highway 31, a total distance of approximately 1640 feet (Note: the former location of March's lines are the same as the current Columbia City Limits.); thence with the centerline of U.S. Highway 31, in a Northeasterly direction, to the intersection of the centerline of U.S. Highway 31 and the centerline of Denning Lane extended, a distance of approximately 2100 feet; thence with the centerline of Denning Lane, in an Easterly direction, to a point 300 feet East of the East margin of U.S. Highway 31; thence with a line parallel to and 300 feet East of the East margin of U.S. Highway 31, in a Southwesterly direction, to a point in the South margin of Middle Tennessee Agricultural Experiment Station's property, a distance of approximately 4900 feet; thence with the South margin of the Experiment Station's property, in an Easterly direction, to Issac C. Griffy's Northeastern corner, a distance of approximately 7850 feet; thence with the South margin of the Experiment Station property, generally in a Southerly direction, to William Coy Ring's Northwestern corner a distance of approximately 5800 feet; thence with Ring's West margin extended in a Southerly direction to the centerline of Green's Mill Road, a distance of approximately 900 feet; thence with the centerline of Green's Mill Road, in an Easterly direction, to the intersection of the centerline of Green's Mill Road and the centerline of Clara Mathis' Road extended, a distance of approximately 11,500 feet; thence with the centerline of Clara Mathis Road, in a Southerly direction, to a point in the Planning Region Boundary of the City of Columbia, a distance of approximately 960 feet.

BE IT FURTHER RESOLVED, that this Resolution shall be effective on the effective date of the last of the following:

- (1) An ordinance adopted by the City Council of the City of Columbia, de-annexing the area which is the subject of its Ordinance No. 1495; and

(2) An order enter in the case pending in the Maury County Chancery Court case styled State of Tennessee on the relation of Donald Hickman, et al v. City of Columbia, No. 87-051, vacating Columbia Ordinance No. 1495 pursuant to the provisions of 6-51-103(c), Tennessee Code Annotated, which order shall prohibit the City of Columbia from annexing any part of the territory included within the vacated annexation ordinance for a period of two (2) years following the date of entry of such order.

PASSED AND ADOPTED by the Board of Mayor and Aldermen on the 17th day of September, 1990.



R. P. BOYD, MAYOR



JUNE QUIRK, RECORDER
LEGAL FORM APPROVED:



ROBIN COURTNEY, TOWN ATTORNEY