



## RESOLUTION 24-336

### **A RESOLUTION FOR ANNEXATION BY OWNER CONSENT OF SIX (6) ACRES ADDRESSED AS 3650 PULASKI HIGHWAY, IDENTIFIED BY PARCEL NUMBER 107 024.00 AND TO INCORPORATE THE SAME WITHIN THE BOUNDARIES OF THE TOWN OF CORNERSVILLE**

**WHEREAS**, the Town of Cornersville, having been petitioned by interested persons, proposes the extension of its corporate limits by the annexation of certain territory into the town limits to wit:

Property currently owned by Greg Sachs, Capital Circle Real Estate, LLC consisting of approximately six (6) acres addressed as 3650 Pulaski Hwy, parcel 107 024.00; and,

**WHEREAS**, the owner of all property within the territory proposed for annexation has given written consent so that a referendum is not required; and,

**WHEREAS**, a copy of this resolution, describing the territory proposed for annexation, was promptly sent by the Town of Cornersville to the last known address listed in the office of the property assessor for each property owner of record within the territory proposed for annexation. Such resolution being sent by electronic mail and US Postal Service, which was more than fourteen (14) calendar days prior to the scheduled date of the hearing on the proposed annexation by owner consent on November 7, 2024; and,

**WHEREAS**, this resolution was also published by posting copies of it in at least three (3) public places in the territory proposed for annexation, and in a like number of public places in the Town of Cornersville, and by publishing notice of the resolution at or about the same time in The Marshall County Post, a newspaper of general circulation in such territory and the Town of Cornersville; and,

**WHEREAS**, a plan of services for the area proposed for annexation is attached as Exhibit A hereto, which plan of services addresses the same services and timing of services as required in Tennessee Code Annotated § 6-51-102; and,

**WHEREAS**, notice of the time, place and purpose of a public hearing on the proposed annexation and the plan of services was published in a newspaper of general circulation in the Town of Cornersville not less than fifteen (15) days before the hearing, which notice included the locations of a minimum of three (3) copies of the plan of services for public inspection during all business hours from the date of notice until the public hearing; and,

**WHEREAS**, a public hearing on the proposed annexation and plan of services was held by the Cornersville Planning Commission on October 29, 2024; and,

**WHEREAS**, the proposed annexation and plan of services were submitted to the Cornersville Planning Commission for study, and it has recommended the same on October 29, 2024; and,

**WHEREAS**, a public hearing on the proposed annexation and plan of services was held by the Cornersville Board of Mayor and Aldermen on November 7, 2024; and,

**WHEREAS**, a music venue is not specifically listed in the Cornersville Zoning Ordinance (22-274) permitted use table.

**WHEREAS**, the owner requests annexation with the understanding that the property can be used for the below enumerated uses:

- Any current or future permitted use in a C-2 zone,
- Inside and outside permanent and/or temporary food and alcohol sales,
- Permanent and/or temporary music venue, and,
- Permanent and/or temporary outdoor entertainment, including but not limited to festivals

**NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF CORNERSVILLE, TENNESSEE AS FOLLOWS:**

**SECTION 1.** That the above-named territory is hereby annexed and incorporated into boundaries of the Town of Cornersville effective immediately upon its passage the public welfare requiring it.

**SECTION 2.** That the plan of services for this territory, which is attached as Exhibit A hereto, is approved and the same is hereby adopted.

**SECTION 3.** That the map for this territory is attached as Exhibit B hereto.

**SECTION 4.** That citizens in this territory shall be eligible to vote in all Town of Cornersville elections consistent with the Town Charter.

**SECTION 5.** The Town Recorder shall cause a copy of this resolution, as well as the adopted plan of services, to be forwarded to the Mayor of Marshall County.

**SECTION 6.** The annexed parcel is assigned C-2 zoning.

**SECTION 7.** That a copy of this resolution shall be recorded with the Marshall County Register of Deeds, and a copy shall also be sent to the Tennessee Comptroller of the Treasury and the Marshall County Assessor of Property, following certification by the election commission that the annexation was approved.

**SECTION 8.** That a copy of this resolution, as well as the portion of the plan of services related to emergency services and a detailed map of the annexed area, shall be sent to any affected emergency communication district, following certification by the election commission that the annexation was approved.

**SECTION 9.** That a revised map of the voting precincts shall be sent to the office of local government and to the office of management information services for the Tennessee General Assembly, following certification by the election commission that the annexation was approved.


**SECTION 10.** That the Tennessee Department of Revenue shall be notified, for the purpose of tax administration, that the annexation took place.


**SECTION 11.** Provided there is no direct conflict with future zoning ordinance provisions, the property can be used for:

- Any current or future permitted use in a C-2 zone,
- Inside and outside permanent and/or temporary food and alcohol sales,
- Permanent and/or temporary music venue, and,
- Permanent and/or temporary outdoor entertainment, including but not limited to festivals

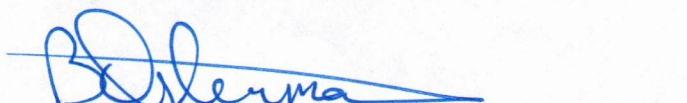
**SECTION 12.** If any section, clause, provision or portion of this Ordinance is for any reason declared invalid or unconstitutional by any Court of competent jurisdiction, such holding shall not affect any other section, clause, provision or portion of this Ordinance that is not itself invalid or unconstitutional.

Passed this 7<sup>th</sup> day of November, 2024.

  
\_\_\_\_\_  
John Luna, Mayor

  
\_\_\_\_\_  
Taylor Brandon, Town Recorder

Approved as to legality and form:

  
\_\_\_\_\_  
Billy Ostermann, Town Attorney

**Ex. A**  
**Town of Cornersville, Tennessee**

**Annexation Plan of Services**

**Parcel List:**

3650 Pulaski Highway  
Parcel 107 024.00

- A. **Police Protection.** The Town of Cornersville will not incur additional cost to provide police protection to the area.
- B. **Fire Protection.** The Cornersville Volunteer Fire Department currently provides, and will continue to provide following annexation, fire protection and related services, in accordance with its policies and standards, as revised from time to time. Fire hydrants were previously installed along the parcels. The Town of Cornersville will not incur additional cost to provide fire protection to the area.
- C. **Water Service.** Water is currently available from Hwy 31A. The Town of Cornersville will not incur additional cost to extend the water line along the parcels. The Lewisburg Water and Wastewater Department will provide water services, in accordance with its policies and standards, to the property.
- D. **Sanitary Sewer Service.** Sanitary sewer is available.
- E. **Electric Service.** Duck River Electric Cooperative currently has available and will provide, electric services, in accordance with its policies and standards, to the property.
- F. **Solid waste collection.** The Town of Cornersville has contracted for solid waste collection. Collection will be available to the annexed property.
- G. **Road and street construction and repair.** The street along the proposed parcel is a state highway and will be maintained by the State of Tennessee Department of Transportation.  
  
If another road is extended in the annexed area, the cost will be covered by developers.
- H. **Recreation facilities and programs.** The Town of Cornersville currently does not provide recreation services.
- I. **Street Lighting.** Street lighting will be installed in accordance with the policies and standards, as revised from time to time, of the Town of Cornersville.
- J. **Zoning services.** The Town of Cornersville will provide planning, zoning, and code compliance services in accordance with town policies and standards, as revised from time to time, to the annexed area upon the effective date of annexation.

# Ex. B Annexation Map

