

COPY

IN THE CIRCUIT COURT FOR ROANE COUNTY, TENNESSEE

CITY OF HARRIMAN, TENNESSEE, a
Municipal Corporation
Petitioner

VS.

NO. 13-CV-168

DENNIS RAY KEELING and wife, AMY B.
KEELING;
Defendants

AGREED ORDER

This case came on to be heard before the Honorable Russell E. Simmons, Jr., Judge, holding the Circuit Court for Roane County, Tennessee, at Kingston, upon the Petition for Condemnation filed by petitioner, City of Harriman, Tennessee; the announced agreement of the parties as evidenced by their signatures contained below; the statements of counsel; and the record as a whole; from all of which the Court finds the parties have agreed that petitioner, City of Harriman, Tennessee, is entitled to condemn the real estate at issue in this lawsuit, and that the compensation in the amount of \$1,400.00, heretofore paid to the Clerk of this Court, is just and sufficient compensation for the rights acquired by petitioner due to the condemnation of said real estate.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED the petitioner, City of Harriman, Tennessee, is hereby granted a non-exclusive permanent easement interest in, under, on, below, over and across the land of defendants, the same being the real property described below, for the purpose of placing, constructing, operating, repairing, maintaining, removing and replacing on the easement tract utilities and related equipment and facilities, which utilities include, but are not limited to, electric, gas, sewer and water, all of which are public utilities that are owned and/or licensed by the City of Harriman and/or the Harriman Utility Board. Further, the petitioner, City of Harriman, Tennessee, is hereby granted a non-exclusive permanent easement for ingress and egress

I, Kim R. Nelson, do certify that this is a true and perfect copy as the same appears of record in my office.

This 27th day of Dec 2013

KIM R. NELSON

ROANE COUNTY CIRCUIT COURT CLERK

ENTERED

DATE: 12-27-13

TIME: 10:00

BY: Amy B. Keeling

to the easement tract and a temporary construction easement as required and necessary to install, replace and maintain the facilities and lines beyond the boundaries of the real property described below.

It is further **ORDERED, ADJUDGED AND DECREED** the real property subject to the non-exclusive permanent easements and temporary construction easement granted above is described as follows, to-wit:

Situated, lying and being in the First Civil District of Roane County, Tennessee, and within the corporate limits of the City of Harriman, Tennessee, and being located on the easterly side of Ruritan Road (Tennessee Highway 29), reference being made to Map No. 036B, Group G, and a part of Parcel No. 004.00, as shown on the Tax Maps in the Property Assessor's Office for Roane County, Tennessee, and more particularly described as follows, to-wit:

Beginning on an unmonumented point in the easterly line of Ruritan Road, said point being located at 46.0 feet from the survey center line of the new relocation for Ruritan Road (Tennessee Highway 29), being a corner of Rupert C. Hester, Jr. with Dennis Ray Keeling and said beginning being defined as located at Tennessee Lambert Grid Position North = 579,818.41 and East = 2,394,299.99; Thence, along the easterly line of Ruritan Road (Tennessee Highway 29), along a line 46.0 feet from and parallel with the survey center line, North 02deg 42min 29sec West 50.04 feet to an unmonumented point being a corner of Dennis Ray Keeling with Marion Kittrel; Thence, with line of Marion Kittrel (N-13/290), North 82deg 34min 18sec East 17.77 feet to an unmonumented point in said line; Thence, with line interior to Dennis Ray Keeling (W-19/456), South 02deg 55min 10sec East 50.44 feet to an unmonumented point in a line of Rupert C. Hester, Jr.; Thence, with line of Rupert C. Hester, Jr. (1355/595, S-10/68 and Z-8/585), South 83deg 53min 50sec West 17.93 feet to the point of beginning, containing 0.021 Acre (more or less).

This being the same property as shown on a plat of survey by Lackey and Associates, Inc. of 214 Main Street, Oliver Springs, TN 37840, dated July 27, 2012 and revised on December 7, 2012 and also being designated as Drawing Number 12-353-R1 with bearings being referenced to Tennessee Lambert Grid North and position being referenced to Tennessee Lambert Grid Position (NAD 1983-95) datum adjusted by a factor of 1.00009.

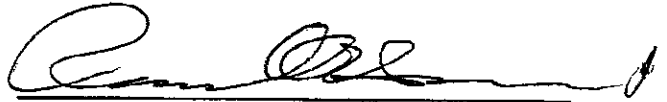
Being a part of the same property acquired by Dennis Ray Keeling under a Quit Claim Deed recorded in Deed Book W, Series 19 at Page 456, with exception of an Order of Possession in favor of the State of Tennessee recorded in Deed Book 1373, Page 111, both of which are of record in the Office of the Register of Deeds for Roane County, Tennessee.

It is further **ORDERED, ADJUDGED AND DECREED** this Agreed Order shall constitute a muniment of title for the purposes contained herein and shall be recorded in the Roane County Register's Office.

It is further **ORDERED, ADJUDGED AND DECREED** the Clerk of the Court shall issue a check to the respondents in the amount of \$1,400.00, said amount having heretofore been paid to the Clerk of this Court and being just and sufficient compensation for the rights acquired by petitioner due to the condemnation of said real estate as provided above.

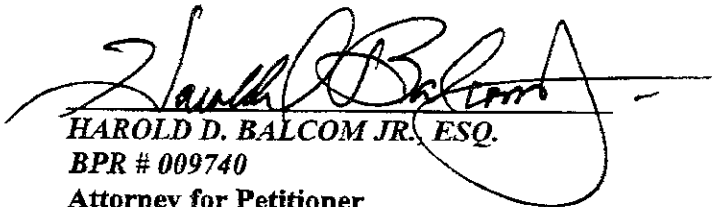
It is further **ORDERED, ADJUDGED AND DECREED** the costs of this case are hereby taxed to the petitioner, City of Harriman, Tennessee, after being given credit for all amounts heretofore paid into the registry of this Court.

ENTER this 20 day of December, 2013.



HON. RUSSELL E. SIMMONS, JR.
CIRCUIT COURT JUDGE

APPROVED FOR ENTRY:



HAROLD D. BALCOM JR., ESQ.

BPR # 009740

Attorney for Petitioner

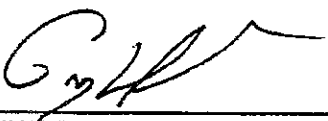
350 E. Race St.

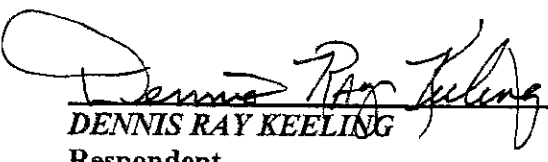
Suite 1


P. O. Box 487

Kingston, TN 37763-0487


(865) 376-5593


GREG LEFFEW, ESQ.
BPR # 013585
Attorney for Respondents
P.O. Box 63
Rockwood, TN 37854
(865) 354-3241


DENNIS RAY KEELING
Respondent
238 Old Hood Landing Rd.
Kingston, TN 37763
(865) 717-3030


AMY B. KEELING
Respondent
238 Old Hood Landing Rd.
Kingston, TN 37763
(865) 717-3030

BK/PG: 1490/739-742
14000130

	4 PGS:AL-ORDER
	DENISE BATCH. 103450 01/08/2014 - 12.30 PM
	VALUE 0.00
	MORTGAGE TAX 0.00
	TRANSFER TAX 0.00
	RECORDING FEE 20.00
	ARCHIVE FEE 0.00
	DP FEE 2.00
	REGISTER'S FEE 0.00
	TOTAL AMOUNT 22.00

STATE OF TENNESSEE, ROANE COUNTY
SHARON BRACKETT
REGISTER OF DEEDS

Roane County
73035-2206-14
STP-29(58)
Tract No. 65

IN THE CIRCUIT COURT FOR ROANE COUNTY, TENNESSEE

STATE OF TENNESSEE, ON RELATION
OF THE COMMISSIONER, DEPARTMENT
OF TRANSPORTATION, FOR AND ON
BEHALF OF SAID DEPARTMENT,

Petitioner,

v.

No. 14702

DENNIS RAY KEELING, et al.,

Defendants.

Tim R. Nelson
Angels-Randolph, do certify this is a true
and perfect copy of the original as it appears of
record in my office.
2010
JULIE B. SEHLER
ROANE COUNTY CLERK
JULIE B. SEHLER

ORDER OF POSSESSION

Came this matter to be heard before the Honorable Judge of the above-captioned Court, upon the Petition for Condemnation of certain real estate for public purposes, upon the Notice of the filing of the Petition for Condemnation, a copy thereof having been properly executed and served upon the Defendants, as required by law, upon the motion of the Petitioner to be granted the right to possession of the real estate set out and described in said Petition for Condemnation, pursuant to Tennessee Code Annotated Section 29-17-903 and it appearing to the Court that no timely objection has been filed by the Defendants contesting or challenging Petitioner's right to condemn and take said real estate, and it further appearing to the Court that the Petitioner, under the law, is entitled to possession of the real estate sought to be acquired in this proceeding;

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED that the

ENTERED
DATE: 8/19/10
BY: *Shirley Long*

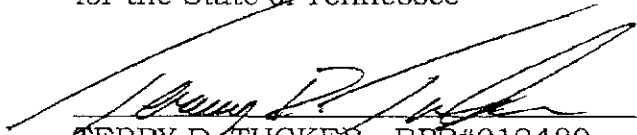
Petitioner is entitled to possession of and shall be put into possession of the property described in the Petition and attached as Exhibit "A". On application of the Petitioner, the Clerk will issue a Writ of Possession to put the Petitioner in full and complete possession of the property described in the Petition for Condemnation and attached as Exhibit "A".

This the 19 day of August, 2010.


JUDGE

APPROVED FOR ENTRY:

ROBERT E. COOPER, JR.
Attorney General and Reporter
for the State of Tennessee


TERRY D. TUCKER - BPR#012480
Senior Counsel
561 West Main Street, First Floor
Historic Knoxville Post Office
Knoxville, Tennessee 37902
(865) 594-6222
Fax No.: (865) 594-6565
E-mail: Terry.Tucker@ag.tn.gov

CERTIFICATE OF SERVICE

I, Terry D. Tucker, certify that a copy of the foregoing document was served upon all parties via

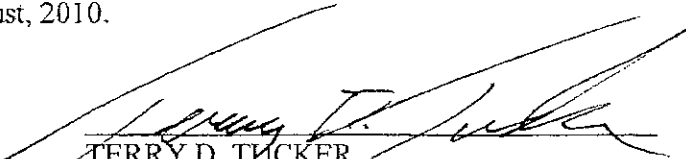
☒ First Class U.S. Mail
☐ Fax
☐ Personal Delivery

To the following address(es):

Greg Leffew
Attorney at Law
P. O. Box 63
Rockwood, TN 37854

First Bank of Tennessee
ATTN: Gail Lyke, Vice President
P. O. Box 237
Rockwood, TN 37854

This the 18th day of August, 2010.


TERRY D. TUCKER

BK/PG: 1373/111-115
10006686

5 PGS : AL - ORDER	
DENISE BATCH 75497	10/04/2010 - 08 30 AM
VALUE	0.00
MORTGAGE TAX	0.00
TRANSFER TAX	0.00
RECORDING FEE	25.00
ARCHIVE FEE	0.00
DP FEE	2.00
REGISTER'S FEE	0.00
TOTAL AMOUNT	27.00

STATE OF TENNESSEE, ROANE COUNTY
SHARON BRACKETT
REGISTER OF DEEDS

This instrument prepared by: LTL
Department of Transportation
7345 Region Lane
Knoxville, Tennessee 37914

EXHIBIT A
PROJECT: STP 29(58)
COUNTY: Roane
TRACT: 65

KNOW ALL MEN BY THESE PRESENTS, That, I/we,

have bargained and sold, and by these presents do transfer and convey unto the State of Tennessee the land and/or land rights more particularly described as follows:

SITUATED, lying and being in Civil District No. 1 of Roane County, Tennessee and being more fully described as follows:

BEGINNING at a point on the existing east right of way line of State Route # 29 at the intersection with the common property line between Rupert C. Hester, Jr. and the grantors herein; thence with the said existing east right of way line north 01 degrees 58 minutes 37 seconds west 55.18 feet to an existing iron pin on the common property line between Marion Kittrell and the grantors herein; thence with the said property line north 82 degrees 41 minutes 07 seconds east 30.85 feet to a point on the east proposed uncontrolled access right of way line of State Route # 29, said point located 46.00 feet right of State Route # 29 centerline station 44+32.59; thence with the said east proposed uncontrolled access right of way line south 02 degrees 42 minutes 29 seconds east 53.10 feet to a point on the common property line between Rupert C. Hester, Jr. and the grantors herein, said point located 46.00 feet right of centerline station 43+79.49; thence with the said property line south 79 degrees 04 minutes 03 seconds west 31.78 feet to the Point of **BEGINNING**.

Containing 1,683 square feet, more or less.

The above described tract of land is conveyed to the grantee in fee simple.

SLOPE EASEMENT

Being a parcel of land lying outside and adjacent to the east proposed uncontrolled access right of way line of State Route # 29 and extending from the common property line between Rupert C. Hester, Jr. and the grantors herein to a point located 46 feet more or less right of State Route # 29 centerline station 43+90 more or less, excluding driveways, varying in width from 0 feet to 2 feet more or less.

Containing 19 square feet, more or less.

By this instrument the grantors hereby convey an easement for construction of slopes outside the proposed right of way line. The land on which the slopes are to be constructed remains the property of the grantors. This easement shall terminate upon completion of construction of the project.

CONSTRUCTION EASEMENT

Being a parcel of land lying outside and adjacent to the east proposed uncontrolled access right of way line of State Route # 29 and the proposed slope easement, extending from the common property line between Rupert C. Hester, Jr. and the grantors herein to the common property line between Marion Kittrell and the grantors herein, excluding driveways, 10 feet more or less in width.

Containing 521 square feet, more or less.

By this instrument the grantors hereby convey an easement for the construction of a work area and erosion controls outside of the proposed right of way line. The title to the above described land remains vested in the grantor and is to be used by the State of Tennessee, its contractors or its assigns for a period of 3 years from and after the commencement of construction.

The grantors acquired title to said land under Deed of record in Deed Book 619 Page 456
in the Register's Office of Roane County, Tennessee.

The consideration mentioned herein includes payment for the property taken, also payment for
any and all incidental damages to the remainder compensable under eminent domain.

The above described property is a portion of Parcel No. 4 Tax Map 036 B6

The State of Tennessee or its duly authorized agents and assigns shall be given the right to enter
upon defendants remaining land for the purpose of removing improvements and/or
encroachments which are located both on the land conveyed to the State of Tennessee and the
remaining land of the defendant herein. The award by the jury herein recited includes payment
in full for such improvements.

This conveyance is made in consideration of XXXXXXXXXXXXXXXXXXXX

(\$X,XXX.00) Dollars, cash in hand paid, the receipt of which is hereby acknowledged.

CHECKED
BY R L V
MAY 17 2010