

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**INVOCATION** – Chaplain Joe Creek

**ROLL CALL**

**APPROVAL OF APRIL 12, 2010 MINUTES**

**VOTE ON ZONING RESOLUTIONS**

**CZ-6-2010:** Application of Cheryl Cline from C-2 to C-1

**CZ-7-2010:** Application of Earleen Smith from AG to R-1

**CZ-8-2010:** Application of Rowland Smith from AG to R-1

**VOTE ON OTHER RESOLUTIONS**

**10-5-1:** Resolution of the Montgomery County Board of Commissioners Appropriating Funds through the Bidding Phase for the Construction of Carmel Elementary School

**10-5-2:** Resolution to Amend the Montgomery County Highway Department's Budget in the General Road Fund

**10-5-3:** Resolution Establishing Solid Waste Flow Control Pursuant to Tennessee Code Annotated § 68-211-906(b) Directing Delivery of all Solid Waste Generated within the Unincorporated Areas of Montgomery County, Tennessee, Stewart County, Tennessee, the City of Clarksville, Tennessee and the City of Dover, Tennessee to Bi-County Solid Waste Management System

**10-5-4:** Resolution to Authorize the Acquisition of Property on which to Build a Rail Line Spur

**10-5-5:** Resolution to Request Unclaimed Balance of Accounts Remitted to State Treasurer under Unclaimed Property Act

## **UNFINISHED BUSINESS**

## **REPORTS**

1. County Clerk's Report – **(approved on May 10)**

## **REPORTS FILED**

1. Court Safety Program: Adult Driver Improvement Program; Juvenile Court Defensive Driving Course & Alive at 25 Defensive Driving Course Revenue and Attendees for January – March, 2010
2. April 2010 Adequate Facilities Tax and Permit Revenue Reports
3. Highway Department: 2010 Road List, Jan.1, 2010 - March 31, 2010 **(needs approval)**
4. Highway Department: Quarterly Report – January – March, 2010
5. **Accounts & Budgets Monthly Report**
6. **Projects & Facilities Report**
7. **Trustee's Report**

**COUNTY MAYOR NOMINATIONS AND APPOINTMENTS** – Mayor Bowers

## **ANNOUNCEMENTS**

## **ADJOURN**

**RESOLUTION OF THE MONTGOMERY COUNTY BOARD OF  
COMMISSIONERS  
AMENDING THE ZONE CLASSIFICATION OF THE PROPERTY OF  
CHERYL CLINE**

WHEREAS, an application for a zone change from C-2 General Commercial District to C-1 Neighborhood Commercial District has been submitted by Cheryl Cline and

WHEREAS, said property is identified as County Tax Map 115, parcel 011.02, containing 2.5 acres, situated in Civil District 13, located Property Located at the Southeast corner of the intersection of State Hwy 149 & Palmyra Road.; and

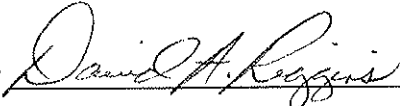
WHEREAS, said property is described as follows:

Beginning at a point S 79 degrees 38 minutes 59 seconds E 494.82' from the Centerline intersection of Highway 149 and Palmyra Road said point being the Point of Beginning and the Northwest corner of the herein described property, thence with the Highway 149 R.O.W. N 83 degrees 15 minutes 00 seconds E 723.01' to a point said point being the Northwest corner of the Mark Davis Property, thence with the Mark Davis Property s 20 degrees 18 minutes 58 seconds W 284.85' to a point, said point being the Southwest corner of the Mark Davis Property, then with the Palmyra Road R.O.W. N 70 degrees 38 minutes 25 seconds West 122.44' to a point said point being along the South Property Line of the herein described property, thence continuing along the Palmyra Road R.O.W. N 83 degrees 19 minutes 25 seconds West 463.01' to a point, said point being the Southwest corner of the herein described property, thence along the herein described property's west property line N 26 degrees 29 minutes 02 seconds W 98.02' to the point of beginning: containing 2.49 +/- acres (Tax Map 115 Parcel 11.02)

WHEREAS, the Planning Commission staff recommends APPROVAL and the Regional Planning Commission recommends APPROVAL of said application.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of County Commissioners assembled in regular session on this 10th day of May, 2010, that the zone classification of the property of Cheryl Cline from C-2 to C-1 is hereby approved.

Duly passed and approved this 10th day of May, 2010.

**Sponsor**   
**Commissioner** \_\_\_\_\_  
**Approved** \_\_\_\_\_

**Attested:** \_\_\_\_\_  
**County Clerk**

**County Mayor**

**RESOLUTION OF THE MONTGOMERY COUNTY BOARD OF  
COMMISSIONERS  
AMENDING THE ZONE CLASSIFICATION OF THE PROPERTY OF  
EARLEEN SMITH**

WHEREAS, an application for a zone change from AG Agricultural District to R-1 Single Family Residential District has been submitted by Earleen Smith and

WHEREAS, said property is identified as County Tax Map 083, parcel 056.01, containing 20.33 acres, situated in Civil District 13, located 1,160 +/- feet North of the intersection of Durham Road & Memory Lane fronting on the east side of Durham Road 430 +/- feet. ; and

WHEREAS, said property is described as follows:

Beginning at a set iron pin, said pin being North 19 degrees 43 minutes 24 seconds East 67.63 feet from the centerline intersection of Memory Lane and Durham Road; thence with the easterly margin of Durham Road and with a curve turning to the left with an arc length of 430.30 feet, with a radius of 295.00 feet, with a chord bearing of North 27 Degrees 24 Minutes 46 Seconds West, with a chord length of 393.15 feet to a set iron pin; thence North 69 Degrees 11 Minutes 59 Seconds West 46.87 feet to a set iron pin; thence leaving said margin of Durham Road and with the Hughes and Hicks property South 85 Degrees 07 Minutes 59 Seconds East 229.90 feet to an existing iron pin; thence South 85 Degrees 59 Minutes 58 Seconds East 610.09 feet to an existing iron pin; thence with the Harrison Property South 85 Degrees 51 Minutes 18 Seconds East 485.31 feet to an existing iron pin; thence South 86 Degrees 32 Minutes 45 Seconds East 206.21 feet to an existing iron pin; thence with the Williamsburg, Section 3 Subdivision South 05 Degrees 03 Minutes 39 Seconds West 720.86 feet to a set stone; thence leaving Williamsburg and with the Christoffer and Lenich properties North 87 Degrees 13 Minutes 09 Seconds West 1149.48 feet to an existing stone; thence on a new line North 26 Degrees 19 Minutes 02 Seconds East 142.57 feet to set iron pin; thence North 15 Degrees 21 Minutes 50 Seconds East 209.39 feet to a set iron pin; thence North 69 Degrees 57 Minutes 28 Seconds West 223.22 feet to the point of beginning, containing an area of 20.33+/- Acres (Tax Map 83 Parcel 056.01)

WHEREAS, the Planning Commission staff recommends APPROVAL and the Regional Planning Commission recommends APPROVAL of said application.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of County Commissioners assembled in regular session on this 10th day of May, 2010, that the zone classification of the property of Earleen Smith from AG to R-1 is hereby approved.

Duly passed and approved this 10th day of May, 2010.

Sponsor David A. Roggisi  
Commissioner \_\_\_\_\_  
Approved \_\_\_\_\_

Attested: \_\_\_\_\_  
County Clerk

County Mayor

**RESOLUTION OF THE MONTGOMERY COUNTY BOARD OF  
COMMISSIONERS  
AMENDING THE ZONE CLASSIFICATION OF THE PROPERTY OF  
ROWLAND SMITH**

WHEREAS, an application for a zone change from AG Agricultural District to R-1 Single Family Residential District has been submitted by Rowland Smith and

WHEREAS, said property is identified as County Tax Map 087, parcel 033.00 (p), containing 73.64 acres, situated in Civil District 13, located North of US 41-A south, South of Sango Road, west and adjacent to Bagwell Road, north of Smith Brothers Lane; and

WHEREAS, said property is described as follows:

“EXHIBIT A”

WHEREAS, the Planning Commission staff recommends APPROVAL and the Regional Planning Commission recommends APPROVAL of said application.

NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of County Commissioners assembled in regular session on this 10th day of May, 2010, that the zone classification of the property of Rowland Smith from AG to R-1 is hereby approved.

Duly passed and approved this 10th day of May, 2010.

Sponsor David A. Higgins  
Commissioner \_\_\_\_\_  
Approved \_\_\_\_\_

Attested: \_\_\_\_\_  
County Clerk

County Mayor

## "EXHIBIT A"

Beginning at a point in the east right of way Smith Lane, said point being the southwest corner of herein described tract, also being the point of beginning. Thence along said east right of way of said Smith Lane, north 09 degrees 26 minutes east for a distance of 230.13 feet +/- to a point; Thence continuing along said right of way, on a curve to the right having a radius of 1939.03 feet +/- an arc length of 404.65 feet +/-, a delta of 11 degrees 57 minutes 25 seconds +/-, a tangent of 203.06 feet +/-, a chord bearing of north 15 degrees 33 minutes 28 seconds east for a distance of 403.92 feet +/- to a point, said point being the southwest corner of the James Davidson property; Thence leaving said right of way along the south property line of said Davidson property, south 83 degrees 46 minutes 18 seconds east for a distance of 468.24 feet +/- to a point, said point being the southeast corner of said Davidson property; Thence along the east property line of said Davidson and along the east property line of the David Howard III property, north 08 degrees 51 minutes 17 seconds east for a distance of 1205.06 feet +/- to a point, said point lying in the south property line of said Howard property; Thence along the south property line of said Howard property and crossing the Erik turnkey property, south 79 degrees 25 minutes 36 seconds east for a distance of 1733.94 feet +/- to a point, said point lying in the west right of way of Bagwell Road, also being the southeast corner of the turnkey property; Thence along said west right of way, south 06 degrees 37 minutes 56 seconds west for a distance of 362.39 feet to a point; Thence continuing along said west right of way, south 07 degrees 59 minutes 49 seconds west for a distance of 1283.08 feet to a point, said point being the southeast corner of herein described tract, also lying in the north right of way of the Smith Brothers Lane; Thence along said north right of way of said Smith Brothers Lane, north 89 degrees 13 minutes 03 seconds west for a distance of 1.13 feet +/- to a point; Thence continuing along said north right of way, on a curve to the right having a radius of 538.59 +/- feet, an arc length of 124.54 feet +/-, a delta of 13 degrees 14 minutes 56 seconds, a tangent of 62.55 feet +/- feet, a chord bearing of north 82 degrees 31 minutes 58 seconds west for a distance of 124.26 feet +/- to a point; Thence continuing along said right of way north 75 degrees 54 minutes 21 seconds west for a distance of 380.74 feet to a point; Thence continuing along said north right of way, on a curve to the right having a radius of 250.00 feet +/-, an arc length of 39.17 feet +/-, a delta of 08 degrees 58 minutes 39 seconds, a tangent of 19.63 feet, a chord bearing of north 68 degrees 31 minutes 12 seconds west for a distance of 39.13 feet to a point; Thence continuing along said north right of way, on a curve to the left having a radius of 125.00 feet +/-, an arc length of 86.94 feet +/-, a delta of 39 degrees 51 minutes 02 seconds, a tangent of 45.31 feet, a chord bearing of north 86 degrees 26 minutes 23 seconds west for a distance of 85.20 feet +/- to a point; Thence continuing along said north right of way, on a curve to the right having a radius of 172.25 feet +/- feet, an arc length of 80.46 feet +/-, a delta of 26 degrees 45 minutes 53 seconds, a tangent of 40.98 feet, a chord bearing of south 85 degrees 12 minutes 39 seconds west for a distance of 79.73 feet to a point; Thence continuing along said right of way, north 81 degrees 02 minutes 10 seconds west for a distance of 965.89 feet to a point; Thence continuing along said north right of way, on a curve to the left having a radius of 253.89 feet +/-, an arc length of 139.52 feet +/-, a delta of 31 degrees 29 minutes 11 seconds, a tangent of 71.57 feet +/-, a chord bearing of south 83 degrees 18 minutes 54 seconds west for a distance of 137.77 feet to a point; Thence continuing along said right of way, south 67 degrees 34 minutes 44 seconds west for a distance of 254.75 feet to a point; Thence continuing along said right of way, on a curve to the right having a radius of 156.91 feet +/-, an arc length of 98.90 feet +/-, a delta of 36 degrees 06 minutes 39 seconds, a tangent of 51.15 feet, a chord bearing of south 85 degrees 47 minutes 49 seconds west for a distance of 97.27 feet +/- to a point; Thence continuing along said right of way, north 75 degrees, 59 minutes and 08 seconds west for a distance of 168.07 feet +/- to the point of beginning Containing 73.63 acres +/- Map 087 parcel 033.00

**RESOLUTION OF THE MONTGOMERY COUNTY  
BOARD OF COMMISSIONERS APPROPRIATING FUNDS  
THROUGH THE BIDDING PHASE FOR  
THE CONSTRUCTION OF CARMEL ELEMENTARY SCHOOL**

WHEREAS, the Board of Commissioners has expressed its intent to build Carmel Elementary school and appropriated architect fees through the schematic design phase in Resolution 09-03-5, and;

WHEREAS, the county continues to experience growth in zoning region 4, and;

WHEREAS, Carmel Elementary will be constructed using the Rossvie Elementary School prototype, and;

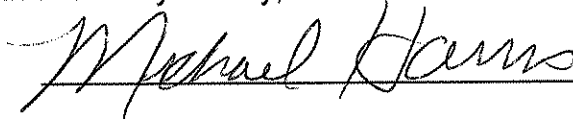
NOW, THEREFORE, BE IT RESOLVED by the Montgomery County Board of County Commissioners assembled in Regular Session on this 10th day of May, 2010 that this Commission expresses its intent to construct the Carmel Elementary School and that the sum of \$468,708 be and the same is hereby appropriated to the School Capital Project Fund for the employment of an architect through the bidding phase.

BE IT FURTHER RESOLVED that this appropriation be funded from the Debt Service Fund Balance subsequently to be reimbursed through a resolution with the issuance of School Bonds, all pursuant to and in accordance with all pertinent provisions contained in Section 49-3-1001 through 49-3-1007 inclusive of Tennessee Code Annotated.

BE IT FURTHER RESOLVED that the Director of Schools shall file quarterly reports with the Board of Commissioners to include detailed expenditures by object code and the progress of work. The progress report shall include the percent of work completed by major component and the amount paid to the contractor including retainage. Upon project completion or the expiration of the warranty, whichever comes first, a detailed closeout report by object code shall be provided within thirty (30) days to the Board of Commissioners.

Duly passed and approved this 10th day of May, 2010.

Sponsor

  
\_\_\_\_\_

Commissioner

\_\_\_\_\_

Approved

\_\_\_\_\_

County Mayor

Attested

\_\_\_\_\_

County Court Clerk

## Carmel Elementary School

		February, 2010
	<u>Initial Funding</u>	<u>Total Funding Estimate</u>
Architect Fees	79,700	644,920
Engineering Fees		50,000
Building Construction		17,427,000
Furniture/Equip/Technology		<u>1,886,103</u>
Total		20,008,023



**RESOLUTION TO AMEND THE MONTGOMERY COUNTY HIGHWAY DEPARTMENT'S BUDGET IN THE GENERAL ROAD FUND**

**WHEREAS**, the Montgomery County Highway Department has a need to transfer budgeted funds from one account to another due to additional funds needed for asphalt hot mix; and

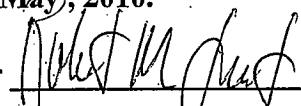
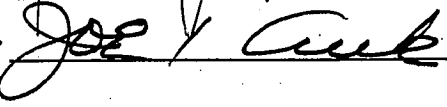
**WHEREAS**, transfer would occur from the following accounts into the appropriate account as follows:

To Account	Amount	From Account
131-62100-00000-62-54040	\$161,213.00	131-00000-00000-00-48120
131-62000-00000-62-54040	\$ 20,808.06	131-00000-00000-00-40140
131-62000-00000-62-54040	\$110,929.78	131-00000-00000-00-47230
131-62000-00000-62-54040	\$ 3,456.25	131-00000-00000-00-49700
131-62000-00000-62-54040	\$ 60,481.95	131-00000-00000-00-39000

**NOW, THEREFORE, BE IT RESOLVED** by the Montgomery County Board of Commissioners assembled in Regular Session on this 10th day of May, 2010, that \$356,889.04 will be transferred from 131-00000-00000-00-48120 Paving and Maintenance; and 131-00000-00000-00-40140 Interest and Penalty; and 131-00000-00000-00-47230 Disaster Relief; and 131-00000-00000-00-49700 Insurance Recovery; and 131-00000-00000-00-39000 Fund Balance and transferred into the following General Roads account:

131-62000-00000-62-54040	Asphalt-Hot Mix	<u>\$356,889.04</u>
<b>Total Fund transferred into Asphalt-Hot Mix</b>		<b>\$356,889.04</b>

**Duly passed and approved this 10th day of May, 2010.**

Sponsor   
 Commissioner   
 Approved \_\_\_\_\_  
 County Mayor

Attested \_\_\_\_\_  
 County Clerk

**RESOLUTION ESTABLISHING SOLID WASTE FLOW CONTROL PURSUANT TO TENNESSEE CODE ANNOTATED § 68-211-906(b) DIRECTING DELIVERY OF ALL SOLID WASTE GENERATED WITHIN THE UNINCORPORATED AREAS OF MONTGOMERY COUNTY, TENNESSEE, STEWART COUNTY, TENNESSEE, THE CITY OF CLARKSVILLE, TENNESSEE AND THE CITY OF DOVER, TENNESSEE TO BI-COUNTY SOLID WASTE MANAGEMENT SYSTEM**

**WHEREAS**, Tenn. Code Ann. § 68-211-906(b) authorizes each solid waste authority with the concurrence of the county governing body with a territory outside of the municipal boundaries and the governing bodies of any municipalities for the territory of the municipality to exercise exclusive jurisdiction and exclusive right to control the collection of solid waste within its boundaries and to control the disposition of solid waste collected within its boundaries; and,

**WHEREAS**, it is deemed by this legislative body to be in the material best interest of its constituent citizens that Bi-County Solid Waste Management System be given the statutory right to control flow of solid waste and disposal of solid waste within Montgomery County, Tennessee, Stewart County, Tennessee, the City of Clarksville, Tennessee and the City of Dover, Tennessee, in order to maintain the financial viability for the system which has served the said jurisdictions since 1974; and, to promote the public health and welfare.

**NOW, THEREFORE, BE IT RESOLVED**, by the Montgomery County Board of Commissioners assembled in Regular Session on this 10<sup>th</sup> day of May, 2010, that all of the solid waste disposed of within the territorial jurisdiction of this legislative body, be transported to the Bi-County Solid Waste Management System landfills unless the person or contractor is determined to be hauling solid waste which is not appropriate for disposition in one of the landfill's maintained and operated by Bi-County Solid Waste Management System.

If any section, provision or part of this resolution shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof, not adjudged invalid or unconstitutional. This resolution shall be in effect from and after its final passage approval and publication as provided by law.

**Duly passed this the 10<sup>th</sup> day of May, 2010.**

**Sponsor** \_\_\_\_\_

**Commissioner** \_\_\_\_\_

**Approved** \_\_\_\_\_

**County Mayor**

**Attested** \_\_\_\_\_

**County Clerk**

**RESOLUTION TO AUTHORIZE THE ACQUISITION OF PROPERTY  
ON WHICH TO BUILD A RAIL LINE SPUR**

**WHEREAS**, Montgomery County is currently experiencing major industrial growth in the Montgomery County Industrial Park; and

**WHEREAS**, future growth is expected to continue in the Industrial Park and necessary infrastructure investment is needed to service the new industries; and

**WHEREAS**, the Montgomery County Industrial Board has determined that a new rail spur is necessary to service certain areas within the industrial park; and

**WHEREAS**, the land required to construct the spur line is set out in Exhibit "A" attached hereto and incorporated by reference; and

**WHEREAS**, it appears that it will be necessary for Montgomery County to acquire the property set out in Exhibit "A" to construct said rail spur line.

**NOW, THEREFORE, BE IT RESOLVED** by the Montgomery County Board of Commissioners assembled in Regular Session on this 10th day of May, 2010, that the County Mayor is hereby authorized to acquire property for Montgomery County on which to construct a rail spur line. In connection therewith, the County Mayor is authorized to purchase said property or, if necessary, employ counsel to petition for condemnation of said land pursuant to T.C.A. § 29-16-101, et seq., and other applicable Tennessee state statutes.

**Duly passed and approved this 10th day of May, 2010.**

**Sponsor** \_\_\_\_\_

**Commissioner** \_\_\_\_\_

**Approved** \_\_\_\_\_

**County Mayor**

**Attest** \_\_\_\_\_

**County Clerk**

## EXHIBIT "A"

## INDUSTRIAL RAILROAD EXTENSION

MAP NO.	PARCEL	COUNTY	CIVIL DISTRICT	TRACT NO.
040	006.04	Montgomery	6 <sup>TH</sup>	

**RAN McINTOSH AND TRENT GALLIVAN  
ORV. 824 PAGE 1955**

DBS & Associates Engineering, Inc.  
330 N. 2<sup>nd</sup> Street  
P.O. Box 949  
Clarksville, TN 37041-0949

Right-of-Way

Beginning at a point on the southern right of way of Dunlop Lane, said point being the northeastern corner of the Ran McIntosh and Trent Gallivan property being of record in Official Record Volume 824, Page 1955 Register's Office of Montgomery County Tennessee, said point also being the northwestern corner of a Gap as shown on a survey conducted by DBS and Associates on January 9, 2008, said point also being 9.79 feet to the left of station 25 + 17.69 of the proposed centerline of said Industrial Railroad Extension Turnout "A", said point also being the northeastern corner of the herein described tract;

**THENCE** leaving said southern right of way and with the western boundary line of said Gap, **South 08 degrees 05 minutes 01 seconds West for a distance of 147.31 feet** to a point, said point being 12.00 feet to the right of station 26 + 63.89 of the proposed centerline of said Industrial Railroad Extension Turnout "A", said point being the southern corner of the herein described tract;

**THENCE** leaving said western boundary line on a new severance line crossing said Ran McIntosh and Trent Gallivan property the following two (2) calls, **on a curve to the left, with a radius of 466.34 feet, an arc of 22.27 feet, a delta of 02 degrees 44 minutes 11 seconds, a tangent of 11.14 feet, and being subtended by a chord bearing and distance of North 00 degrees 44 minutes 15 seconds East for a distance of 22.27 feet** to a point;

**THENCE North 00 degrees 37 minutes 50 seconds West for a distance of 126.76 feet** to a point, said point also being on the southern right of way of said Dunlop Lane, said point also being the northwestern corner of the herein described tract;

**THENCE** leaving said new severance line and with said right of way, **South 81 degrees 44 minutes 23 seconds East for a distance of 22.05 feet** to the point of beginning.

Said tract contains 1,588.6 Square Feet or 0.04 Acres, more or less.

Drainage Easement

Beginning at a point on the western boundary line of a Gap as shown on a survey conducted by DBS and Associates on January 9, 2008, said point being 12.00 feet to the right of station 26 + 63.89 of the proposed centerline of the said Industrial Railroad Extension Turnout "A", said point being a corner of the herein described tract;

**THENCE** with said western boundary line, **South 08 degrees 05 minutes 01 seconds West for a distance of 384.19 feet** to a point, said point being 16.17 feet to the right of station 30 + 47.48 of the proposed centerline of said Industrial Railroad Extension Turnout "A", said point being the southern corner of the herein described tract;

**THENCE** leaving said western boundary line on a new line crossing the Ran McIntosh and Trent Gallivan property being of record in Official Record Volume 824, Page 1955 Register's Office of Montgomery County Tennessee, the following ten (10) calls, **North 30 degrees 42 minutes 22 seconds West for a distance of 13.02 feet** to a point;

**THENCE**, **North 03 degrees 26 minutes 40 seconds West for a distance of 55.98 feet** to a point;

**THENCE**, **North 04 degrees 39 minutes 42 seconds East for a distance of 55.74 feet** to a point;

**THENCE**, **North 11 degrees 10 minutes 32 seconds East for a distance of 50.36 feet** to a point;

**THENCE**, **North 10 degrees 53 minutes 07 seconds East for a distance of 50.04 feet** to a point;

**THENCE**, **North 11 degrees 56 minutes 13. seconds East for a distance of 50.08 feet** to a point;

**THENCE**, **North 14 degree 59 minutes 09 seconds East for a distance of 50.31 feet** to a point;

**THENCE**, **North 11 degrees 08 minutes 57 seconds East for a distance of 48.51 feet** to a point;

**THENCE**, **North 07 degrees 41 minutes 12 seconds East for a distance of 49.06 feet**

**THENCE**, **North 02 degrees 26 minutes 56 seconds East for a distance of 21.22 feet** to a point, said point being on the proposed western right of way said Industrial Railroad Extension;

**THENCE** leaving said new line and with said proposed western right of way the following two (2) calls, **South 00 degrees 37 minutes 50 seconds East for a distance of 33.55 feet** to a point;

**THENCE on a curve to the right, having a radius of 466.34 feet, an arc length of 22.27 feet, a delta of 02 degrees 44 minutes 11 seconds, a tangent of 11.14 feet, and being subtended by a chord bearing and distance of South 00 degrees 44 minutes 15 seconds West for a distance of 22.27 feet to the point of beginning.**

Said tract contains 5,864.8 Square Feet or 0.13 acres, more or less.

Construction Easement

Being a strip of land parallel to and all points no greater than 10 feet from the meander of the slope.

Said tract contains 6,300.3 Square Feet or 0.14 Acres, more or less.

S:\92320 CC (INDUSTRIAL PARK RAIL)\RAN MCINTOSH AND TRENT  
GALLIVAN-04-16-2010.doc

**RESOLUTION TO REQUEST UNCLAIMED BALANCE OF ACCOUNTS  
REMITTED TO STATE TREASURER UNDER  
UNCLAIMED PROPERTY ACT**

**WHEREAS**, Tennessee Code Annotated Section 66-29-102 and Section 66-29-123, as amended by Public Chapter 401, Acts of 1985, provide that a municipality or county in Tennessee may request payment for the unclaimed balance of funds reported and remitted by or on behalf of the local government and its agencies if it exceeds \$100.00, less a proportionate share of the cost administering the program; and

**WHEREAS**, Montgomery County and/or its agencies have remitted unclaimed accounts to the State Treasurer in accordance with the Uniform Disposition of Unclaimed Property Act; and

**WHEREAS**, Montgomery County agrees to meet all of the requirements of Tennessee Code Annotated Section 66-29-101 et seq. and to accept liability for future claims against accounts represented in funds paid to it and to submit an annual report of claims received on these accounts to the State Treasurer by September 1 each year: and

**WHEREAS**, it is agreed that this local government will retain a sufficient amount to insure prompt payment of allowed claims without deduction for administrative costs or service charge and that the balance of funds will be deposited in this local government’s general fund.

**NOW, THEREFORE, BE IT RESOLVED** by the Montgomery County Board of Commissioners assembled in Regular Session on this 10<sup>th</sup> day of May, 2010, that the State Treasurer pay to Montgomery County the unclaimed balance of funds in accordance with the provisions of Tennessee Code Annotated Section 66-29-121. A list of remittances made by or on behalf of the local government and it agencies is attached.

**Duly passed and approved this 10th day of May, 2010.**

**Sponsor** \_\_\_\_\_

**Commissioner** \_\_\_\_\_

**Approved** \_\_\_\_\_

**County Mayor**

**Attest** \_\_\_\_\_

**County Clerk**



**REMITTANCES FILED BY OR ON BEHALF  
OF LOCAL GOVERNMENT AND ITS AGENCIES**

Name of County/Municipality Montgomery County Government

Mailing Address PO Box 368

Clarksville TN 37041-0368

Name of Holder or Agency Submitting Report and Remittance	Holder Identification Number	Amount of Remittance	Date of Remittance	Federal employer tax ID #
General Sessions Court	8676			62-1575527
Chancery Court	8580			62-6000764
Circuit Court	8579			62-1575527
Montgomery County Clerks Office	39198			62-6000764
Montgomery County Jail	38191			62-6000764
Montgomery County Trustee	34410			62-6000764

I certify that any agencies included in this request are chartered under this local government.

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
(Title)

Date 200

This report and accompanying Resolution may be filed with the Unclaimed Property office of the State Treasury Department at any point between the actual remittance of unclaimed accounts and the June 1 eighteenth months following.