

ORDINANCE NO. 2024-06

AN ORDINANCE OF THE TOWN OF ALEXANDRIA, TENNESSEE, PERMITTING THE SALE OF CERTAIN REAL PROPERTY OWNED BY THE TOWN TO MARQUE OF BRANDS AMERICAS, LLC.

WHEREAS, Marque of Brands Americas, LLC, a Tennessee limited liability company (“Marque”), owns that certain real property commonly known as 291 Edgewood Street in Alexandria, Tennessee, and more particularly described on Exhibit A attached hereto (the “Marque Property”);

WHEREAS, the Town of Alexandria, Tennessee (the “Town”), has identified certain Town-owned real property, which is a portion of that certain real property commonly known as 300 Fairground Road in Alexandria, Tennessee, and more particularly described on Exhibit B attached hereto (the “Town Property”), that is adjacent to and could benefit the Marque Property;

WHEREAS, the Town Property is being leased to the DeKalb County Fair Associations Inc. (the “County Fair”) pursuant to that certain Real Estate Lease (the “Lease”) dated September 1, 2021, by and between the Town and the County Fair;

WHEREAS, the Town has determined that neither the Town nor the County Fair needs the Town Property, and the Town believes that the sale of the Town Property to the owner of the Marque Property would benefit the public by promoting business and economic development in Alexandria, Tennessee;

WHEREAS, the Town has determined and believes that the fair market value of the Town Property is Three Thousand and 00/100 Dollars (\$3,000.00), as established by the appraisal dated January 1, 2024 on file with the Town Recorder (the “Appraisal”); and

WHEREAS, the Town now desires to remove the Town Property from the Lease and sell the Town Property to Marque.

NOW, THEREFORE BE IT ORDAINED by the Board of Mayor and Aldermen of the Town of Alexandria, Tennessee, that:

1. The Town has accepted the Appraisal as establishing the fair market value of the Town Property.
2. It is in the best interest of the Town to convey, and the Town hereby agrees to convey, the Town Property to Marque for Three Thousand and 00/100 Dollars (\$3,000.00).
3. The Town Mayor is authorized to execute, on behalf of and as an effective and lawful act of the Town, any amendment to the Lease, deed, owner’s affidavit, escrow instruction, or other document necessary to effectuate the sale of the Town Property to Marque.
4. Upon the sale of the Town Property, the Town will facilitate the consolidation of the Town Property with the Marque Property by consolidation plat, in substantially the same form as the plat attached hereto as Exhibit C, to be recorded in the land records of DeKalb County, Tennessee.
5. The zoning classification applicable to the Town Property following such sale shall be Zoning District I-1 (Light Industrial) and the Municipal Zoning Map of Alexandria, Tennessee, shall be updated accordingly.
6. That should any section, clause, or provision of this ordinance be declared by a court to be invalid, the same shall not affect the validity of this ordinance or any other ordinance of the Town as a whole or any part thereof, other than the part so declared to be invalid.
7. This ordinance shall take effect on and after its passage on the second and

final reading and publication as required by law, the public welfare requiring it.

Passed First Reading _____, 2024

Passed Second Reading _____, 2024

Curtis Rutter, Mayor

Patricia Houser, Town Recorder

EXHIBIT A
MARQUE PROPERTY LEGAL DESCRIPTION

Land in the 1st Civil District of Dekalb County, Tennessee.

Begin at a mag nail set at the intersection of the South right-of-way line of industrial road and the West right-of-way line of Edgewood Street; thence North 67 degrees 30 minutes 00 seconds West, along said South right-of-way line a distance of 659.93 feet to a set 1/2 inch iron rod; thence South 03 degrees 34 minutes 00 seconds West, departing said South right-of-way line, a distance of 64.60 feet to a set 1/2 inch iron rod; thence North 60 degrees 41 minutes 00 seconds West, a distance of 148.50 feet to a point on the Easterly line of town of Alexandria, Tennessee parcel number 022B-A-001.00; thence along the Easterly and Northerly line of said parcel the following 11 courses, South 27 degrees 31 minutes 16 seconds West, a distance of 77.09 feet; thence South 24 degrees 33 minutes 23 seconds West, a distance of 40.16 feet; thence South 08 degrees 23 minutes 58 seconds West, a distance of 38.85 feet; thence South 06 degrees 14 minutes 57 seconds West, a distance of 67.84 feet; thence South 07 degrees 00 minutes 08 seconds West, a distance of 123.71 feet; thence South 06 degrees 42 minutes 19 seconds West, a distance of 92.79 feet; thence South 02 degrees 46 minutes 56 seconds East, a distance of 101.06 feet; thence South 86 degrees 41 minutes 00 seconds East, a distance of 142.63 feet; thence South 87 degrees 08 minutes 49 seconds East, a distance of 70.37 feet; thence South 86 degrees 21 minutes 10 seconds East, a distance of 143.66 feet; thence South 04 degrees 18 minutes 51 seconds West, a distance of 77.80 feet to a point on the North line of Robert A. Simpson parcel number 022B-A-003.03; thence South 87 degrees 33 minutes 39 seconds East, along the North line of said Simpson parcel and the North line of Grace L. Henley parcel number 022B-A-003.02 and the North line of Robert L. McMillen parcel number 022B-A-003.00 a distance of 359.80 feet to a point on the West right- of-way line of aforesaid Edgewood street; thence along said West right- of-way line the following two courses, North 17 degrees 39 minutes 03 seconds East, a distance of 205.00 feet to a set 1/2 inch iron rod; thence North 17 degrees 24 minutes 03 seconds East, a distance of 193.13 feet to the point of beginning. containing 371,853 square feet or 8.537 acres more or less.

According to survey prepared by republic national, Kimberly D. Solitro, TN. R.L.S. No. 3077, dated March 8, 2018, Job No. 180219.

Being the same property conveyed to Marque of Brands Americas, LLC, a Tennessee limited liability company, by Special Warranty Deed from KCZM Holdings LLC, a Tennessee limited liability company, of record in Record Book 571, Page 30, Register's Office for DeKalb County, Tennessee, dated May 10, 2024 and recorded on May 10, 2024.

EXHIBIT B
TOWN PROPERTY LEGAL DESCRIPTION

SITUATED in Alexandria, De Kalb County, Tennessee, on the west side of Edgewood Street approximately 400' south of intersection of Industrial Road;

BEING a portion of the property of the Town of Alexandria of RB 38 PG 305 also known as Parcel 001.00 of Tax Map 022B Group A of DeKalb County Tax Assessor, being more particularly described as follows:

BEGINNING at an Iron Pin Found in the west right of way of Edgewood Street, said pin being the southeast corner of KCZM Holdings (RB 438 PG 155) and northeast corner of Roberta Jackson & Teresa Slager and Michael McMillen (Affidavit of Heirship B 538 PG 416);

THENCE with the southern line of KCZM Holdings the following calls:

N 86°17' 00" W a DISTANCE of 359.80' to an IPF (2480);

N 05°35'29" E a DISTANCE of 6.44' and IPS being the TRUE POINT OF BEGINNING;

THENCE severing the Town of Alexandria property N 36°57'48" W a DISTANCE of 95.85' to an IPS in the line of KCZM Holdings;

THENCE with line of KCZM Holdings the following calls:

S 85°04'32" E a DISTANCE of 64.83' to a point;

S 05°35'29" W a DISTANCE of 71.36' to the TRUE POINT OF BEGINNING.

Above description contains 0.05 Acres (2,313 Square Feet).

Bearings based on Tennessee State Plane (NAD 83) through the Tennessee Geodetic Reference Network.

All recorded documents referenced above are from the Registers Office of DeKalb County, Tennessee. "RB" stands for "Record Book", "DB" stands for "Deed Book", "PB" stands for "Plat Book" and "PG" stands for "Page".

All "IPS" are ½' iron rebar pins with a red cap marked "Wilkinson RLS 2776".

A boundary description of this size falls under the definition of a subdivision per T.C.A §§ 13-3-301 and 13-3-401 and therefore may be subject to penalty as identified in respective chapters. The use of this legal description is to be used only for purposes consistent and/or compatible with state and local law in regards to the transfer of property.

This description was prepared by GreenLID Design, 114 B West Main Street, Gallatin, TN 37066; based on survey performed on 5/2/2023, GreenLID job number 23.031S, and certified by John Zachary Wilkinson, TN RLS # 2776.

Being a portion of the property conveyed to The Town of Alexandria, Tennessee, a municipality, by deed from Louis G. Simpson, a single person, of record in Record Book 38, Page 305, Register's Office for DeKalb County, Tennessee, dated January 20, 1994 and recorded on January 21, 1994.

