

STATE OF TENNESSEE  
COUNTY OF HENRY...

Be it remembered that the County Commission met in a regular session at the Courthouse in Henry County, Tennessee on August 27, 2018 at 5:00 p.m. Present and presiding the Honorable Brent Greer, Chairman, Donna Craig, County Clerk and the County Commissioners:

ITEM NO. 1 The meeting was called to order by Sheriff Monte Belew.

ITEM NO. 2 The invocation was led by Commissioner Dell Carter.

ITEM NO. 3 The pledge to the flag was led by the young folks from the No Fly Zone.

ITEM NO. 4 Roll Call

The following Commissioners were present: Wesley Bradley, Dell Carter, Greg Carter, James Copeland, Randy Gean, Kenneth Humphreys, Don Jones, Paul Mathenia, Paul Neal, Monte Starks, Marty Visser, David Webb, and Drew Williams. Absent: Kreg Kyle and Connie McSwain.

ITEM NO. 5 Citizen's Forum

NONE AND THE CHAIR CLOSED THE FORUM

ITEM NO. 6 Commissioner's Forum

- \* Commissioner Mathenia congratulated all the officials who were elected or re-elected in the recent election, especially Mr. Berry on an impressive win. He thanked the people from the 3<sup>rd</sup> District, stating it has been a pleasure and honor to have served for the past 20 years. He stated Mayor Greer and his staff have been a great group to work with.
- \* Chairman Greer announced the West Tennessee County Commission meeting will be held on September 6 at the Fairgrounds. He also informed the commission of the swearing in ceremony to be held tomorrow (August 28) at 5 p.m. at the Courthouse.

THE CHAIR CLOSED THE FORUM

ITEM NO. 7

Chairman Greer recognized members of the Henry County *No Fly Zone*. He honored them by presenting them with a proclamation for their recent achievements.

**ROLL CALL**  
**COUNTY COMMISSION, HENRY COUNTY, DONNA CRAIG, COUNTY CLERK**  
**PARIS, TENNESSEE**

Commissioner Webb presented and made a motion to approve Resolution 1-08-18, to authorize the county medical examiner to appoint a medical investigator. Commissioner Bradley seconded the motion.

ITEM NO. 8

	ABSENT	PRESENT	MOTION	SECOND	AYE	NO	ABSTAIN	PASS
BRADLEY, WESLEY				X				
CARTER, DELL								
CARTER, GREG								
COPELAND, JAMES								
GEAN, RANDY								
HUMPHREYS, KENNETH								
JONES, DON								
KYLE, KREG								
MATHENIA, PAUL								
MCSWAIN, CONNIE								
NEAL, PAUL								
STARKS, MONTE								
VISSER, MARTY								
WEBB, DAVID			X					
WILLIAMS, DREW								
TOTAL								

DATE : 8-27-18

VOICE VOTE CARRIED

**RESOLUTION NO. 1-08-18**

**A RESOLUTION OF THE HENRY COUNTY, TENNESSEE, BOARD OF  
COMMISSIONERS TO AUTHORIZE THE COUNTY MEDICAL  
EXAMINER TO APPOINT A MEDICAL INVESTIGATOR**

**WHEREAS**, pursuant to Tenn. Code Ann. § 38-7-104 a county legislative body may authorize the county medical examiner to appoint medical investigators subject to confirmation by the county legislative body; and

**WHEREAS**, the county medical examiner, Dr. Scott Portis, has requested authorization to appoint the following person as medical investigator and that this body approve the appointments of Matthew McClure; and

**WHEREAS**, Matthew McClure meets the statutory qualifications to serve as a medical investigator and has agreed to receive initial training and regular continuing education through the chief medical examiner as required by law; and


**WHEREAS**, the appointment of Matthew McClure as a medical investigator is in the best interests of the citizens of Henry County, Tennessee;


**NOW, THEREFORE, IT IS RESOLVED** by the Board of Commissioners of Henry County, Tennessee, assembled in regular session on this the 27<sup>th</sup> day of August, 2018, a majority or more of the membership concurring that:

1. The county medical examiner, Dr. Scott Portis, is authorized to appoint Matthew McClure as a medical investigator.
2. The Board of Commissioners of Henry County, Tennessee approves the appointment of Matthew McClure as a medical investigator.


**BE IT FINALLY RESOLVED** that a true copy of this Resolution be spread upon the Commission record of this date.

PASSED 8-27-18

  
BRENT GREER, CHAIRMAN  
HENRY COUNTY COMMISSION

  
DONNA CRAIG  
COUNTY CLERK

APPROVED 8-27-18

  
BRENT GREER  
HENRY COUNTY MAYOR

# ROLL CALL

COUNTY COMMISSION, HENRY COUNTY, DONNA CRAIG, COUNTY CLERK  
PARIS, TENNESSEE

ITEM NO. 9 - A motion was made by Commissioner Greg Carter and seconded by Commissioner Neal to suspend the rules to nominate a new member to the beer board. Commissioner Neal seconded the motion.

ITEM NO. 10 - A motion was made by Commissioner Starks to nominate Commissioner Visser to serve on the beer board. Commissioner Dell Carter seconded the motion.

	ABSENT	PRESENT	MOTION	SECOND	AYE	NO	ABSTAIN	PASS
BRADLEY, WESLEY								
CARTER, DELL				X				
CARTER, GREG								
COPELAND, JAMES								
GEAN, RANDY								
HUMPHREYS, KENNETH								
JONES, DON								
KYLE, KREG								
MATHENIA, PAUL								
MCSWAIN, CONNIE								
NEAL, PAUL								
STARKS, MONTE			X					
VISSER, MARTY								
WEBB, DAVID								
WILLIAMS, DREW								
TOTAL								

VOICE VOTE CARRIED

DATE : 8-27-18

ROLL CALL  
COUNTY COMMISSION, HENRY COUNTY, DONNA CRAIG, COUNTY CLERK  
PARIS, TENNESSEE

Commissioner Starks made a motion to approve the Consent Agenda, which consists of the following: Minutes of the meeting of July 16, 2018, various quarterly reports, Henry County Medical Center statement of cash flow, Trustee's month end report, report of property tax collections to date, report of total revenue collections to date, and the following Notary Public designations: Harry P. Anderson, Bill Barlow, Christy Marie Burnette, Kali Cooper, Rachelle Hale, Julia Hill, Amanda Hudgins, Ralph Will Lunn, III, Joshua R. Operia, Brittney D. Plowman, Amanda Prather, Kate E. Rhodes, and Donna Winders. Commissioner Copeland seconded the motion.

ITEM NO. 11

	ABSENT	PRESENT	MOTION	SECOND	AYE	NO	ABSTAIN	PASS
BRADLEY, WESLEY								
CARTER, DELL								
CARTER, GREG								
COPELAND, JAMES				X				
GEAN, RANDY								
HUMPHREYS, KENNETH								
JONES, DON								
KYLE, KREG								
MATHENIA, PAUL								
MCSWAIN, CONNIE								
NEAL, PAUL								
STARKS, MONTE			X					
VISSER, MARTY								
WEBB, DAVID								
WILLIAMS, DREW								
TOTAL								

VOICE VOTE CARRIED

DATE : 8-27-18

00 145

ROLL CALL  
COUNTY COMMISSION, HENRY COUNTY, DONNA CRAIG, COUNTY CLERK  
PARIS, TENNESSEE

A motion was made by Commissioner Bradley and seconded by Commissioner Dell Carter to approve Resolution 2-08-18, to modify the distribution of the Victim's Assistance fee.

ITEM NO. 12

	ABSENT	PRESENT	MOTION	SECOND	AYE	NO	ABSTAIN	PASS
BRADLEY, WESLEY			X		X			
CARTER, DELL				X	X			
CARTER, GREG					X			
COPELAND, JAMES					X			
GEAN, RANDY					X			
HUMPHREYS, KENNETH					X			
JONES, DON					X			
KYLE, KREG	X							
MATHENIA, PAUL					X			
MCSWAIN, CONNIE	X							
NEAL, PAUL					X			
STARKS, MONTE					X			
VISSER, MARTY					X			
WEBB, DAVID					X			
WILLIAMS, DREW					X			
TOTAL	2				13			

MOTION CARRIED

DATE : 8-27-18

**RESOLUTION NO. 2-08-18**

**A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD  
OF COMMISSIONERS TO MODIFY THE DISTRIBUTION OF THE  
VICTIM'S ASSISTANCE FEE**

**WHEREAS**, Tennessee Code Annotated 40-24-109, allows for any county legislative body to establish a "victim's assistance assessment" of forty-five dollars (\$45.00) to fund a program which assists victims of crime; and

**WHEREAS**, the Victims Assistance Fee was established through Resolution 2-3-08; and

**WHEREAS**, The Exchange Club-Carl Perkins Center, Women's Rape Assistance Program (WRAP), Court Appointed Special Advocate (CASA) serves child victims of severe sexual and physical abuse by offering services such as forensic interviews, court preparation, and victims advocacy; and

**WHEREAS**, The Exchange Club-Carl Perkins Center, WRAP, and CASA requests to become the designated recipients of this fee with one-third of the Victim's Assessment Fee will go to Carl Perkins, one-third will go to CASA and one-third will go to WRAP; and

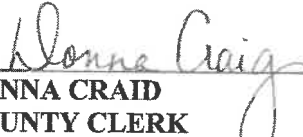
**WHEREAS**, this resolution shall take effect immediately upon its passage, pursuant to Tennessee Code Annotated 40-24-109.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of Henry County, Tennessee, meeting in regular session this 27<sup>th</sup> day of August, 2018, a majority or more of the membership concurring, that the Court Clerk of Henry County, Tennessee be authorized to collect the forty-five dollars (\$45.00), as aforementioned, to distribute forty-two of those dollars (\$42.00) to The Exchange Club-Carl Perkins Center, CASA and WRAP.


**BE IT FINALLY RESOLVED** that a true copy of this Resolution be spread upon the Commission record of this date.

**PASSED** 8-27-18

  
\_\_\_\_\_  
**BRENT GREER, CHAIRMAN**  
**HENRY COUNTY COMMISSION**

  
\_\_\_\_\_  
**DONNA CRAID**  
**COUNTY CLERK**

**APPROVED** 8-27-18

  
\_\_\_\_\_  
**BRENT GREER**  
**HENRY COUNTY MAYOR**

ROLL CALL  
COUNTY COMMISSION, HENRY COUNTY, DONNA CRAIG, COUNTY CLERK  
PARIS, TENNESSEE

Commissioner Visser made a motion to approve Resolution 3-08-18, to authorize the issuance, sale, and payment of Capital Outlay Notes not to exceed \$105,000.

Commissioner Greg Carter seconded the motion.

ITEM NO. 13

	ABSENT	PRESENT	MOTION	SECOND	AYE	NO	ABSTAIN	PASS
BRADLEY, WESLEY					X			
CARTER, DELL					X			
CARTER, GREG				X	X			
COPELAND, JAMES					X			
GEAN, RANDY					X			
HUMPHREYS, KENNETH					X			
JONES, DON					X			
KYLE, KREG	X							
MATHENIA, PAUL					X			
MCSWAIN, CONNIE	X							
NEAL, PAUL					X			
STARKS, MONTE					X			
VISSER, MARTY			X		X			
WEBB, DAVID					X			
WILLIAMS, DREW					X			
TOTAL	2				13			

MOTION CARRIED

DATE : 8-27-18

## **RESOLUTION NO. 3-08-18**

### **A RESOLUTION OF THE HENRY COUNTY, TENNESSEE BOARD OF COMMISSIONERS TO AUTHORIZE THE ISSUANCE, SALE, AND PAYMENT OF CAPITAL OUTLAY NOTES NOT TO EXCEED \$105,000**

WHEREAS, the Governing Body of Henry County, Tennessee (the Local Government) has determined that it is necessary and desirable to provide funds for the following public works project (the "Project"): Capital Outlay Note 2017-2018 Fiscal Year (See Attachment).

WHEREAS, the Governing Body has determined that the Project will promote or provide a traditional governmental activity or otherwise fulfill a public purpose; and

WHEREAS, under the provisions of Parts I, IV, and VI of Title 9, Chapter 21, Tennessee Code Annotated (the "Act"), local governments in Tennessee are authorized to finance the cost of this Project through the issuance and sale of interest bearing capital outlay notes upon the approval of the State Director of Local Finance; and

WHEREAS, the Governing Body finds that it is advantageous to the Local Government to authorize the issuance of capital outlay notes to finance the cost of the Project;

NOW THEREFORE, BE IT RESOLVED, by the Governing Body of Henry County, Tennessee, as follows:

Section 1. That, for the purpose of providing funds to finance the cost of the Project in and for the Local Government, the Chief Executive Officer of the Local Government is hereby authorized in accordance with the terms of this resolution to issue and sell interest-bearing capital outlay notes in a principal amount not to exceed one-hundred five thousand dollars (\$105,000) (the "Notes") at either a competitive public sale or at a private negotiated sale upon approval of the State Director of Local Finance pursuant to the terms, provisions, and conditions permitted by law. The Notes shall be designated "2018 Capital Outlay Notes, Series 2018a", shall be numbered serially from 1 upwards; shall be dated as of the date of issuance; shall be in denomination (s) as agreed upon with the purchaser; shall be sold at not less than 99% of par value and accrued interest; and shall bear interest at a rate or rates not to exceed 3 percent (3%) per annum, and in no event shall the rate exceed the legal limit provided by law.

Section 2. That, the Notes shall mature not later than one (1) year after the date of issuance and that the Notes and any extension or renewal notes shall not exceed the reasonably expected economic life of the Project, which is hereby certified by the Governing Body to be at least See Attachment year. The existing balance of said note will be retired prior to the end of the 2018-2019 fiscal year.

Section 3. That, the Notes shall be subject to redemption at the option of the Local Government, in whole or in part, at any time, at the principal amount and

accrued interest to the date of redemption, without a premium, or, if sold at par, with or without a premium of not exceeding one percent (1%) of the principal amount.

Section 4. That, the Notes shall be direct general obligations of the Local Government, for which the punctual payment of the principal and interest on the notes, the full faith and credit of the Local Government is irrevocably pledged and the Local Government hereby pledges its taxing power as to all taxable property in the Local Government for the purpose of providing funds for the payment of principal of and interest on the Notes. The Governing Body of the Local Government hereby authorizes the levy and collection of a special tax on all taxable property of the Local government over and above all other taxes authorized by the Local government to create a sinking fund to retire the Notes with interest as they mature in an amount necessary for that purpose.

If applicable, the Notes shall be further secured by Not Applicable.

(If the revenues generated by Project are to be applied as additional security for the Notes, describe such revenues here.)

Section 5. That, the Notes shall be executed in the name of the Local Government and bear the manual signature of the chief executive officer of the Local Government and the manual signature of the County Clerk with the Local Government seal affixed thereon; and shall be payable as to principal and interest at the office of the County Mayor of the Local Government or the paying agent duly appointed by the Local Government. Proceeds of the Notes shall be deposited with the County Trustee of the Local Government and shall be paid out for the purpose of financing the Project pursuant to this Resolution and as required by law.

Section 6. That, the Notes will be issued in fully registered form and that at all times during which any Notes remain outstanding and unpaid, the Local Government or its agent shall keep or cause to be kept at its office a note register, if held by an agent of the Local Government, shall at all times be open for inspection by the Local Government or any duly authorized officer of the Local Government. Each Note shall have the qualities and incidents of a negotiable instrument and shall be transferable only upon the note register kept by the Local Government or its agent, by the registered owner of the Note in person or by the registered owner's attorney duly authorized in writing, upon presentation and surrender to the Local Government or its agent together with a written instrument of transfer satisfactory to the Local Government duly executed by the registered owner of the registered owner's duly authorized attorney. Upon the transfer of any such Note, the Local Government shall issue in the name of the transferee a new registered note or notes of the same aggregate principal amount and maturity as the surrendered Notes. The Local Government shall not be obligated to make any such Note transfer during the fifteen (15) days next preceding an interest payment date of the Notes or, in the case of any redemption of the Notes, during the forty-five (45) days next preceding the date of redemption.

Section 7. That, the Notes shall be in substantially the form authorized by the State Director of Local Finance and shall recite that the Notes are issued pursuant to Title 9, Chapter 21, Tennessee Code Annotated.

Section 8. That, the Notes shall be sold only after the receipt of the written approval of the State Director of Local Finance for the sale of the Notes.

Section 9. That, upon the opinion of bond counsel, the Notes may be designated as qualified tax-exempt obligations for the purpose of Section 265(b) (3) of the Internal Revenue Code of 1986.

Section 10. That, after the sale of the Notes, and for each year that any of the notes are outstanding, the Local Government shall prepare an annual budget in a form consistent with accepted governmental standards and as approved by the State Director of Local Finance (the "Director".) The budget shall be kept balanced during the life of the notes. The annual budget shall be submitted to the Director immediately upon its adoption; however, it shall not become the official budget for the fiscal year until such budget is approved by the Director in accordance with Title 9, Chapter 21, Tennessee Code Annotated (the "Statutes".) If the Director determines that the budget does not comply with the Statutes, the Governing Body shall adjust its estimates or make additional tax levies sufficient to comply with the Statutes, or as directed by the Director.

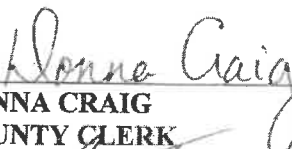
Section 11. That, if any of the Notes shall remain unpaid at the end of one (1) year from the issue date, then the unpaid Notes shall be renewed or extended as permitted by law, or retired from the funds of the Local Government or be converted into bonds pursuant to Chapter 11 of Title 9 of the Tennessee Code Annotated, or any other law, or be otherwise liquidated as approval by the State Director of Local Finance.

Section 12. That, all orders or resolutions in conflict with this Resolution are hereby repealed insofar as such conflict exists and this Resolution shall become effective immediately upon its passage.


Duly passed and approved this 27<sup>th</sup> day of August, 2018.

PASSED 8-27-18

  
BRENT GREER, CHAIRMAN  
HENRY COUNTY COMMISSION

  
DONNA CRAIG  
COUNTY CLERK

APPROVED 8-27-18

  
BRENT GREER  
HENRY COUNTY MAYOR

**ATTACHMENT "A"**  
**CAPITAL PROJECTS**

<u>General Admin</u>		<u>Estimated Life</u>
Airport Improvements	\$ 808	20 yrs.
Building Improvements	\$27,029	Various
Data Processing	\$ 5,813	5 yrs.
Heating & A/C	\$35,000	5 yrs.
Law Enforcement Equipment	\$10,000	5 yrs.
Office Equipment	\$ 3,850	5 yrs.
Transportation Equip	\$22,500	<u>5 yrs</u>
Total		\$105,000

ROLL CALL  
COUNTY COMMISSION, HENRY COUNTY, DONNA CRAIG, COUNTY CLERK  
PARIS, TENNESSEE

A motion was made by Commissioner Starks and seconded by Commissioner Mathenia to approve Resolution 4-08-18, to remove Brogdon Cemetery Road from the county road list.

ITEM NO. 14

	ABSENT	PRESENT	MOTION	SECOND	AYE	NO	ABSTAIN	PASS
BRADLEY, WESLEY								
CARTER, DELL								
CARTER, GREG								
COPELAND, JAMES								
GEAN, RANDY								
HUMPHREYS, KENNETH								
JONES, DON								
KYLE, KREG								
MATHENIA, PAUL				X				
MCSWAIN, CONNIE								
NEAL, PAUL								
STARKS, MONTE			X					
VISSER, MARTY								
WEBB, DAVID								
WILLIAMS, DREW								
TOTAL								

VOICE VOTE CARRIED

DATE : 8-27-18

**RESOLUTION NO. 4-08-18**

**A RESOLUTION OF THE HENRY COUNTY, TENNESSEE  
BOARD OF COMMISSIONERS TO REMOVE BROGDON  
CEMETERY ROAD FROM THE COUNTY ROAD LIST**

**WHEREAS**, the Henry County Highway Commission ("Road Board") met in a regular scheduled meeting on August 13, 2018; and

**WHEREAS**, the Road Board determined that there are no residences adjoining Brogdon Road and recommended that Brogdon Road be deleted from the county road list; and

**WHEREAS**, and it is in the best interests of the citizens of Henry County, Tennessee, that Brogdon Road be abandoned as a public county road and deleted from the county road list.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of Henry County, Tennessee, assembled in regular session on this 27<sup>th</sup> day of August, 2018, a majority or more of the membership concurring, that Brogdon Road be abandoned as a public county road and deleted from the county road list.

**BE IT FINALLY RESOLVED** that a true copy of this Resolution be spread upon the Commission record of this date.

**PASSED** 8-27-18

  
**BRENT GREER, CHAIRMAN  
HENRY COUNTY COMMISSION**

  
**DONNA CRAIG  
COUNTY CLERK**

**APPROVED** 8-27-18

  
**BRENT GREER  
HENRY COUNTY MAYOR**

ROLL CALL  
COUNTY COMMISSION, HENRY COUNTY, DONNA CRAIG, COUNTY CLERK  
PARIS, TENNESSEE

Commissioner Bradley made a motion to approve Resolution 5-08-18, to authorize the sale of certain delinquent tax property at a reduced price. Commissioner Dell Carter seconded the motion.

ITEM NO. 15

	ABSENT	PRESENT	MOTION	SECOND	AYE	NO	ABSTAIN	PASS
BRADLEY, WESLEY			X					
CARTER, DELL				X				
CARTER, GREG								
COPELAND, JAMES								
GEAN, RANDY								
HUMPHREYS, KENNETH								
JONES, DON								
KYLE, KREG								
MATHENIA, PAUL								
MCSWAIN, CONNIE								
NEAL, PAUL								
STARKS, MONTE								
VISSER, MARTY								
WEBB, DAVID								
WILLIAMS, DREW								
TOTAL								

VOICE VOTE CARRIED

DATE : 8-27-18

## RESOLUTION NO. 5-08-18

### A RESOLUTION OF THE HENRY COUNTY, TENNESSEE, BOARD OF COMMISSIONERS TO AUTHORIZE THE SALE OF CERTAIN DELINQUENT TAX PROPERTY AT A REDUCED PRICE

**WHEREAS**, Henry County acquires ownership of parcels which were the subject of the annual delinquent tax collection suits; and

**WHEREAS**, these parcels are acquired when no other bidder bids on a parcel at the Delinquent Tax Sale; and

**WHEREAS**, while Tennessee law requires that no parcel of land purchased by the County at a delinquent tax sale shall be resold for an amount less than the total amount of the taxes, penalty, cost and interest accrued against such parcel, unless the legislative body, upon application, determines that it is impossible to sell the parcel of land for such amount, and grants permission to offer the land for sale at some amount to be fixed by such legislative body; and

**WHEREAS**, it appears that delinquent tax property assessed on the maps of the Assessor of Property as **Map 096M, Group A, Control Map 095P, Parcel 025.00** is impossible to sell for the entire amount of the delinquent tax debt; and

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of Henry County, Tennessee, assembled in regular session on this the 27<sup>th</sup> day of August, 2018, a majority or more of the membership concurring that:


1. **Map 096M, Group A, Control Map 095P, Parcel 025.00**, cannot be sold for the accumulated total of taxes, interest, penalties and costs against it; therefore, pursuant to *Tenn. Code Ann. §67-5-2507*, permission is granted to offer a quitclaim deed of said parcel to **Terrance McClain** (or higher offeror) in consideration for amount of **\$1,000** (or higher offer), subject to

the requirements of advertising and the opportunity for any other interested party to raise to the offer as prescribed by law.

**BE IT FINALLY RESOLVED** that a true copy of this Resolution be spread upon the Commission record of this date.

**PASSED** 8-27-18

  
\_\_\_\_\_  
**BRENT GREER, CHAIRMAN**  
**HENRY COUNTY COMMISSION**

  
\_\_\_\_\_  
**DONNA CRAIG**  
**COUNTY CLERK**

**APPROVED** 8-27-18

  
\_\_\_\_\_  
**BRENT GREER**  
**HENRY COUNTY MAYOR**

### Offer for Quitclaim of Delinquent Tax Real Estate

The undersigned ("Offeror"), hereby offers the sum of \$ 1000.00 \* on the following terms and conditions in consideration for a Quitclaim Deed from the Government of Henry County, Tennessee ("Offeree"), which quitclaims to Offeror or designee (see "Name as it is to appear on Quitclaim Deed" below) whatever interest Offeree has in certain Real Estate in Henry County, Tennessee, assessed for taxation by the County assessor of property at:

Map 096M Group A Control Map 095P Parcel 025.00 S/I \_\_\_\_\_ ("Real Estate")

Name as it is to appear on Quitclaim Deed: Terrence McClain

(Offeror represents and warrants that Offeror has legal authority as agent of any persons or entities identified as "Name as it is to appear on Quitclaim Deed" to legally bind such persons or entities to the terms and conditions of this offer.)

\* In addition to the offer amount, at the closing of this transaction the successful purchaser will be required to pay closing costs of \$375.00, newspaper publication fee (~\$150.00), recording costs, and transfer tax.

#### Offer/Acceptance

1. This offer is irrevocable for a period of 90 days. During this period, this offer may be presented to the County Mayor, Delinquent Tax Committee, and/or County Commission for consideration.
2. If this offer is conditionally accepted, notice of this offer will be published in the local newspaper. There will be a period of at least 10 days after the publication during which any person may make a competing offer (at a price at least 10% higher than the sum of this offer) for a quitclaim of the Real Estate. In the event a higher price is offered, Offeror (and anyone else) will have the opportunity to appear at a time and place designated by Offeree and then and there to bid on the Real Estate (the "Final Auction"). At the conclusion of the Final Auction, the Real Estate shall be quitclaimed to the party making the highest and best offer; provided, however, that if higher bidders for any reason fails to tender the purchase price, Offeror will purchase the real estate for Offeror's highest offer or bid.

#### Deposit / Final Payment

3. Upon making this offer, Offeror tendered a "Deposit" of \$500.00 to Offeree. This Deposit will be fully refunded to Offeror if Offeree declines this offer or if the real estate is ultimately quitclaimed to a higher bidder. This Deposit will be forfeited to the Offeree if this offer is accepted or Offeror is the high bidder fails to timely tender the Final Payment. The Deposit will also be forfeited if the Offeror defaults on the terms of this offer.
4. The "Final Payment" is the amount equal to the offer or bid price minus the Deposit. The Final Payment is due to be made in cash or by certified funds by Offeror upon the earlier of (a) 4:00 PM on business day after Offeror receive notice that this offer has been accepted and no higher bidders have come forward or (b) on the date of the Final Auction, if Offeror is the highest bidder. TIME IS OF THE ESSENCE.
5. Along with and in addition to the Final Payment, if this offer is accepted or Offeror is the high bidder, Offeror will also pay (a) closing costs of \$375.00, (b) newspaper publication fee (approximately \$150.00), and (c) recording costs and transfer tax associated with recording the Quitclaim Deed contemplated herein.

#### Disclaimer of Representations and Warranties

6. Neither the Offeree nor any other person or entity has made any representations or warranties, expressed or implied, relative to the title, condition, use, fitness for particular purpose, or any other matters involving the Real Estate. **THE CONVEYANCE WILL BE MADE BY QUITCLAIM DEED, AS IS, WHERE IS, AND WITHOUT ANY REPRESENTATIONS OR WARRANTIES WHATSOEVER.** Offeror has not relied on any statements made by any official or agent of Offeree. Offeror had the opportunity to review this offer and to request an opinion of title from Offeror's own attorney prior to making this offer.

#### Exceptions in Quitclaim Deed

7. The Quitclaim Deed will except any public or private roadways, public or private easements, utility easements, government (for example, US, IDOT, TVA, City, or County) easements, or similar liens, easements, or rights that may encumber the Real Estate.

**ROLL CALL**  
**COUNTY COMMISSION, HENRY COUNTY, DONNA CRAIG, COUNTY CLERK**  
**PARIS, TENNESSEE**

A motion was made by Commissioner Greg Carter and seconded by Commissioner Bradley to approve Resolution 6-08-18, to quitclaim undeveloped cul-de-sac to adjoining landowners.

ITEM NO. 16

	ABSENT	PRESENT	MOTION	SECOND	AYE	NO	ABSTAIN	PASS
BRADLEY, WESLEY				X				
CARTER, DELL								
CARTER, GREG			X					
COPELAND, JAMES								
GEAN, RANDY								
HUMPHREYS, KENNETH								
JONES, DON								
KYLE, KREG								
MATHENIA, PAUL								
MCSWAIN, CONNIE								
NEAL, PAUL								
STARKS, MONTE								
VISSER, MARTY								
WEBB, DAVID								
WILLIAMS, DREW								
TOTAL								

VOICE VOTE CARRIED

DATE : 8-27-18

**RESOLUTION NO. 6-08-18**

**A RESOLUTION OF THE HENRY COUNTY, TENNESSEE  
BOARD OF COMMISSIONERS TO QUITCLAIM UNDEVELOPED  
CUL-DE-SAC TO ADJOINING LANDOWNERS**

**WHEREAS**, the Henry County Highway Commission ("Road Board") met in a regular scheduled meeting on August 13, 2018; and

**WHEREAS**, at said meeting the Road Board determined that a certain cul-de-sac depicted on the plat of Russwood Shores Subdivision Unit 2 fronting lots 213-216 and more particularly described in *Exhibit A* hereto (which had not previously been adopted as a public county road) is not needed as a public county road; and

**WHEREAS**, for the purposes of relinquishing any title (or right to develop a public county road) that Henry County may have in said cul-de-sac, the Road Board recommended that said cul-de-sac be quitclaimed by Henry County to the adjoining landowners: Jayne Harris, Johnnie E. Harris, Jr., and John Christopher Harris;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of Henry County, Tennessee, assembled in regular session on this 27<sup>th</sup> day of August, 2018, a majority or more of the membership concurring, to proceed with quitclaiming the cul-de-sac described on Exhibit A hereto to Jayne Harris, Johnnie E. Harris, Jr., and John Christopher Harris;

**BE IT FURTHER RESOLVED** that: (a) Henry County makes no claim of title ownership of the quitclaimed area, (b) the quitclaim deed to be issued shall be for the limited purposes of relinquishing any title (or right to develop a public county road) that Henry County may have in the quitclaimed area, and (c) the quitclaim deed to be issued shall in no way affect any rights or easements of third parties (if any) regarding the quitclaimed area;

**BE IT FINALLY RESOLVED** that a true copy of this Resolution be spread upon the Commission record of this date.

**PASSED** 8-27-18

  
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**BRENT GREER, CHAIRMAN**  
**HENRY COUNTY COMMISSION**

  
\_\_\_\_\_  
**DONNA CRAIG**  
**COUNTY CLERK**

**APPROVED** 8-27-18

  
\_\_\_\_\_  
**BRENT GREER**  
**HENRY COUNTY MAYOR**

EXHIBIT A

**SURVEY DESCRIPTION  
FOR HENRY COUNTY, TENNESSEE  
TO CONVEY TO JOHNNIE E. AND ANNE G. HARRIS  
UNDEVELOPED CUL-DE-SAC FRONTING LOTS 213-216  
RUSSWOOD SHORES UNIT 2 PLAT SLIDE A-49  
HENRY COUNTY, TENNESSEE  
0.206 ACRES**

BEING a 0.206 acre undeveloped right of way of a cul-de-sac of the Russwood Shores Subdivision Unit 2 of record in Plat Book 1 Page 164-165, Plat Slide A-49, joining Port Road and lying in the 13<sup>th</sup> Civil District of Henry County, Tennessee, fronting Lots 213-216 of said Subdivision as recorded in the Register's Office of Henry County, Tennessee as more particularly described as follows:

**BEGINNING** at a found iron pin (1/2 inch diameter steel rebar) in the north right of way of Port Road at the southeast corner of this described right of way, being the original southwest corner of Lot 216 of Russwood Shores Unit 2 (Plat Book 1 Pages 164-165, Plat Slide A-49), said found iron pin lies 30.5 feet north of the existing pavement centerline of said Port Road, said **POINT OF BEGINNING** being the southeast corner of the undeveloped right of way being described herein;

Thence, North 79 degrees 51 minutes 47 seconds West, a distance of 50.01 feet along the north right of way of Port Road, to a point at the southwest corner of this described right of way, being the southeast corner of the original Lot 213 of said Russwood Shores Unit 2;

Thence, running with the west, north and east lines of said cul-de-sac right of way along the following six (6) calls:

Along a curve to the left for an arc length of 39.92 feet, said curve having a radius of 47.45 feet and is subtended by a chord of North 12 degrees 25 minutes 08 seconds West, 38.76 feet to a point on a curve to the right;

Along said curve to the right for an arc length of 112.68 feet, said curve having a radius of 40.00 feet and is subtended by a chord of North 54 degrees 10 minutes 00 seconds West, 78.95 feet to a point at the original northeast corner of said Lot 213, the original southwest corner of Lot 214;

Continuing along said curve to the right for an arc length of 43.84 feet, said curve having a radius of 40.00 feet and is subtended by a chord of North 57 degrees 55 minutes 53 seconds East, 41.68 feet to a point at the original southeast corner of Lot 214, the original southwest corner of Lot 215;

Continuing with said curve to the right for an arc length of 7.41 feet, said curve having a radius of 40.00 feet and is subtended by a chord of South 85 degrees 21 minutes 48 seconds East, 7.40 feet to a point of tangent to another curve to the right;

Along said other curve to the right for an arc length of 42.57 feet, said curve having a radius of 97.45 feet and is subtended by a chord of South 67 degrees 32 minutes 42 seconds East, 42.23 feet to a point at the original southeast corner of Lot 215, the original southwest corner of Lot 216;

Continuing with said curve to the right for an arc length of 112.12 feet, said curve having a radius of 97.45 feet and is subtended by a chord of South 22 degrees 04 minutes 16 seconds East, 106.04 feet to the point of beginning, containing 0.206 acres or 8,961.9 square feet. Basis for bearings are from a prior survey by Crocker Land Surveying of a tract west of the subdivision on Port Road, with bearings based upon geodetic north, NAD83 datum.

James W. Crocker, TN RLS 1125  
Crocker-Prather Land Surveying, LLC  
397 Herman Brooks Road  
Martin, Tennessee 38237  
June 9, 2018



ROLL CALL  
COUNTY COMMISSION, HENRY COUNTY, DONNA CRAIG, COUNTY CLERK  
PARIS, TENNESSEE

A motion was made by Commissioner Jones to adjourn. The motion was seconded by Commissioner Mathenia.

ITEM NO. 17

	ABSENT	PRESENT	MOTION	SECOND	AYE	NO	ABSTAIN	PASS
BRADLEY, WESLEY								
CARTER, DELL								
CARTER, GREG								
COPELAND, JAMES								
GEAN, RANDY								
HUMPHREYS, KENNETH								
JONES, DON			X					
KYLE, KREG								
MATHENIA, PAUL				X				
MCSWAIN, CONNIE								
NEAL, PAUL								
STARKS, MONTE								
VISSER, MARTY								
WEBB, DAVID								
WILLIAMS, DREW								
TOTAL								

VOICE VOTE CARRIED

DATE : 8-27-18