

Resolution C - Annexation by Referendum

Dear Reader:

The following document was created from the MTAS website ([mtas.tennessee.edu](https://www.mtas.tennessee.edu)). This website is maintained daily by MTAS staff and seeks to represent the most current information regarding issues relative to Tennessee municipal government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with municipal government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other MTAS website material.

Sincerely,

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Reference Number:
MTAS-2111

Resolution C

A Resolution Calling for a Referendum to Annex Certain Territory and to Incorporate the same within the Boundaries of the City of _____ Tennessee, and to Approve a Plan of Services
(insert brief address etc. of property)

WHEREAS, the City of _____, upon its own initiative, proposes the extension of its corporate limits by the annexation of certain territory adjoining its existing boundaries and within its urban growth boundaries by referendum; and

WHEREAS, the statutory posting and publication requirements for the proposed annexation of territory by referendum and the plan of services, including review and recommendation by the _____ Planning Commission, have been fully met; and

WHEREAS, a public hearing on the proposed annexation and plan of services was held by this governing body on _____, 20__; 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

NOW, THEREFORE, BE IT RESOLVED by the City of _____ Tennessee as follows:

A. That the _____ County Election Commission is hereby requested to conduct a referendum election for the annexation of territory into the boundaries of the City of _____, for qualified voters within the subject territory, to wit:

[Legal description of property]

B. *OPTIONAL* – That the _____ County Election Commission is also requested to conduct a second election regarding the annexation for qualified voters of the City of _____.

C. That the plan of services for this territory which is attached as *Exhibit A* hereto is approved and the same is hereby adopted, becoming operative thirty (30) days following certification by the election commission that the annexation was approved.

D. (NOT APPLICABLE TO ALL MUNICIPALITIES) That this territory shall be included in the _____ District, becoming operative thirty (30) days following certification by the election commission that the annexation was approved.

E. That the *Mayor/City Manager/Recorder* shall cause a copy of this resolution, as well as the adopted plan of services, to be forwarded to the Mayor of _____ County.

F. That a copy of the election certification shall be sent to the mayor of _____ County upon receipt from the election commission.

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

H. 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.

I. 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.

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

WHEREUPON, the Mayor declared the Resolution adopted, affixed a signature and the date thereto, and directed that the same be recorded.

Mayor _____

Date: _____

City Recorder

Approved as to Form and Legality this ____ day of _____, 20__.

City Attorney

DISCLAIMER: The letters and publications written by the MTAS consultants were written based upon the law at the time and/or a specific sets of facts. The laws referenced in the letters and publications may have changed and/or the technical advice provided may not be applicable to your city or circumstances. Always consult with your city attorney or an MTAS consultant before taking any action based on information contained in this website.

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