



Resolution D - Proposed Annexation By Owner Consent

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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Resolution D - Proposed Annexation By Owner Consent

Reference Number: MTAS-2112

Resolution D

A Resolution Calling for a Public Hearing on the Proposed Annexation of Territory into the City of _____ by Owner Consent and Approving a Plan of Services

(insert brief address etc. of property)

WHEREAS, the City of _____, having been petitioned by interested persons, proposes the extension of its corporate limits by the annexation of certain territory adjoining its existing boundaries and within its urban growth boundaries by owner consent; and

WHEREAS, a plan of services for the territory proposed for annexation by owner consent has been reviewed by the _____ Planning Commission; and

WHEREAS, the governing body desires to conduct a public hearing on the proposed annexation and plan of services;

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

A. That a public hearing is hereby scheduled for ____:00 *am/pm* on [*month and day*], 20__ at [*location*], on the proposed annexation of territory by owner consent, and Plan of Services, to wit:

[*Insert General Description of Legal Description*]

B. That a copy of this resolution, describing the territory proposed for annexation by owner consent, along with the plan of services, shall be promptly sent to the last known address listed in the office of the _____ county property assessor for each property owner of record within the territory proposed for annexation, with such being sent by first class mail and mailed no later than fourteen (14) calendar days prior to the scheduled date of the hearing on the proposed annexation.

C. That a copy of this resolution shall also be published by posting copies of it in at least three (3) public places in the territory proposed for annexation and in a like number of public places in the City of _____, and by publishing notice of the resolution at or about the same time in the _____, a newspaper of general circulation in such territory and the City of _____.

D. That notice of the time, place and purpose of a public hearing on the proposed annexation by owner consent and the plan of services shall be published in a newspaper of general circulation in the City of _____ not less than fifteen (15) days before the hearing, which notice included the locations of a minimum of three (3) copies of the plan of services for public inspection during all business hours from the date of notice until the public hearing.

E. **APPLICABLE TO MUNICIPALITIES NOT MAINTAINING ITS OWN SCHOOL SYSTEM** – That written notice of the proposed annexation shall be sent to the affected school system as soon as possible, but in no event less than thirty (30) days before the public hearing.

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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Municipal Technical Advisory Service
INSTITUTE for PUBLIC SERVICE