



Municipal Technical Advisory Service  
INSTITUTE *for* PUBLIC SERVICE

Published on *MTAS* (<https://www.mtas.tennessee.edu>)

May 25, 2020

## Form 2B - Service by Mail

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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,

The University of Tennessee  
Municipal Technical Advisory Service  
1610 University Avenue  
Knoxville, TN 37921-6741  
865-974-0411 phone  
865-974-0423 fax  
[www.mtas.tennessee.edu](http://www.mtas.tennessee.edu)

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# Form 2B - Service by Mail

Reference Number: MTAS-1330

## SERVICE BY MAIL

To (identify name and address of respondents)

### NOTICE

Take NOTICE that on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, Petitioner \_\_\_\_\_ filed a petition in this court against you, praying for the condemnation of property rights in the real estate fully described in the petition, a copy of which accompanies this NOTICE. You are further notified that the petition will be presented to the court for a hearing at 9 a.m. on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, in the Circuit Court, to determine whether petitioner should be granted an order of possession, entitling it to immediate possession of the property rights described in the petition.

You must plead, answer, or except to the petition as provided by law, or a judgment will be taken as provided by law.

*(Include the following two paragraphs if using supplementary procedure)*

You are further notified, pursuant to Tennessee Code Annotated § 29-17-903, that after the expiration of thirty days from the date of the giving of this NOTICE, if the petitioner's right to condemn and acquire the property rights described in the petition is not questioned or contested by written formal objection filed with the clerk of this court and served upon the petitioner's attorney, the petitioner may take possession of the property rights sought. If necessary to place the petitioner in possession, the court shall issue a Writ of Possession to the Sheriff of \_\_\_\_\_ County to put the petitioner in possession of his property rights.

If you desire to contest the taking by condemnation under the laws of eminent domain, you must appear at the time designated after having filed your written formal objection. If you fail to appear or choose not to appear, an Order of Possession will be entered granting to the petitioner the property rights described. This hearing, however, will not be concerned with the value of your property or your interest therein and will not be concerned with the just compensation to which you are entitled.

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Circuit Court Clerk

\_\_\_\_\_  
By \_\_\_\_\_  
Deputy Clerk

### CERTIFICATE OF SERVICE

This is to certify that this NOTICE and a copy of the Petition for Condemnation has been mailed to all respondents, by U.S. Certified Mail, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Attorney for Petitioner

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.

Source URL (retrieved on 05/25/2020 - 2:45pm): <https://www.mtas.tennessee.edu/reference/form-2b-service-mail>



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