

AGENDA
La Vergne Board of Zoning Appeals
October 25, 2022 at 5:30 PM

- Call meeting to order.
- Determine quorum.

ORDER OF BUSINESS

1. Approve Minutes: July 26, 2022 Regular Meeting

NEW BUSINESS

2. Request for Special Exception to Allow Sales and Leasing of Trucks and Trailers, Property located at 25 Ingram Boulevard (Tax Map 17, Parcel 25). I-2 (Heavy Industrial) Zoning District. Property owned by 25 Ingram Partners, LLC.

ADJOURN

MINUTES OF THE REGULAR MEETING OF THE BOARD OF ZONING APPEALS OF THE CITY OF LA VERGNE, TENNESSEE ON JULY 26, 2022 IN LA VERGNE CITY HALL, LA VERGNE, TENNESSEE.

The La Vergne Board of Zoning Appeals met in a regular meeting on July 26, 2022 in La Vergne City Hall starting at 5:31 p.m. The meeting was called to order by Chairman Graeme Coates.

Members Present

Members present: Chairman Graeme Coates, Vice-Chairman Craig Pollock, Terrence Smith, and Charles Jones. Alfred Lane was absent.

Staff Members Present

Staff members present: Assistant City Administrator Kyle Brown, City Attorney Phillip Dodd, City Planner Bo Logan, Codes Director Randolph Salyers, Executive Assistant Juliet Williams, and Media Services Jerry Davenport.

Approve Minutes

A motion, made by Vice-Chairman Craig Pollock, seconded by Charlie Jones, to approve the minutes of the May 31, 2022 Regular Meeting, was adopted with all voting AYE.

NEW BUSINESS

1. **Request for Variance to Locate an Accessory Structure in the Side Yard. Property located at 693 Forest Ridge Drive (Tax Map 6J, Group B, Parcel 6). R-2S (Medium Density Residential, Grandfathered) Zoning District. Parcel owned by Janet H. Kirsten.**

Mr. Bo Logan gave his report.

Chairman Coates swore in Ms. Janet Kirsten, 693 Forest Ridge Drive, the owner of the property. He asked Ms. Kirsten if Mr. Logan's report was accurate. She stated that it was accurate and that a pool had been there in the past for 20 years. Chairman Coates confirmed that there was a pool there previously, it was removed, and now she is requesting to put in a new pool. Ms. Kirsten stated yes. Chairman Coates asked if there was a fence around the property. Ms. Kirsten confirmed there was a fence.

Fire Marshall Curtis Brinkley arrived.

A motion, made by Vice-Chairman Craig Pollock, seconded by Terrence Smith, to approve the variance, was adopted with all voting AYE.

2. Request to Use a Home Address to Apply for a Federal Firearm License. Property located at 617 Woodland Hills Drive (Tax Map 29F, Group A, Parcel 67). R-2 (Medium Density Residential) Zoning District. Parcel owned by Edward D. Gleason Living Trust.

Mr. Logan gave his report.

Chairman Coates asked for the request to be explained. City Attorney Phillip Dodd explained, since our ordinance does not, what the Federal Firearm license was and its requirements. Vice-Chairman Pollock asked about the policy on the security of the firearms in the home. Mr. Dodd stated that that was not part of the application.

Chairman Coates swore in Mr. Edward Gleason, 617 Woodland Hills Dr. Chairman Coates asked the applicant to explain the reasoning for his request. Mr. Gleason explained. He stated that he has an alarm system that is registered with the City and has a fireproof safe for the firearms.

Chairman Coates made comments about the Customary International Home Occupations policy.

A motion, made by Charlie Jones, seconded by Terrence Smith, to approve the request as submitted, was adopted with all voting AYE.

3. Request to Use a Home Address to Apply for a Federal Firearm License. Property located at 100 Merritt Drive (Tax Map 18I, Group A, Parcel 14). R-2, (Medium Density Residential) Zoning District. Parcel owned by Brian Grazier.

Mr. Logan gave his report.

Chairman Coates swore in Mr. Brian Grazier, 100 Merritt Dr. Chairman Coates asked the applicant if he agreed with what Mr. Logan stated. Mr. Grazier agreed. Mr. Charlie Jones asked about the safety of the firearms. Mr. Grazier stated that he has two fireproof safes.

A motion, made by Charlie Jones, seconded by Terrence Smith, to approve the request as submitted, was adopted with all voting AYE.

ADJOURNMENT

There being no further business to come before this meeting, Chairman Coates declared the meeting adjourned at 5:50 p.m.

Chairman

City Recorder

Approved: _____



Request: Request for Special Exception to Allow Sales and Leasing of Trucks and Trailers, Property located at 25 Ingram Boulevard (Tax Map 17, Parcel 25). I-2 (Heavy Industrial) Zoning District. Property owned by 25 Ingram Partners, LLC.

Reviewed By: Bo Logan, City Planner

Summary

The applicant would like to gain permission to allow sales and leasing of trucks and trailers on this property. The site is located at 25 Ingram Boulevard. The parcel is owned by 25 Ingram Partners, LLC.

The proposed business would generally operate during normal business hours. The applicant will need to explain the exact operating hours.

According to the **Municipal Zoning Ordinance** as codified in **Article V**, commercial uses allowed in C-1, C-2, C-3 and C-4 zoning can be allowed in I-2 zoning districts if the Board of Zoning Appeals grants a special exception for those commercial uses. Vehicle leasing and/or sales is one such use.

Other Comments

There has been a sign posted on the property for approximately two weeks, and Staff has not received any phone calls.

City of La Vergne, Tennessee
5093 Murfreesboro Road, La Vergne, TN 37086 ♦ (615) 793-6295

BOARD OF ZONING APPEALS APPLICATION

APPLICANT INFORMATION

(Please Print or Type - Any Correspondence will be addressed to the individual.)

1. Date of Application: 9/23/22 2. Phone Number: (615) 465-6000
3. Property Owner's Name: 25 Ingram Partners, LLC
4. Property Owner's Address: 416 S 16th St, Suite 100
Philadelphia, PA 19146
5. Your Name (If Different): Bill Herbert, attorney for applicant
6. Address: 1801 West End Ave, Suite 1550
Nashville, TN 37203
7. Property Location: 25 Ingram Blvd. LaVergne, TN, 37086

(If additional space is needed, please use an additional sheet of paper.)

Section 1 - Appeal the Decision of the Building Inspector / Codes Enforcement Officer.

8. Decision of the Building Inspector / Codes Enforcement Officer: N/A

(If additional space is needed, please use an additional sheet of paper.)

Section 2 - Application for a Variance / Special Exception.

9. Type of Variance / Special Exception Needed: Special Exception for truck leasing pursuant to LaVergne Zoning

Code Section 5.054.2 C.15

10. Peculiar or Unusual conditions which justify the Variance Requested: N/A

(If additional space is needed, please use an additional sheet of paper.)

Revised 7/21/08

In granting a variance, the Board shall ascertain that the following criteria are met:

1. Variances shall be granted only where special circumstances or conditions, fully described in the finding of the Board, do not apply generally in the district.
2. Variances shall not be granted to allow a use otherwise excluded from the particular district in which requested.
3. For reasons fully set forth in the findings of the Board, the aforesaid circumstances or conditions are such that the strict application of the provisions of this ordinance would deprive the applicant of any reasonable use of his land. Mere loss in value shall not justify a variance. There must be a deprivation of beneficial use of land.
4. The granting of any variance shall be in harmony with the general purpose and intent of this ordinance and shall not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with the comprehensive plan for development.
5. In reviewing an application for a variance, the burden of showing that the variance should be granted shall be upon the persons applying therefore.
6. Variances must return to the planning commission for site approval and be accompanied by a written explanation from the Board of Zoning Appeals stating the reason the variances was granted or was not granted.


Applicant Signature

Date: 9/22/22

Certification Statement

I hereby certify that 25 Ingram Partners, LLC is the owner of the property located at 25 Ingram Blvd. LaVergne, TN, 37086 which is the subject of this application, and that I, Bill Herbert, in my capacity as attorney, am authorized to sign this application on behalf of the owner.

I understand that knowingly providing false information on this Application may result in any action taken heron being declared null and void. I further understand that pursuant to TCA 39-16-301 et seq., knowingly making a material false statement, or otherwise providing false information with the intent to mislead a public servant in the performance of his duty is punishable as a Class B misdemeanor.

Bill Herbert
Signature

9/27/22
Date

Bill Herbert, attorney for applicant
Printed Name and Title

Note: A Certification Statement must be submitted with an application form requiring the owner's signature if the owner of the subject property is a corporation, limited liability company, partnership, association, trustee, etc., or if someone other than the owner signs the application. All Certification Statements must be notarized.

Samantha Birdsell
Notary Signature

9-8-2025
Date



Revised 7/21/08

THOMPSON BURTON PLLC

A T T O R N E Y S A T L A W
A PROFESSIONAL LIMITED LIABILITY COMPANY

Palmer Plaza
1801 West End Avenue, Suite 1550
Nashville, TN 37203
www.thompsonburton.com

Bill Herbert
bill@thompsonburton.com

615-465-6000

October 7, 2022

Bo Logan
La Vergne City Planner

Re: *Special Exception for 25 Ingram Boulevard*
Truck Leasing

Dear Mr. Logan:

We represent 25 Ingram Partners, LLC, owner of the property located at 25 Ingram Boulevard. With this application, we request approval of a Special Exception by the Board of Zoning Appeals to use the property for truck leasing pursuant to La Vergne Zoning Code § 5.054.2 C.15.

The property located at 25 Ingram Boulevard is a 3.76-acre parcel that is zoned I-2, Heavy Industrial. The property will be utilized "as is." No new structures will be built nor will existing structures be expanded. The property was previously used by a concrete pumping business.

The proposed operation will provide trucks for lease only between commercial users (i.e., no "walk-ins" or customer facing operations will occur). No sales will occur, and all leased trucks will be owned by one company. The trucks include tractor-trailer trucks as well as medium and light duty box trucks. (See Exhibit A.) It is anticipated that approximately 30 trucks will be available for leasing and will be parked and maintained on site. The proposed business will provide routine maintenance, cleaning, and minor repair for the leased vehicles. There will be no major repair work performed at this location. The proposed business is expected to have between 8 and 18 employees.

La Vergne Zoning Code § 5.054.2 C governs uses permitted by Special Exception in I-2 zoning. Subsection 15 states "uses not otherwise listed within the La Vergne Zoning Ordinance" are permitted by Special Exception. Since truck leasing is not a use specifically listed in the La Vergne Zoning Ordinance, § 5.054.2 C.15 allows this use by Special Exception.

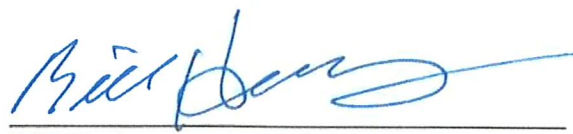
This proposed use meets the conditions for approval of a Special Exception by the Board of Zoning Appeals found in La Vergne Zoning Code § 8.060 B as set forth below.

1. There are two points of ingress/egress from Ingram Blvd. (See Street View photo, Exhibit B). No changes will be made to the existing ingress and egress. Likewise, access to the existing structure will remain the same. Accordingly, automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe will remain the same as previously approved by the City for the previous business.

2. No changes will be made to the existing parking and/or loading areas. All parking will be contained on site. No increase in noise, vibrations, glare, or odor will occur. There should be no adverse effects upon adjoining properties or nearby properties.
3. The refuse and service areas will remain unchanged and will be located to the side of the existing building behind an existing fence.
4. The existing utilities will be used, with no deviation from the location, availability, and compatibility previously approved by the City. Please see the attached site plan showing the location of the existing utilities. (See Exhibit C).
5. The property is secured by an existing chain-link fence and screened by existing landscaping along front and by natural buffers along the sides and rear. The front parking lot and the front façade of the building are screened by existing landscaping. (See Exhibits B, C, D.) Both sides and the rear of the property are located within an AE floodplain. The existing natural buffers will remain undisturbed and will be maintained in their current condition. (See Exhibits C, D.)
6. The sign will be changed to the company sign but the size and location will not change. No exterior lighting will be added that would contribute to glare or interfere with traffic or safety nor will there be a negative economic impact on the surrounding area. The use is compatible and harmonious with the properties in the district which include uses permitted in the I-2 zoning such as a recycling center, truck rental, truck sales, and warehouses. (See Exhibit E.)
7. The requirements for yard and other open space previously approved by the City for the previous business will remain unchanged.
8. The use is generally compatible with the surrounding properties which include uses permitted in the I-2 zoning such as a recycling center, truck rental, truck sales, and warehouses. (See Exhibit E.)
9. Please see the attached site plan which we believe contains all required information. (Exhibit C.)

As demonstrated above, the proposed use meets the criteria for a Special Exception found in the La Vergne Zoning Ordinance. Accordingly, we respectfully request that the Board of Zoning Appeals approve the Special Exception to allow the property to be used for truck leasing.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bill Herbert", is written over a horizontal line.

Bill Herbert, attorney for the applicant



Day Cab Trucks



Sleeper Trucks



Medium & Light Duty



ALTA/NSPS LAND TITLE SURVEY

25 INGRAM BOULEVARD
LA VERGNE, TENNESSEE 37086
RUTHERFORD COUNTY

TITLE COMMITMENT INFORMATION

THE PROPERTY HEREON DESCRIBED IS THE SAME AS THE PARTIAL PROPERTY AS DESCRIBED IN FIRST AMERICAN TITLE INSURANCE COMPANY, TITLE COMMITMENT NO. 104245-188, WITH A COMMITMENT DATE OF MARCH 3, 2012 AT 5:00 A.M.

SCHEDULE A DESCRIPTION

ALL THAT CERTAIN LOT OR PARCEL OF LAND SITUATE IN THE COUNTY OF RUTHERFORD, STATE OF TENNESSEE, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A TRACT OF LAND IN THE THIRD CIVIL DISTRICT, CITY OF LAVERGNE, RUTHERFORD COUNTY, TENNESSEE, BEING A PORTION OF INTERCHANGE CITY, TRACT 233, OWNED BY INTERCHANGE CITY ASSOCIATES, LTD., AS OF RECORD IN DEED BOOK 302, PAGE 50, REGISTRY OFFICE FOR RUTHERFORD COUNTY (HON. TENNESSEE, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING ON A POINT IN THE SOUTHERLY RIGHT-OF-WAY BORDER OF HILL CREEK BLVD., AN 80 FOOT WIDE RIGHT-OF-WAY, SAID POINT LOCATED SOUTH 89° 00' 00" WEST 440 FEET FROM A P.M. S.D. POINT ALSO LOCATED SOUTH 89° 00' 00" EAST, 320.34 FEET FROM AN IRON ROD ALSO DISTURBED, THE EASTERLY END OF THE SOUTHEASTERN RETURN CURVE FOR MILLERSON ROAD, SAID POINT IS THE NORTHEASTERN PROPERTY CORNER OF INTERCHANGE CITY, THE AREA, OWNED BY JAMES E. AND JOE P. YARRINGTON, AS OF RECORD IN DEED BOOK 341, PAGE 432, RORR, TENNESSEE, THENCE WITH THE SOUTHERLY RIGHT-OF-WAY BORDER OF HILL CREEK BLVD. LEAVING THE COMMON PROPERTY CORNER OF YARRINGTON, SOUTH 89° 00' 00" EAST, 100.85 FEET TO AN IRON ROD WITH CAP STAMPED "MAGNABATH ASSOCIATES, INC.", THENCE, IN A SOUTHEASTLY DIRECTION AND WITH A 38.24 FOOT RADIUS CURVE TO THE RIGHT, FOR AN ARC LENGTH OF 17.04 FEET, AN INTERIOR ANGLE OF 174° 14' 14" AND A CHORD BEARING AND DISTANCE OF SOUTH 70° 00' 00" EAST, 178.77 FEET TO A 3/8" WCH IRON ROD 2002; THENCE, LEAVING SAID SOUTHERLY RIGHT-OF-WAY BORDER AND WITH THE COMMON PROPERTY LINE OF 852 NORTH CAROLINA STAMPED PARTNERSHIP PROPERTY, AS OF RECORD IN DEED BOOK 341, PAGE 334, RORR, TENNESSEE, SOUTH 89° 00' 00" WEST, 178.34 FEET TO AN IRON ROD WITH CAP STAMPED "MAGNABATH ASSOCIATES, INC.", THENCE, LEAVING THE WESTERN PROPERTY LINE OF SAID 852 AND WITH THE COMMON PROPERTY LINE OF THE JAMES ALLEN PARK STAMPED PARTNERSHIP PROPERTY, AS OF RECORD IN DEED BOOK 341, PAGE 344, RORR, TENNESSEE, SOUTH 89° 00' 00" WEST, 178.34 FEET TO A POINT ON THE CENTER OF THE EAST BRANCH OF HARRIS CREEK, THENCE, WITH THE COMMON PROPERTY LINE OF SAID HARRIS CREEK, ALONG THE CENTER OF SAID CREEK, NORTH 89° 00' 00" EAST 270.91 FEET TO THE POINT OF BEGINNING, CONTAINING RELAY SQUARE 1/2 AC. OR 3.71 ACRES, MORE OR LESS, AS CALCULATED BY THE ABOVE COURSE AND DISTANCES, DESCRIBED ACCORDING TO THE ALTA/NSPS LAND TITLE SURVEY, INTERCHANGE CITY, TRACT 233, DATED SEPTEMBER 1, 1988, LAST REVISED SEPTEMBER 1, 2002, PREPARED BY DAVID A. JOHNSON, TENNESSEE ALMS, 1385 ALMA-LAMAR AVENUE, 37170 WOODLAND HILLS, INDIANAPOLIS, INDIANA, 46226, JOB NO. 44-05, W.C. ORDER 1000.

BEING THE SAME PROPERTY CONVEYED TO PUMPING PARTNERS, L.L.C. A DELAWARE LIMITED LIABILITY COMPANY BY SPECIAL WARRANTY DEED DATED SEPTEMBER 18, 2008 FROM INTERCHANGE CITY ASSOCIATES, LTD., L.P., A TENNESSEE LIMITED PARTNERSHIP OF RECORD IN RECORD BOOK 181, PAGE 344 IN THE REGISTRY OFFICE FOR RUTHERFORD COUNTY, TENNESSEE.

THE LAND DESCRIBED ABOVE AND SHOWN HEREON IS THE SAME LAND AS DESCRIBED IN TITLE COMMITMENT DEED BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NO. 104245-188, WITH A COMMITMENT DATE OF MARCH 3, 2012 AT 5:00 A.M.

NOTES CORRESPONDING TO SCHEDULE B

- RIGHT OF WAY EASEMENT FROM PUMPING PARTNERS, L.L.C. TO MOBILE TENNESSEE ELECTRIC TRANSMISSION CORPORATION, A COOPERATIVE CORPORATION, DATED FEBRUARY 1, 2008, AND RECORDED AUGUST 1, 2010 IN RECORD BOOK 216, PAGE 102, APPROVED RECORDS.
AFFECTS, CONTAINS NO PORTABLE EASEMENTS.
- AGREEMENT FOR DEEDS OF CONVEYANCE FOR SHAWNTY OWNERS AND/OR STORM DRAINAGE FROM MCCORMICK DEVELOPMENT CORP. TO METROPOLITAN DEVELOPMENT CORPORATION, DATED OCTOBER 1, 1988, AND RECORDED APRIL 21, 1991 IN DEED BOOK 314, PAGE 81, APPROVED RECORDS.
AFFECTS, APPROPRIATE LOCATION PLOTTED AS SHOWN.
- RIGHT-OF-WAY DEED FOR HIGHWAY PURPOSES FROM INTERCHANGE CITY ASSOCIATES, LTD., TO CITY OF LAVERGNE, TENNESSEE, DATED SEPTEMBER 18, 2008, AND RECORDED OCTOBER 9, 2008 IN DEED BOOK 316, PAGE 34, APPROVED RECORDS.
DOES NOT AFFECT, APPEARS TO FALL WITHIN PUBLIC RIGHT-OF-WAY.
- PERMANENT PUBLIC UTILITY EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT FROM BRYAN SHAWNTY, L.L.C. A TENNESSEE LIMITED LIABILITY COMPANY TO THE CITY OF LAVERGNE, A TENNESSEE MUNICIPAL CORPORATION, DATED MAY 1, 2011, AND RECORDED JANUARY 1, 2012 IN RECORD BOOK 197, PAGE 281, APPROVED RECORDS.
AFFECTS, PLOTTED AS SHOWN.
- DEDICATION OF PUBLIC UTILITY AND DRAINAGE EASEMENTS AND/OR TEMPORARY CONSTRUCTION EASEMENT (S) FROM HILL HOLDINGS, L.L.C. A TENNESSEE LIMITED LIABILITY COMPANY TO THE CITY OF LAVERGNE, A TENNESSEE MUNICIPAL CORPORATION, RECORDED MARCH 3, 2012 IN RECORD BOOK 324, PAGE 210, APPROVED RECORDS.
AFFECTS, APPROPRIATE LOCATION PLOTTED AS SHOWN.

LAND AREA

TOTAL AREA
143,224 SQUARE FEET
3.271 ACRES

PARKING INFORMATION

RECALCULATED
TOTAL = 33
TOTAL = 33

SIGNIFICANT OBSERVATIONS

- FILES APPEARS TO CROSS THE PROPERTY LINE BY AT LEAST 4" TO 6"

UTILITY INFORMATION

THE UTILITIES SHOWN ON THIS MAP ARE BASED ON FIELD LOCATIONS BY FIELD MEASUREMENTS. UTILITIES MAP, HILL CREEK BLVD. ASSOCIATES HAS NO WARRANTY TO THE EXACT LOCATION OF ANY UTILITIES SHOWN ON THIS MAP. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY ANY AND ALL UTILITIES PRIOR TO CONSTRUCTION. CALL BEFORE YOU DIG AT 811 OR 1-800-4-A-DIG FOR FIELD LOCATIONS. PRECAUTION FOR UNKNOWN UTILITIES OF UNDERGROUND UTILITIES LINES BEFORE DIGGING.

ZONING INFORMATION

PROPERTY IS CURRENTLY ZONED:	AMENDED ZONING REPORT
PERMITTED USE	REQUIREMENTS
MIN. LOT AREA	INDUSTRIAL 143,224 SQ. FEET
MIN. LOT WIDTH	710.2'
MIN. SIDE CORNER	100'
MIN. SETBACKS FRONT	30.0'
MIN. SETBACKS SIDE	33.3'
MIN. SETBACKS REAR	30.0'
MIN. BUILDING HEIGHT	25.0'
MIN. BUILDING HEIGHT	25.0'
MIN. BUILDING HEIGHT	25.0'
PARKING TRUCKS	13
PARKING LONGSIDE BAY	4
PARKING TOTAL	33

FLOOD ZONE INFORMATION

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS PARTIALLY IN ZONES "SHADE" AND "X". OF THE FLOOD INSURANCE DATA MAP, CONSIDERATION PANEL NO. 474585000 AND 474585001, WHICH BEARS AN EFFECTIVE DATE OF 05/08/2010 AND IS IN A SPECIAL FLOOD HAZARD AREA.

ZONE "SHADE" - AREA OF MODERATE FLOOD HAZARD, USUALLY THE AREA BETWEEN THE LIMITS OF THE 100-YEAR AND 500-YEAR FLOODS.

ZONE "X" - THE AREA FLOODPLAIN WHERE BASE FLOOD ELEVATIONS ARE PROVIDED, "X" ZONES ARE NOW USED ON NEW FLOODPLAIN MAPS INSTEAD OF "A" AND "B" ZONES.

LEGEND & SYMBOLS

- FOUND MONUMENT AS NOTED
- COMPUTED POINT
- HANDICAP PARKING
- LIGHT POLE
- POWER POLE
- TELEPHONE PEDESTAL
- ELECTRIC METER
- AIR CONDITIONING UNIT
- GUY ANCHOR
- GAS METER
- GAS VALVE
- CURB INLET
- WATER METER
- MARLBOR
- GAS MANHOLE
- ELEPHANT
- HOLLAND
- SEWER MANHOLE
- BUILDING NEAREST LOCATION
- MEASURED DIMENSION
- R/R
- RIGHT-OF-WAY
- CELESTIAL OR RIGHT-OF-WAY
- POINT OF BEGINNING
- P.O.C.
- POINT OF COMMENCEMENT
- NOV OR FOREVER
- PD
- PAVING SHOULDER
- TRP
- TRAILING PAVING SHOULDER
- LA
- (LOADING BAYS)
- BOUNDARY LINE
- ADJOINING PROPERTY LINE
- BASEMENT LINE
- RIGHT-OF-WAY LINE
- CELESTIAL OR RIGHT-OF-WAY
- GUARD RAIL
- FENCE
- OVERHEAD POWER LINE
- FLOOD ZONE LINE
- NO PARKING AREA



GENERAL NOTES

- SOME FEATURES SHOWN ON THIS MAP MAY BE SHOWN OUT OF SCALE FOR CLARITY.
- CONVEYANCES ON THIS MAP ARE EXPRESSED IN FEET AND DECIMAL PARTS THEREOF UNLESS OTHERWISE NOTED. MONUMENTS WERE FOUND AT POINTS WHERE APPLICABLE.
- AT THE TIME OF THE ALTA SURVEY, THERE WAS NO OBSERVABLE EVIDENCE OF RECENT EARTH WORK, BUILDING CONSTRUCTION, OR BUILDING ADJUSTMENTS WITHIN RIGHT-OF-WAY.
- AT THE TIME OF THE ALTA SURVEY, THERE WAS NO CHANGES IN STREET RIGHT-OF-WAY LINES EITHER COMPLETED OR PROPOSED, AND PROVIDED BY THE SURVEYOR'S ASSURANCE, OTHER THAN POSSIBLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION REPAIRS.
- AT THE TIME OF THE ALTA SURVEY, THERE WAS NO OBSERVABLE EVIDENCE OF SITE USE AS A ROAD WHITE CURB, DUMP, OR BARRICADE.
- AT THE TIME OF THE ALTA SURVEY, THERE WAS NO OBSERVABLE EVIDENCE OF SITE USE AS A CEMETERY, ISOLATED GRAVE SITE OR BARNAL GROUNDS.
- COMPLETED FIELD WORK WAS COMPLETED BY MARCH 17, 2012.
- THE DISTANCES SHOWN HEREON ARE UNITS OF GROUND MEASUREMENTS.
- THE SUBJECT PROPERTY HAS DIRECT PHYSICAL ACCESS TO HIGWAY BOULEVARD, BEING A PUBLICLY DEDICATED RIGHT-OF-WAY.
- EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS MAP, THIS SURVEY DOES NOT INTEND TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT PROPERTY: EASEMENTS, OTHER THAN THOSE SHOWN WHICH WERE VISIBLE AT THE TIME OF SURVEY, RESTRICTIVE COVENANTS, SUBORDINATE RIGHTS, OR OTHER LAND USE REGULATIONS, AND ANY OTHER FACTS WHICH AN ACCURATE TITLE SEARCH MAY DISCLOSE.
- NO SURVEYOR OR ANY OTHER PERSON OTHER THAN A LICENSED TENNESSEE ATTORNEY HAS PROVIDED LEGAL ADVICE CONCERNING THE STATUS OF TITLE TO THE PROPERTY SHOWN ON THIS MAP. THE SURVEYOR'S PURPOSE OF THIS SURVEY IS ONLY TO SHOW THE LOCATION OF BOUNDARIES AND PHYSICAL OBJECTS IN RELATION THEREON. TO THE EXTENT THAT THE SURVEY INDICATES THAT THE LEGAL INSTRUMENTS "AFFECT" THE SUBJECT PROPERTY, SUCH STATEMENTS ARE ONLY INTENDED TO INDICATE THAT PROPERTY BOUNDARIES INCLUDED IN SUCH INSTRUMENTS INCLUDE SOME OR ALL OF THE SUBJECT PROPERTY. THE SURVEYOR DOES NOT PURPORT TO DETERMINE HOW SUCH INSTRUMENTS AFFECTS THE SUBJECT PROPERTY OR THE ENFORCEABILITY OF LOCAL, CONVEYANCE OR SUCH INSTRUMENTS.
- ALL BEARINGS AND DISTANCES SHOWN HEREON ARE MEASURED UNLESS OTHERWISE NOTED HEREON. RECORDS SHOWN HEREON ARE FROM AVAILABLE RECORDS, BUT NOT POLICED BY "P.M." WHILE THE RECORDS FROM WHICH REFERENCE DOCUMENT THE DIMENSION CHAINED.
- NAME AND ADDRESS OF ADJOINING PROPERTY OWNERS WERE TAKEN FROM RUTHERFORD COUNTY GIS.
- IN REGARD TO ALTA TABLE A ITEM 15, NO VISIBLE CERTAIN DIVISION OF PARTY WALLS WITHIN RIGHT-OF-WAY WERE OBSERVED AT THE TIME THE FIELDWORK WAS PERFORMED, HOW EVER AS DESIGNATED BY THE CLIENT, NECESSARY FURNISHINGS WERE NOT PROVIDED.

BASIS OF BEARING

THE BASIS OF BEARING OF THIS SURVEY IS GRID NORTH BASED ON THE SOUTH LINE OF THE SUBJECT PROPERTY. THE BEARING IS LOCATED AS "NORTH" AND "SOUTH" LATITUDE = 37° 01' 14" N
LONGITUDE = 87° 21' 14" W
CONVERGENCE ANGLE = 0° 00' 33.45"

SURVEYOR'S CERTIFICATE

TO: FIRST AMERICAN TITLE INSURANCE COMPANY AND 25 INGRAM PARTNERS, L.L.C. A DELAWARE LIMITED LIABILITY COMPANY.

THIS IS TO CERTIFY THAT THIS MAP OR PLAN AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS AND INCLUDED ITEMS 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

I, BRYAN A. SHAWNTY, A REGISTERED LAND SURVEYOR IN THE STATE OF TENNESSEE, HEREBY CERTIFY THAT THIS IS A TRUE AND ACCURATE SURVEY TO THE BEST OF MY KNOWLEDGE, AND THAT IT EXCEEDS THE MINIMUM REQUIREMENTS FOR A CATEGORY 1 SURVEY AND THAT THE UNGATED DATE OF PRECISION EXCEEDS 17,000 AS SHOWN HEREON.

DATE OF PLAT OR MAP: 04/06/2012

BRYAN A. SHAWNTY
REGISTERED LAND SURVEYOR NO. 2089
STATE OF TENNESSEE

BLEW & ASSOCIATES, P.A.

3025 N. SHILOH DRIVE • FAYETTEVILLE, AR 72703
PHONE: (501) 478-4400 • FAX: (501) 478-1583
OFFICE: (478) 441-0209 • FAX: (478) 441-0209
EMAIL: SURVEY@BLEWPA.COM • WWW.BLEWPA.COM

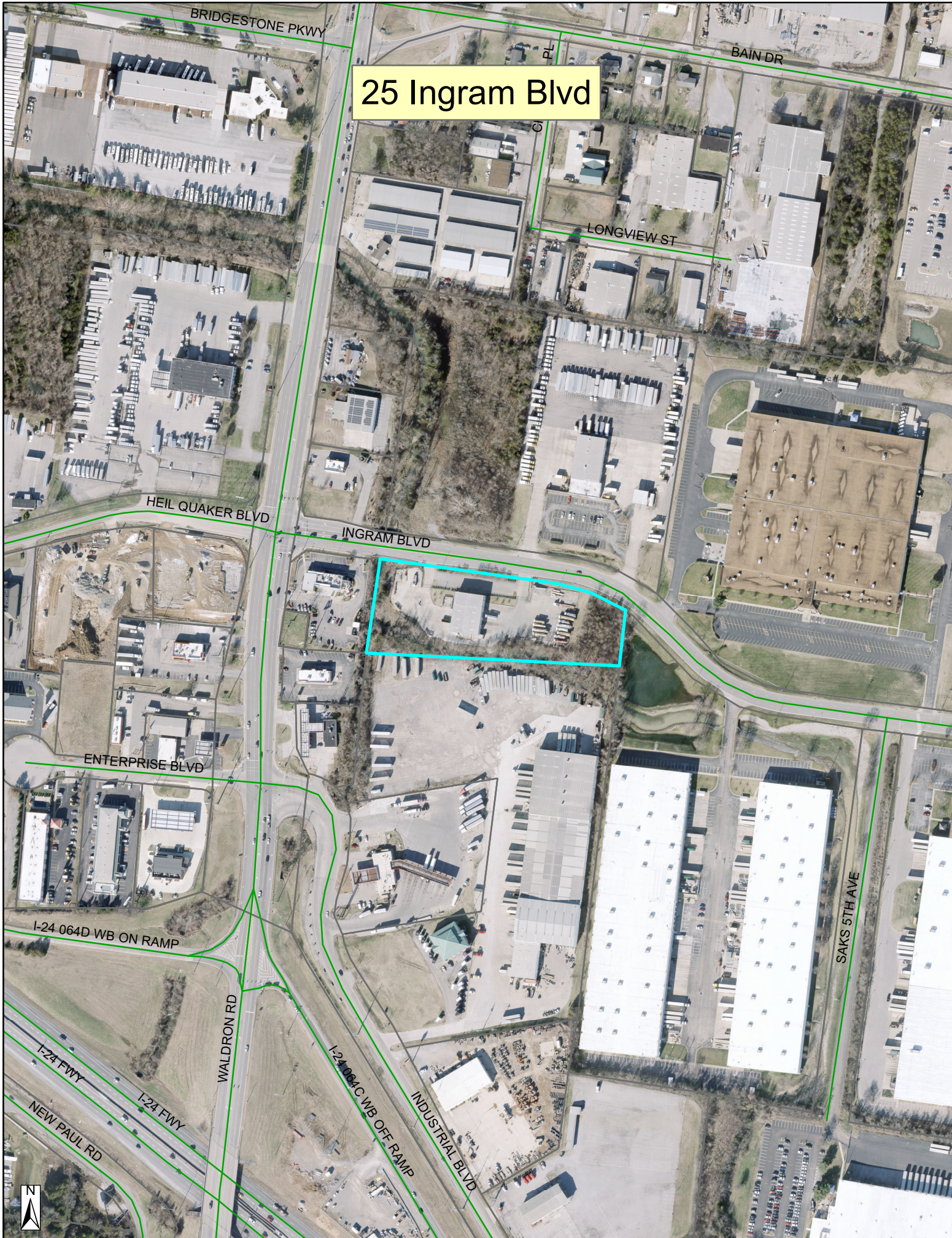
SURVEYOR JOB NUMBER: 22-2373
SURVEYOR DRAINAGE: E.M.D. - 04042012
SURVEY REVIEWED BY: S.T.M.
SHEET: 1 OF 1

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