

**RESOLUTION NO. R-2023-07  
CITY OF FAYETTEVILLE, TENNESSEE**

**A RESOLUTION AUTHORIZING THE ACQUISITION OF REAL PROPERTY FOR  
THE BENEFIT OF FAYETTEVILLE PUBLIC UTILITIES**

WHEREAS, the City of Fayetteville owns a 0.229-acre parcel of real property acquired by instrument dated March 2, 2001, and recorded in Deed Book Y-12, page 158, depicted on the Final Plat of Brookstone Commons Subdivision, Phase 1, recorded in Plat Book 6, page 77, and further being identified as Parcel 070.01 of Lincoln County Tax Map 067; and

WHEREAS, said 0.229-acre tract of real property is being used by Fayetteville Public Utilities for a natural gas station and related infrastructure; and

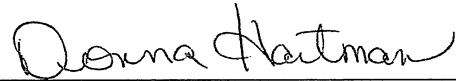
WHEREAS, an 13.34-acre tract surrounding the aforementioned City-owned property is currently owned by subdivision developer Successus, LLC which is likewise depicted on the Final Plat of Brookstone Commons Subdivision, Phase 1, identified as a “common area;” and

WHEREAS, Fayetteville Public Utilities will benefit from the acquisition of the aforementioned 13.34-acre tract to provide a buffer zone around its existing infrastructure; and

WHEREAS, Successus, LLC has agreed to convey the 13.34-acre tract to the City of Fayetteville, for the use and benefit of Fayetteville Public Utilities, for consideration of \$281,000, with \$60,000 to be paid by Fayetteville Public Utilities and the remaining balance of \$221,000 to be deemed a donation to the City of Fayetteville by Successus, LLC.

NOW, THEREFORE, in consideration of the foregoing, be it resolved by the Board of Mayor and Aldermen of the City of Fayetteville, Tennessee, that the acquisition of the 13.34-acre tract of by the City of Fayetteville for the use and benefit of Fayetteville Public Utilities from Successus, LLC for the terms set forth above is hereby approved in all respects.

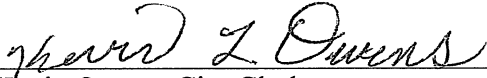
Approved and adopted this the 14<sup>th</sup> day of February, 2023.



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Donna Hartman, Mayor

ATTEST:



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Kevin Owens, City Clerk