

MEMORANDUM

TO: Board of Mayor and Aldermen
FROM: Town Attorneys
RE: Down Town Project
DATE: January 3, 2020

Board,

Please let this Memorandum serve as the Town Attorneys' review of work performed toward the proposed Down Town Project (an area of land that encompasses and surrounds the Thompson's Station Road West & School Road intersection) which includes updated rights-of-way for public roads, public parking, and street scaping in conjunction with planned/proposed new developments in the down town area.

In June of 2019, Energy Land and Infrastructure (ELI) was engaged by the Town to determine the topographical and boundary line areas for the affected area in an effort to determine the appropriate next steps. Their findings and proposal for said next steps are included in your packet.

From the initial efforts and review of the deeds by ELI, it was determined that a title search would be necessary due to absences and inconsistencies within the deeds.

The Town Attorneys engaged Bankers Title and Escrow Dickson, LLC (a title company) to perform an in-depth title search on the effected properties (primarily Parcels: 001.00, 015.00, 016.00, 016.01, 017.00, and 040.01). The title searches revealed that a certain area (likely utilized by the railroad at one time and having later ceased to be utilized by the railroad) did not have a record of ownership, resulting in an "unclaimed area" located in between the railroad and the properties South of Thompson's Station Road West. This "unclaimed area" was not part of the railroad's original charter, and it is currently not within the railroad's right-of-way, nor is it part of any chain and title (and the corresponding legal description thereto) for any of the effected properties.

In an effort to shed light on the "unclaimed area," the Town Attorneys conducted a search of records at the Williamson County Register of Deeds to locate the original plat for the Village of Thompson's Station, as was referenced on multiple deeds and the same possibly evidencing ownership of the "unclaimed area." No original plat was found.

Accordingly, in order to properly outline the public rights-of-way, the public parking, and the street scaping, as well as to confirm the legal claim of the Town to the "unclaimed area," it is recommended by the Town Attorneys for the Town to proceed to develop a full plat of all of the "unclaimed area" for the Down Town Project, through the services of ELI, for recording with the Williamson County Register of Deeds. If the BOMA decides to proceed, the to be created plat would later be submitted to the Planning Commission for final approval.

AEM-BKV