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Change of Boundary Lines

Dear Reader:

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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 county 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 CTAS website material.

Sincerely,

The University of Tennessee
County Technical Assistance Service
226 Anne Dallas Dudley Boulevard, Suite 400
Nashville, Tennessee 37219
615.532.3555 phone
615.532.3699 fax
www.ctas.tennessee.edu

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Change of Boundary Lines

Private Acts of 1823 Chapter 256

SECTION 1. That the following line be, and is hereby, established between the counties of Roane and Monroe: Beginning on the second range line east of the meridian, where the present Roane and Monroe line leaves the same; thence with said line to where the same strikes the township line, at or near Taylor Eldridge's reservation; thence with said line to the extreme height of the Black Oak ridge; thence along the same to the present line as heretofore marked and run. And the following be, and the same is hereby established between the counties of Blount and Monroe; Beginning on the north bank of Little Tennessee river, at the point called Wildcat Rock; thence a direct line to the Militia Springs from thence along the Indian boundary to the 11th corner on said line, opposite to William Schrimsher and William McNabb; thence to Abram's creek, at the mouth of the second branch above its junction with the Tennessee, as marked on the General Plan; thence a southeast course to the North Carolina boundary line; thence with said line to the Tennessee river; Which said territory shall hereafter belong to, and compose a part of, Monroe County, in addition to the original limits thereof.

SEC. 2. That Nathan Hendrix and Nicholas S. Peck shall be appointed commissioners in the upper end of said county, and Charles Kelso and Jesse Melton be appointed commissioners in the lower end of said county, and Jones Griffin in the center of said county, whose duty it shall be to select the most eligible site that can be had on the Tennessee river, and one other site the most eligible that can be procured in the interior of said county; and when said sites are thus selected, all the free men of said county of twenty-one years and upwards, shall be entitled to vote between the two places so selected. The said commissioners shall make out a fair and explicit report to the sheriff of said county, of the sites so selected by them, the donations offered to either of the sites put in nomination, whose duty it shall be to publish the same, by advertising at the muster ground of each captain's company in said county, at least thirty days previous to the day on which such election shall be held, which shall be holden one day, at the same rules, regulations, and restrictions, as observed in electing members of the General Assembly, and the site receiving a majority of said votes, shall be the permanent seat of justice for Monroe County.

SEC. 3. That should any of said commissioners die, remove, fail or refuse to act, then, and in that case, the county court shall supply such vacancy, two thirds of the acting justices being present; provided always, that it shall be the duty of said sheriff to hold an election at the dwelling-house of David Russell, for the aforesaid sites, on the same day, for that portion of Monroe county lying north of the Tennessee river.

SEC. 4. That said commissioners, before they enter upon the duties assigned them by this act, shall take before same justice of the peace the following oath or affirmation of "I, A. B. do solemnly swear, or affirm, (as the case may be,) that in fixing on suitable places for the permanent seat of justice for Monroe county, I will do equal and impartial justice to the people of said county, and that I will not be influenced by any private interest in fixing the same, provided it does not accord with the interest of the county; and that I will in the best of my judgment, perform the duties enjoined upon me by the act appointing the commissioner."

SEC. 5. That the aforesaid commissioners shall enter into bond, with security to be approved of by the clerk of said county court, in the sum of ten thousand dollars, payable to the chairman of said court and his successors in office, for the due and faithful discharge of the duties devolving upon them as commissioners aforesaid; which bond shall be filed in the office of said clerk.

SEC. 6. That said commissioners shall make such agreement with the owner of the land whereon they may wish to fix said seat of justice, as to them shall seem right and just, and for the lowest price the same can be procured, for any quantity not less than forty acres, and shall take a title from the owner of said land to themselves and their successors in office, as commissioners of said county town.

SEC. 7. That said commissioners shall, as soon as may be after obtaining a title to said land, cause a town to be laid off thereon, into a public square, lots, streets, and alleys, of convenient size, which said town shall be known by the name of Tellico.

SEC. 8. That the said commissioners be, and they are hereby, authorized to sell the lots of said town at public sale, to the highest bidder, allowing such credit as they may think proper, giving at least thirty days notice in the Knoxville Register of such sale, taking bond with sufficient security for the payment of the purchase money to themselves and their successors in office; and the said commissioners, or a majority of them, are hereby authorized to execute, in due form of law, deeds of conveyance for the same to the purchasers, which shall be good and valid in law to all intents and purposes.

SEC. 9. That it shall be the duty of said commissioners to contract with suitable workmen to build a court-house, prison, and stocks, to be placed on the public square; but said commissioners may build said prison upon some other lot in said town, as to them shall seem right.

SEC. 10. That said commissioners shall appropriate the money arising from the sale of the town lots aforesaid, to the payment of lands, (if they shall be compelled to purchase a site,) and the public buildings. If there should be a surplus in their hands after said buildings are finished, it shall be deposited in the treasury of said county, and to remain there for the use of said town, subject to the disposition of the county court of said county.

SEC. 11. That the said commissioners, when the buildings are completed, shall lay before the court of said county, a fair and just statement of the costs and expenses of said purchase and buildings, together with receipts, and shall be allowed a reasonable compensation for their services by the said court; provided, a majority of the acting justices of said county shall make such allowance.

SEC. 12. [Deleted by Private Acts of 1825, Chapter 307].

SEC. 13. That when said commissioners shall have finished said public buildings, and reported the same to the county court of Monroe county, the courts in said county shall thereafter be held at said court-house, and all writs, recognizances, and other process, which may have issued in said county or circuit court, and made returnable to the house where such courts are now held, shall be returned to said court-house, and shall be as good and valid in all respects, as if they had been returned to the house where said courts are now held.

SEC. 14. That as soon as the aforesaid courts shall be removed to the seat of justice in said county, it shall be the duty of the clerks of said courts to keep their offices at said town.

November 22, 1823.

Private Acts of 1833 Chapter 16

The county of McMinn, in addition to its present limits, shall commence at the point on the south bank of Hiwassee river, where the Rhea County line terminates, thence along said lines, until it strikes the Hamilton County line at Wilson Evans' thence along said line to the White Oak mountain; thence along the extreme height of said mountain and the Hamilton County line entire, until it strikes the five mile point of Hamilton County line, on the dividing line between the States of Georgia and Tennessee; thence along said line until it strikes a point opposite to the line dividing Monroe and McMinn Counties; thence a direct line to the division line between the said counties of Monroe and McMinn; and that all the balance of said territory shall be attached to, and included in the county of Monroe, in addition to its present limits. And it is hereby made the duty of the Surveyor General of the Hiwassee district to run and mark the several county lines as designated by this act.

Passed: November 8, 1833.

Private Acts of 1835-36 Chapter 143

SECTION 1. That the following shall be the line between the counties of Blount and Monroe, to wit: beginning on the present line at the Militia Springs, thence a direct line from said springs to strike the Little Tennessee River, above the farm of David Russell, so as to include said Russell in the county Monroe; the said river then to be the line to where the said river strikes the North Carolina line; Provided, that nothing herein contained shall be so construed as to prevent the sheriff of Monroe county from collecting all taxes, both state and county, that may be due from that portion of the citizens residing north of said river, and within the territory hereby taken off said county of Monroe; and provided further, that the sheriff and other officers of said county of Monroe shall have full power and authority to collect all judgements that have been rendered by either the county or circuit courts of said county, or any justice of the peace against any person residing in said territory hereby taken off said county of Monroe.

COMPILER'S NOTE: Section 1 of this act is the only section which pertained to Monroe County. The rest of the act has been omitted.

Passed February 13, 1836.

Private Acts of 1837-38 Chapter 270

SECTION 1. That the following shall be the line between the counties of Blount and Monroe, to wit: Beginning on the present line at the Militia Springs, thence with the original line to where it crosses the present line, thence with the present line to the Tennessee river, above the same of David Russell; *Provided*, that nothing herein contained shall be so construed as to

prevent the sheriff of Monroe county from collecting all taxes, both State and county, that may be due from that portion of the citizens residing within the teitory hereby taken off said county of Monroe; *and provided further*, that the sheriff and other officers of said county of Monroe shall have full power and authority to collect all judgements that have been rendered by either the county or circuit courts of said county, or any justice of the peace against any person residing in said territory hereby taken off said county of Monroe.

Passed: January 17th, 1838.

Private Acts of 1939 Chapter 604

SECTION 1. That the line between Monroe and Loudon Counties, Tennessee, be and the same is hereby changed so as to detach from Monroe County and attach to the Fourth Civil District of Loudon County, Tennessee, the following lands, formerly a part of the Old Fourth and now a part of the Second Civil District of Monroe County.

The lands of Henry Bledsoe,
The lands of Murphey Hamilton,
The lands of Equitable Life Ins. Society,
The lands of John Brown,
The lands of Jess McCullough,
The lands of Henry Ryans,
The lands of Frank Letterman,
The lands of Jennings Clark,
The lands of Laudermilk heirs,
The lands of Byrd Kizer,
The lands of M. H. Rosin,
The lands of Hill Bros., Formerly known as Silverrun Dairy Farm of Dr. J. J. Harrison,
The lands of James Edward heirs,
The lands of the Old Mayo Farm, now owned by Herbert Foster and Moss Carson,
The lands of Vaden heirs,
The lands of the Old McCall farm, now owned by Waymen, Miller and Gorley,
The lands of Lawrence Allman,
The lands of Clyde Allman,
The lands of Newton Clerk,
The lands of C. L. Bray,
The lands of J. M. Reed,
The lands of M. L. Skinner,
The lands of Robert Miller,
The lands of I. W. Rowland,
The lands of Robert Edwards,
The lands of G. H. Hensley,
The lands of the Old Millsaps farm, now owned by Smith,
The lands of Mote Sewell,
The lands of J. B. Beal,
Sunnyside Baptist Church,
The lands of Clarence Bradley,
Sunnyside School House and lot,
The lands of Mitt Scrimshire,
The lands of Jack Byrum,

The lands of Ben Petit,
The lands of Henry Rowland.

SECTION 2. That it is the legislative intent that each section, sub-section, paragraph and provisions of this Act is severable and that should any portion of this Act be held unconstitutional or invalid the same shall not affect the remainder of this Act but such unconstitutional or invalid portions shall be elided and the Legislature declares that it would have enacted this Act without such unconstitutional or invalid portions elided therefrom.

SECTION 3. That all laws and parts of laws in conflict with this Act be and the same are hereby repealed and that this Act take effect from and after its passage, the public welfare requiring it.

PASSED: March 10, 1939.

Private Acts of 1951 Chapter 535

SECTION 1. That the boundary between Monroe and Loudon Counties is hereby changed in the following manner, to-wit:

Said boundary line is changed to read "First Tract: beginning on the present line between Loudon and Monroe Counties at a stake at the southern end of a bridge across Sweetwater Creek on the old Washington Road; thence up Sweetwater Creek to the intersection of said Creek with the northwestern side of the right-of-way of the Southern Railway Company; thence running with said railway right-of-way line westerly to where said right-of-way line again intersects Sweetwater Creek; thence up Sweetwater Creek to where said Creek intersects the line of the old Milligan farm, which line runs to the old Washington Road; thence with the southern side of said Washington Road westerly to where said road intersects the present Monroe and Loudon County line."

"Second Tract: Beginning on the present line between the Counties of Loudon and Monroe at a stake on the west side of the Lee Highway right-of-way; thence south with said right-of-way to a stake where the right-of-way line intersects the property line of Mr. Audey Godsey; thence with the Godsey property line and its meanders in a southwesterly direction to a point where the Godsey line intersects the right-of-way of the Southern Railway; thence with said property line of Railway right-of-way in a northerly direction to a point where said right-of-way line intersects the County line between Monroe and Loudon Counties; thence with said County line to a point of beginning; both tracts containing approximately two hundred and eighty four (284) acres, 1st tract approximately two hundred and seventy (270) acres, 2nd tract approximately fourteen (14) acres; but expressly excluding the right-of-way and tracts of the Southern Railway Company located between the two tracts, which right-of-way and tracts are not transferred to Loudon County but shall remain a part of Monroe County."

SEC. 2. That all laws and parts of laws in conflict with this Act be and the same are hereby repealed and that this Act take effect from and after its passage, the public welfare requiring it.

PASSED: March 15, 1951.

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