



County Technical Assistance Service
INSTITUTE *for* PUBLIC SERVICE

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Private Acts of 1923 Chapter 405

Dear Reader:

The following document was created from the CTAS website (ctas.tennessee.edu). This website is maintained by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county 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 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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Private Acts of 1923 Chapter 405

SECTION 1. That in all cities having a population of not less than 50,000 nor more than 70,000 by the Federal Census of 1920, or any subsequent Federal Census, all plans, plots or replots of land lying within the limits of such city, or for a distance of three miles outside thereof, laid out in building lots, and streets, alleys, squares, parks, or portions of same, intended to be dedicated to public use, or for the use of purchasers or owners of lots fronting upon any such square, park, street, alley, or boulevard, or adjacent thereto, or lying or being within the boundary of the said tract or parcel of land, and located within the limits of any such city, or for a distance of three miles outside thereof, shall be submitted to the Board of Commissioners, or other legislative body having general charge and the supervision of the design, construction and maintenance of city streets; and all such plans, plots, or re-plots shall be approved by such Board of Commissioners or other legislative body, before they shall be tendered for record to the County Register. Said plans, plots, or re-plots shall be examined by such Board with a view of ascertaining whether such plans, plots, or re-plots conform to the general laws and ordinances relating to plans, plots, or re-plots within the city, and that streets, alleys, boulevards, parks and public ways or places shall conform to the general plan of the city, and not conflict or interfere with rights-of-way of streets, or alleys already established. If such plans, plots, or re-plots shall conform to the laws of the State and ordinances of such city, and if they fall within the general plan for the extension of such city, as adopted by ordinance, then it shall be the duty of said Board, or other legislative body, to endorse its approval upon the plan, plot, or re-plot submitted to it.

The disapproval of any such plans by said Board, or other legislative body, shall be deemed a refusal of the proposed dedication shown thereon, but its approval shall be deemed an acceptance of the proposed dedication for public, or private use, as the case may be; but shall not impose any duty upon the city concerning the maintenance or improvement of any such dedication parts until the proper authorities of the city shall have made actual appropriation of the same by entry, use, or improvement; and owners and purchasers shall be deemed to have notice of the public plans, maps and reports of such Board, or body having charge of the design, construction and maintenance of the city streets, affecting such property within the jurisdiction of the cities of the class hereinbefore set out.

Where such city has a City Planning Commission, said plans, plots, or re-plots submitted to its Board of Commissioners, or other legislative body, for approval shall be first submitted to the Board, or other legislative body, to said City Planning Commission for its recommendation, before said Board, or other legislative body, shall note its approval or disapproval thereon.

SECTION 2. That if any such plan, plot, or re-plot of land is tendered for registration in the office of a County Register of any county in which any city of the above class may be situated, it shall be the duty of such County Register to examine such plan, plot, or re-plot to ascertain whether the endorsement of the Commissioners, or legislative body provided for in the next preceding section, shall appear thereon. If it shall, and the plan, plot, or re-plot otherwise conforms to the provisions of law, he shall accept same for registration. If such endorsement does not appear thereon, the Register shall refuse and decline to accept same for registration. Any failure to observe the provisions of this section, on the part of any County Register, shall constitute a misdemeanor in office.

SECTION 3. That all Acts or parts of Acts in conflict with this Act be, and the same are hereby repealed.

SECTION 4. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: March 31, 1923.

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