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# Private Acts of 1931 Chapter 400

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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](http://www.ctas.tennessee.edu)

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## Private Acts of 1931 Chapter 400

**SECTION 1.** That all of that part of Hamilton County, in the Third Civil District, on what is known as Walden's Ridge or Signal Mountain, within the boundaries hereinafter described, be and the same hereby is, created, and constituted a body politic and corporate to be known and designated as the "Walden's Ridge Taxing District" in which name it shall have perpetual succession, sue and be sued, grant, receive, purchase and hold real, personal and mixed property, or dispose of the same for the benefit of said corporation, and may have and use a corporate seal.

**SECTION 2.** That said "Walden's Ridge Taxing District" shall be the territory on Walden's Ridge North of the Town of Signal Mountain, bounded as follows: Beginning at the bluff at the east end of the north corporation line of the Town of Signal Mountain, thence northwestwardly 3,900 feet more or less along the north line of the Signal Mountain Palisades Company property and the north corporation line of the Town of Signal Mountain across James Boulevard to a point which is 200 feet in a northwesterly direction from the northwest right of way line of James Boulevard measured at right angles; thence northeastwardly parallel to and 200 feet at right angles from northwest right of way line of James Boulevard 4,300 feet more or less to the northeast line of the Wilkerson and Clift Tract being also the southwest right of way line of road to mines, thence northwestwardly along the northeast line of Wilkerson and Clift Tract and the southwest right of way line of road to mines 700 feet more or less to a point on the Sue H. Gamble-William Nixon line produced southwestwardly, thence northeastwardly and along the Gamble-Nixon line and the northwest property line of W.H. Stokes 474 feet more or less to west corner of W.A. Nixon Tract, thence northeastwardly 104 feet to the southwest corner of the J.C. Kain property on the east side of a 20-foot street, thence northeastwardly along the east side of said 20-foot street, 70 feet more or less to south line of the A. Doc. Miles property extended southeastwardly, thence northwestwardly and along the south line of the A. Doc. Miles property 190 feet more or less, thence northeastwardly parallel with the above mentioned 20-foot road and 167 feet northwestwardly therefrom 330 feet more or less to the northwest corner of the Robert Guess (now the J.G. Kain) property, thence southeastwardly along the northeast property line of Robert Guess (now J.G. Kain) 57 feet to the southwest corner of A.D. Rogers (now Gordon Keef) property, thence northeastwardly along the northwest line of A.D. Rogers (now Gordon Keef's) property 234.5 feet more or less to the southwest line of J.W. Brown tract, thence southeastwardly along the (Rogers) Keef-Brown line 194 feet more or less to the southwest corner of the F.C. Schneider Estate Tract, thence northeastwardly along the Brown-Schneider Estate line 546 feet more or less to the north right of way of line of Timesville Avenue, thence southeastwardly along the north right of way line of Timesville Avenue 500 feet more or less to the east right of way line of Signal Point Road or James Boulevard, thence in a southerly direction along the east right of way line of Signal Point Road or James Boulevard, 150 feet more or less to the west end of the north line of Lot 19, T.W. Fritts Subdivision, thence southeastwardly along the north line of Lot 19 504.7 feet more or less to the northwest right of way line of Laurel Avenue, thence northeastwardly along the northwest right of way line of Laurel Avenue 2,000 feet more or less to the southwest line of the Sims and Clegg Addition, thence southeastwardly along the southwest line of the Sims and Clegg Addition 713 feet more or less to the northwest right of way line of Wilson Road, thence northeastwardly along the northwest right of way line of Wilson Road 5,143 feet more or less to the southeast corner of the John S. Poindexter property, thence northwestwardly along the Keys-Poindexter line 440 feet more or less to the southwest corner of the Poindexter property, thence northeastwardly along the Keys-Poindexter property line 670 feet more or less to the south right of way line of Glenway Avenue, thence north 73 degrees 30 minutes west along the southwest right of way line of Glenway Avenue 60 feet more or less to the northwest line of Lots 98 and 97 Mabbitt Springs Addition extended southwestwardly, thence north 16 degrees 30 minutes east and along the northwest lines of Lots 98, 97, 88, 87 1,200 feet more or less to the northeast right of way line of Spruce Street, thence south 73 degrees 30 minutes east along the northeast right of way line of Spruce Street 550 feet more or less to the northwest right of way line of Wilson Avenue, thence north 16 degrees 30 minutes east along the northwest right of way line of Wilson Avenue 1,850 feet more or less to the northeast property line of the S.P. Long 24.75-acre tract extended northwestwardly, thence south 73 degrees 30 minutes east along the S.P. Long-C.F. Bates, Jr., property line 1,200 feet more or less to the property line of S.L. Probasco and J.C. Guild, Jr., 600-acre tract, thence southeastwardly along the Long-Probasco and Guild property line 300 feet more or less to Little Falling Water Creek, thence southwestwardly along Little Falling Water Creek 700 feet more or less to the Mabbitt Spring Branch, thence southwestwardly along the Mabbitt Spring Branch 850 feet more or less to the northeast right of way line of Oak Avenue, thence southeastwardly along the northeast right of way line of Oak Avenue 700 feet more or less to the line between Mabbitt Springs Addition and Nottingham Subdivision extended northwardly, thence southwestwardly along the line between Mabbitt Springs Addition and Nottingham Subdivision 1,105 feet more or less to the east right of way line of an alley

between Mabbitt Springs Addition and Nottingham Subdivision, thence southwestwardly along the east right of way line of said alley 1,160 feet more or less to the north right of way line of Ash Avenue, thence eastwardly along the north right of way line of Ash Avenue 250 feet more or less to the northeast property line of the Poss and Schwartz tract extended northwestwardly, thence southeastwardly along the northeast property line of the Poss and Schwartz tract 900 feet more or less to the bluff of the mountain thence southwestwardly and along the bluff of the mountain 14,250 feet more or less to the point of beginning.

**SECTION 3.** That a governing board of said district, to be known and designated as a "Board of Commissioners of Walden's Ridge Taxing District" is hereby created. Said Board of Commissioners shall consist of three members, and the first commission shall be P.J. Kreusi, C.S. Steward, and John S. Fletcher, who shall serve until the August election, 1934, at which time their successor shall be elected by the qualified voters and property owners of said district, and shall serve for a term of eight years and until their successors shall be elected and qualified, and in case of a vacancy for any cause, the remaining members thereof shall fill the same for the unexpired term. All of said Commissioners shall be property owners in said district.

It shall be the duty of the election commissioners of Hamilton County to hold an election at some designated point for said district at the August election in 1934 and for each succeeding eight years for the election of said Commissioners. All residents of said district, who are qualified voters and all property owners thereof shall be entitled to vote. The election commission of said county shall hold a registration for said district at such time as is now provided by law preceding said elections to permit said residents and property owners therein to register.

**SECTION 4.** That said Board of Commissioners shall organize by electing a President, Secretary and Treasurer. The two latter offices may be combined.

The President shall, together with the Secretary or Treasurer, execute all contracts for and in the name of the corporation; countersign all checks issued by the Treasurer; preside at all meetings; exercise a general supervision over all work undertaken by the Commissioners, and shall do all acts and things that said Commissioners may empower and authorize him to do and perform, and in his absence said Commissioners may select one of their number to preside.

Said Commissioners shall meet at least once each year and as many times in addition as they may be called so to do by the President. They shall receive no salary, *provided, however,* they shall be paid such actual expenses as may be incurred in the performance of their duties.

Said Board shall select a Secretary, who shall hold his office for such time as the Commissioners may fix. Said Secretary shall keep the minutes of all meetings of said Board, and be the custodian of all contracts and records thereof, and in general perform all duties which may be required of him by the Board of Commissioners.

Said Commissioners shall also elect a Treasurer, who shall be the custodian of the corporation's funds. The Board may require of him such bond as may in their discretion be justified. The expense of making such bond shall be borne by the corporation. He shall issue all checks and sign the same, together with the President. No funds shall be paid out by the corporation except upon the concurrence of the President and Secretary. All checks or warrants shall be numbered consecutively as issued and a faithful record thereof kept by the Treasurer.

In the discretion of the Commissioners one person may be Secretary and Treasurer.

Whenever a new Treasurer shall be elected and qualified, it shall become the duty of the Treasurer forthwith to surrender and deliver to his successor all money, property and records; books, papers of any and every description belonging to said Commissioners, then in his possession by virtue of his office, and in a like manner he shall fully surrender and deliver to his successor the entire effects, affairs, business management and conduct of his office as Treasurer, and make a full settlement of the same, and he shall take a receipt of his successor therefor, and in any default therein, he shall be liable on his bond.

Said Board may employ such officers, agents and employees as may be necessary to perform their duties and functions under the terms of this Act, and fix their compensation.

**SECTION 5.** That said Board shall have the power and duty to build, rebuild, enlarge, operate and maintain a system of water mains within said district for the purpose of supplying water to the inhabitants and property owners thereof. They shall be authorized and empowered to provide pumps and pumping stations, reservoir facilities and such other works and construction as may be needed to secure and distribute said supply of water to and within said districts.

In order to effectuate these purposes they may enter into such contracts as they may deem necessary, with persons, corporations, and municipal corporations as may be able and willing to furnish said district

with water, water mains, reservoirs and pumps or pumping stations. Said facilities in so far as may be deemed necessary or expedient may be leased, rented or owned by said taxing district and may be located within or without its boundaries. All contracts which said Board of Commissioners may in their discretion execute under the terms of this Act and for the purpose of securing said water supply, shall be valid and binding obligations of said taxing district.

Said Board may at any time the conditions may in their discretion justify the same--provide in addition to the water supply, a system of fire hydrants and other apparatus for fire protection within said district.

**SECTION 6.** That for the purposes enumerated in Section 5 hereof--said Board of Commissioners of Walden's Ridge Taxing District shall have the power to issue the bonds of said district in an amount not exceeding Fifty-five Thousand (\$55,000.00) Dollars. Such bonds to be in such sums and denominations, not less than \$100.00 each, nor more than \$5,000.00 each as the Commissioners may prescribe, which bonds shall each be signed by the President and countersigned by the Secretary of said Board of Commissioners and shall be payable to bearer. They shall mature in thirty years from date of issuance and shall bear interest from date, not in excess of six per cent per annum, for which interest coupons shall be attached, payable at such times as the Commissioners may determine. Said coupons may bear the printed or lithographed facsimile of the signatures of the President and Secretary.

Said bonds shall be made payable in lawful money of the United States of America, at any place within or without the limits of the State as the Commissioners may determine. They shall not be sold for less than par. *Provided, however,* a reasonable amount may be paid for the expense of printing and selling said bonds.

**SECTION 7.** That whatever bonds may be issued pursuant to the authority of this Act shall be known and designated as the "Waterworks Bonds of the Walden's Ridge Taxing District," and shall be sold in such amounts, and at such time, and in such manner, either at public or private sale, as the Board of Commissioners of said taxing district shall direct. Said bonds shall be exempt from taxation by the State of Tennessee, and any county or municipality thereof, and it shall be so recorded in the face of said bonds. It shall also be recited in the face of said bonds that they are issued pursuant to and in accordance with the provisions of this Act, and such recital shall be conclusive evidence of their legality.

**SECTION 8.** That said bonds shall be a lien on all lands in said Walden's Ridge Taxing District, and the Board of Commissioners thereof shall pledge the full faith, credit and resources of said taxing district to secure the payment of said bonds and in the interest thereon. It shall be the duty of said Board of Commissioners, for the year next succeeding the issuance of said bonds, and for each succeeding year thereafter, to make provisions in the tax levy, and to levy a tax for the interest to become due on said bonds, and for a sinking fund, which shall be sufficient with its accumulations, as nearly as may be estimated, to meet the principle indebtedness at its maturity.

**SECTION 9.** That the Board of Commissioners of said taxing district shall name a Board of Sinking Fund Trustees who shall qualify and give bond in such manner as may be directed by said Board; who shall have charge of the sinking fund to be raised for the bonds herein authorized, by the tax hereby directed to be levied, and their powers and duties in reference to said bonds shall be the same as those prescribed and defined for said Trustees by an Act passed March 20, 1873, Chapter 59, entitled, "An Act to provide for the issuance of bonds by cities;" except that said Trustees shall loan the money at six per cent (6%) interest, and shall not purchase any bonds therewith except the bonds authorized to be issued under this Act.

**SECTION 10.** That the Board of Commissioners of the Walden's Ridge Taxing District are hereby authorized and empowered to levy an annual tax upon all the taxable property within said district, to provide funds for the purchase, construction, maintenance and operation of the waterworks herein authorized, and for all other purposes necessary to secure and maintain a water supply to, for and within said district. The tax rate shall be based upon the assessment for State and county taxes within the taxing district's limits, and it shall be the duty of the County Trustee to collect said taxes, in the same manner and time and for the same compensation, as county taxes are collected, and turn the same over to the Treasurer of said taxing district.

**SECTION 11.** That the control, ownership, supervision and repair of the roads and highways within said taxing district shall remain in Hamilton County, Tennessee. *Provided, however,* the Board of Commissioners of said Walden's Ridge Taxing District may, under the supervision of the county engineer, occupy and use said roads and highways for the installation of water mains, pipes, and service pipes, herein authorized.

**SECTION 12.** That this Act take effect from and after passage, the public welfare requiring it.

Passed: June 16, 1931.

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