ORDINANCE 2026-20

AN ORDINANCE TO AMEND THE DEVELOPMENT CODE AND ZONING MAP OF THE CITY OF FAIRVIEW, TENNESSEE, BY REZONING A 1.72 (+/-) ACRE PORTION OF PROPERTY LOCATED BETWEEN HIGHWAY 96 AND HORN TAVERN ROAD, EAST OF THE INTERSECTION OF HIGHWAY 96 AND HORN TAVERN ROAD (WILLIAMSON COUNTY TAX MAP 021, PARCEL 058.00) FROM CD-2 (RURAL) TO CD-4 (NEIGHBORHOOD CENTER)

WHEREAS, the City of Fairview Development Code and the Zoning Map adopted therein provide for the regulation of land use within the corporate limits of the City; and

WHEREAS, the following property has been submitted for rezoning:

- A 1.72 (+/-) acre portion of property located between Highway 96 and Horn Tavern Road, East of the intersection of Highway 96 and Horn Tavern Road, consisting of Williamson County Tax Map 021, Parcel 058.00, proposed to be rezoned from CD-2 (Rural) to CD-4 (Neighborhood Center), Property Owner: Warden Hwy 96 LP; and

WHEREAS, the subject property is located within the corporate limits of the City of Fairview; and

WHEREAS, the City of Fairview Municipal Planning Commission reviewed the request and forwarded it to the Board of Commissioners on September 8, 2026, with a **positive** recommendation for approval without conditions; and

WHEREAS, the Board of Commissioners has determined that consideration of this rezoning request is warranted; and

WHEREAS, all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF FAIRVIEW, TENNESSEE, AS FOLLOWS:

SECTION 1.
The Development Code and Zoning Map of the City of Fairview, Tennessee, are hereby amended by rezoning the following parcel:

- A 1.72 (+/-) acre portion of property located between Highway 96 and Horn Tavern Road, East of the intersection of Highway 96 and Horn Tavern Road, consisting of Williamson County Tax Map 021, Parcel 058.00, proposed to be rezoned from CD-2 (Rural) to CD-4 (Neighborhood Center), Property Owner: Warden Hwy 96 LP; and

SECTION 2.
This rezoning request was submitted by applicant, Pegah Abhari (North American Realty Acquisition Corporation), and is deemed to serve the public welfare. The rezoning of this

property shall be subject to all applicable ordinances, regulations, and requirements of the City of Fairview.

SECTION 3.
Summary of Rezoning:

- Tax Map 021, Parcel 058.00
- Total Area: 1.72 (+/-) acres
- Location: Hwy 96 and Horn Tavern Rd, East of the intersection of Hwy 96 and Horn Tavern Rd
- Requested Zoning: CD-4 (Neighborhood Center)
- Property Owner: Warden Hwy 96 LP

SECTION 4.
This ordinance shall take effect upon final passage, the public welfare requiring it.



Parcel for Rezoning:
Tax Map 021, Parcel 058.00
1.72 (+/-) Total Acres
Hwy 96 and Horn Tavern Rd, East of the intersection of Hwy 96 and Horn Tavern Rd
Requested Zoning: CD-4 (Neighborhood Center)
Owner: Warden Hwy 96 LP
Applicant: Pegah Abhari (North American Realty Acquisition Corporation)

Approved by the Board of Commissioners:

_____
Lisa Anderson, Mayor

ATTEST:

_____
Rachel Jones, City Recorder

LEGAL FORM APPROVED:

_____
Patrick M. Carter, City Attorney

Passed 1st Reading: October 1, 2026

Public Hearing: November 5, 2026

Passed 2nd Reading: _____

Published for public notice on: October 8, 2026 In: The Williamson Herald

TITLE COMMITMENT PROPERTY DESCRIPTION

FILE NO.: 1-25483-DJ
EXHIBIT A

LEGAL DESCRIPTION

THE FOLLOWING LEGAL DESCRIPTION IS INACCURATE AS IT INCLUDES ADDITIONAL PROPERTY AND A NEW SURVEY WILL BE REQUIRED. THE DESCRIPTION IS SHOWN FOR INFORMATION ONLY.

LAND LOCATED IN WILLIAMSON COUNTY, TENNESSEE, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: [illegible]

THE ABOVE DESCRIBED PROPERTY IS SUBJECT TO THE LEGAL RIGHT-OF-WAY FOR HIGHWAY 96 AND HORN TAVERN ROAD. [illegible]

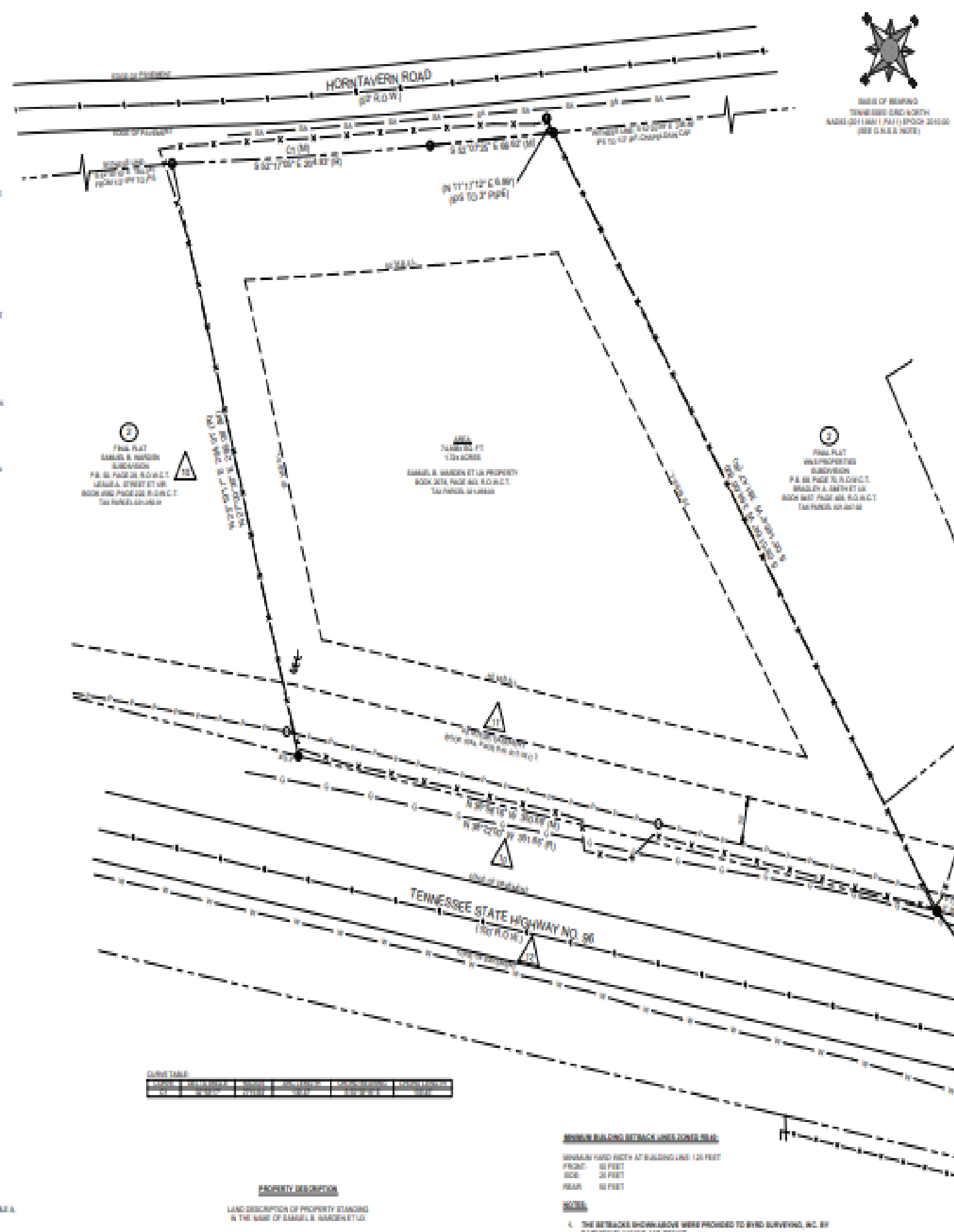
[illegible]

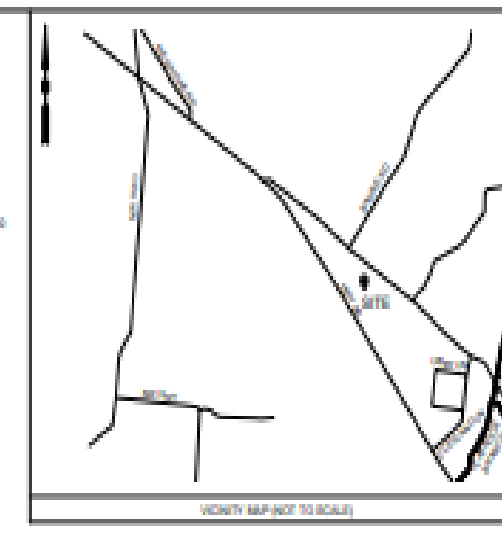
SCHEDULE B, PART II EXCEPTIONS
FIDELITY NATIONAL TITLE INSURANCE COMPANY
COMMITMENT NUMBER: 1-25483-DJ
COMMITMENT DATE: MARCH 24, 2026 AT 8:00 AM

THE POLICY WILL NOT INSURE AGAINST LOSS OR DAMAGE RESULTING FROM THE TERMS AND CONDITIONS OF ANY LEASE OR EASEMENT IDENTIFIED IN SCHEDULE A, AND WILL INCLUDE THE FOLLOWING EXCEPTIONS UNLESS CLEARED TO THE SATISFACTION OF THE COMPANY:

1. ANY DEFECT, LIEN, ENCUMBRANCE, ADVERSE CLAIM, OR OTHER MATTER THAT APPEARS FOR THE FIRST TIME IN THE PUBLIC RECORDS OR IS CREATED, ATTACHES, OR IS DISCLOSED BETWEEN THE COMMITMENT DATE AND THE DATE ON WHICH ALL OF THE SCHEDULE B, PART I REQUIREMENTS ARE MET. (NASI)
2. (A) TAXES OR ASSESSMENTS THAT ARE NOT SHOWN AS EXISTING LIENS BY THE RECORDS OF ANY TAXING AUTHORITY THAT LEVIES TAXES OR ASSESSMENTS ON REAL PROPERTY OR BY THE PUBLIC RECORDS; (B) PROCEEDINGS BY A PUBLIC AGENCY THAT MAY RESULT IN TAXES OR ASSESSMENTS, OR NOTICES OF SUCH PROCEEDINGS, WHETHER OR NOT SHOWN BY THE RECORDS OF SUCH AGENCY OR BY THE PUBLIC RECORDS. (NASI)
3. ANY FACTS, RIGHTS, INTEREST OR CLAIMS THAT ARE NOT SHOWN BY THE PUBLIC RECORDS BUT THAT COULD BE ASCERTAINED BY AN INSPECTION OF THE LAND OR THAT MAY BE ASSERTED BY PERSONS IN POSSESSION OF THE LAND. (NASI)
4. TAXES OR SPECIAL ASSESSMENTS WHICH ARE NOT SHOWN AS EXISTING LIENS BY THE PUBLIC RECORDS. (NASI)
5. ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND SURVEY OF THE LAND. (DNASP)
6. EASEMENTS, OR CLAIMS OF EASEMENTS NOT SHOWN BY THE PUBLIC RECORDS. (NASI)
7. IF IMPROVEMENTS ARE COMPLETED AFTER JANUARY 1 OF ANY YEAR, AND THE LAW PURSUANT TO TCA 67-5-603 AND TCA 67-5-603, REQUIRES SUPPLEMENTAL ASSESSMENT FOR THE YEAR IN WHICH IMPROVEMENTS ARE COMPLETED, THE COMPANY ASSUMES NO LIABILITY FOR TAXES ASSESSED BY CORRECTION OR SUPPLEMENTAL ASSESSMENT. (NASI)
8. TAXES FOR THE YEAR 2026, A LIEN NOT YET DUE AND PAYABLE. (NASI)
9. SUBJECT TO ALL MATTERS SHOWN ON THAT SURVEY BY BOYD B. GIBBS, RLS NO. 1586, 104 SOUTH PUBLIC SQUARE, CENTERVILLE, TENNESSEE DATED JANUARY 4, 2008. (NASI)
10. SUBJECT TO ALL MATTERS SHOWN ON THE PLAN OF RECORD IN PLAT BOOK 50, PAGE 26, REGISTER'S OFFICE FOR WILLIAMSON COUNTY, TENNESSEE. (ASH)
11. RIGHT OF WAY EASEMENTS IN FAVOR OF MIDDLE TENNESSEE ELECTRIC MEMBERSHIP CORPORATION OF RECORD IN BOOK 1044, PAGE 818 (ASH) AND BOOK 4886, PAGE 43, (DNASP) IN THE REGISTER'S OFFICE FOR WILLIAMSON COUNTY, TENNESSEE.
12. RIGHT OF WAY DEED IN FAVOR OF STATE OF TENNESSEE OF RECORD IN BOOK 133, PAGE 55, IN THE REGISTER'S OFFICE FOR WILLIAMSON COUNTY, TENNESSEE. (ASH)
13. APPLICATION FOR GREENBELT ASSESSMENT, OF RECORD IN BOOK 5928, PAGE 176, IN THE REGISTER'S OFFICE FOR WILLIAMSON COUNTY, TENNESSEE. NOTE: THE LAND HAS BEEN CLASSIFIED AS GREENBELT FOR ASSESSMENT, LEVY AND COLLECTION PURPOSES AND MAY BE SUBJECTED TO SUBSTANTIAL ROLLBACK TAXES AS DEFINED IN TENNESSEE CODE ANNOTATED, SECTION 67-5-1001. (NASI)
14. NO INSURANCE IS OFFERED TO TITLE TO THAT PORTION OF THE PREMISES EMBRACED WITHIN THE BOUNDS OF ANY ROADS, STREETS, OR HIGHWAYS. (ASH)
15. ACREAGE CONTENT OF THE SUBJECT PROPERTY IS NOT HEREBY INSURED. REFERENCE TO ACREAGE IS LEFT IN THE DESCRIPTION MERELY FOR CONVENIENCE IN IDENTIFYING THE TRACT. (NASI)

DNASP= DOES NOT AFFECT SUBJECT PROPERTY   NASI = NOT A SURVEY ITEM   ASH = AS SHOWN HEREON





VICINITY MAP (NOT TO SCALE)

AN ALTA/NSPS LAND TITLE SURVEY OF THE
SAMUEL B. WARDEN ET UX PROPERTY
HIGHWAY 96 NORTH
CIVIL DISTRICT 1
WILLIAMSON COUNTY, FAIRVIEW, TENNESSEE
APRIL 9, 2026
COMMITMENT NO.: 1-25483-DJ

CURVE TABLE

[illegible]

PROPERTY DESCRIPTION

LAND DESCRIPTION OF PROPERTY STANDING IN THE NAME OF SAMUEL B. WARDEN ET UX

[illegible]

NOTES:

1. THE LEGAL DESCRIPTION WAS CREATED TO RESOLVE DISCREPANCIES BETWEEN THE SURVEY SHOWN HEREON AND THE DESCRIPTION OF RECORD.
2. THE LEGAL DESCRIPTION ABOVE DESCRIBES A PORTION OF THE SAME PROPERTY AS THE RECORD DESCRIPTION.

MINIMUM BUILDING SETBACK LINES ZONED RS40:

MINIMUM YARD WIDTH AT BUILDING LINE: 120 FEET
FRONT: 50 FEET
SIDE: 20 FEET
REAR: 50 FEET

NOTES:

1. THE SETBACKS SHOWN ABOVE WERE PROVIDED TO BYRD SURVEYING, INC. BY FAIRVIEW PLANNING AND ZONING.
2. NO ZONING REPORT WAS PROVIDED TO THE SURVEYOR AT THE TIME OF THIS SURVEY.

G.N.S.S. DATA NOTE:

[illegible]

SURVEY CERTIFICATION:

I HEREBY CERTIFY THAT THIS IS A CATEGORY IV SURVEY AND WAS CONDUCTED IN ACCORDANCE WITH RULE 0820-03-.07 (REMOTE SENSING SURVEYS) ACCORDING TO THE CURRENT TENNESSEE MINIMUM STANDARDS OF PRACTICE AS PROMULGATED BY THE TENNESSEE STATE BOARD OF EXAMINERS FOR LAND SURVEYORS. [illegible]

a. DATE OF SURVEY: APRIL 9, 2026
b. DATUM/EPOCH: TENNESSEE STATE PLANE NAD83 (2011)
c. NAVD88, GEOID 18
d. HORIZONTAL POSITIONAL ACCURACY: 0.04'
e. VERTICAL ACCURACY: 0.04'
f. OCCUPATIONS FOR CONTROL POINTS: 3 MINUTES; SIDE SHOTS: 10 SECONDS
g. NO COMBINED GRID FACTORS WERE USED.
h. G.N.S.S. WAS USED FOR LOCATION OF ALL BOUNDARY DATA, UTILITIES AND SPOT ELEVATIONS SHOWN HEREON.

JOHN M. PAYNE TN R.L.S NO. 845 — DATE

ZONING REPORT

NOTE: NO ZONING REPORT WAS PROVIDED TO THIS SURVEYOR AT THE TIME OF THE SURVEY. [illegible]

ALTA/NSPS LAND TITLE SURVEY CERTIFICATION

TO: FIDELITY NATIONAL TITLE INSURANCE COMPANY, WARDEN HAY 96 LP, A DELAWARE LIMITED PARTNERSHIP, AND NORTH AMERICAN REALTY ACQUISITION CORPORATION, INC., A TEXAS CORPORATION.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2026 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6 (A)(B), 8, 9, 11 (B), 13 & 16 OF TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON APRIL 9, 2026.

DATE OF PLAT OR MAP: APRIL 10, 2026

IN REFERENCE TO ITEM 16, NO EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS WAS OBSERVED AT THE TIME OF THIS SURVEY.

JOHN M. PAYNE
TENNESSEE REGISTRATION NO. 845
EMAIL: MPAYNE@BYRDSURVEYING.COM
DATE OF SURVEY: APRIL 9, 2026

LEGEND

- EXCEPTION NUMBER
- IPS = IRON PIN (SET)
- PIPE = IRON PIPE FOUND
- IPF/Y = IRON PIN FOUND
- POWER POLE
- SERVICE POLE
- GUY WIRE
- SIGN
- UTILITY STUB
- (M) MEASURED
- (R) RECORDED
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- SUBJECT PROPERTY LINE
- ADJOINING PROPERTY LINE
- CENTERLINE OF ROAD
- FENCE
- OVERHEAD POWER LINE
- WATER LINE
- SANITARY SEWER LINE
- GAS LINE

BYRD SURVEYING, INC.

Serving: Tennessee, Kentucky, Fort Campbell, Alabama, Florida, North & South Carolina and Virginia

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GRAPHIC SCALE 1" = 30'

GENERAL NOTES:

1. BEARINGS BASED ON TENNESSEE STATE PLANE GRID NORTH (SEE G.N.S.S. NOTE).
2. THE PROPERTIES SHOWN ON THIS SURVEY ARE SUBJECT TO ALL COVENANTS, RIGHTS-OF-WAY, EASEMENTS, ZONING, AND RESTRICTIONS WHETHER IMPLIED OR OF RECORD.
3. THIS DOCUMENT MUST BE COMPARED TO THE ORIGINAL HARD COPY ISSUED AT THE SURVEY DATE WITH ITS ORIGINAL SEAL TO INSURE THE ACCURACY OF THE INFORMATION AND NO RELIANCE SHOULD BE MADE ON A DOCUMENT TRANSMITTED BY COMPUTER OR OTHER ELECTRONIC MEANS UNLESS FIRST COMPARED TO THE ORIGINAL SEALED DOCUMENT ISSUED AT THE TIME OF THE SURVEY.
4. BEARINGS AND DISTANCES SHOWN TAKE PRECEDENCE OVER SCALE.
5. NO UNDERGROUND UTILITIES WERE LOCATED. ONLY VISIBLE ABOVE GRADE EVIDENCE OF UTILITIES WERE FIELD-LOCATED AND ARE SHOWN HEREON. ALL UTILITIES ARE SHOWN BASED ON VISIBLE EVIDENCE. CONTACT ALL UTILITY COMPANIES AND TENNESSEE 811 ("CALL BEFORE YOU DIG") BEFORE EXCAVATION OR CONSTRUCTION OF ANY KIND. THE SURVEYOR SHOWN HEREON IS NOT RESPONSIBLE FOR THE LOCATION OF ANY UNDERGROUND UTILITIES THAT MAY BE PRESENT ON-SITE.
6. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AS PART OF THIS SURVEY. NO STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONTAINERS OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THE TRACT.
7. THIS SURVEY WAS COMPLETED TO THE RULES OF TENNESSEE STATE BOARD OF EXAMINERS FOR LAND SURVEYORS CHAPTER 0820-03, STANDARDS OF PRACTICE, MAY 2026 EDITION (REVISED).
8. THIS SURVEY WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITY, IF ANY, NAMED ON THE CERTIFICATION HEREON. SAID CERTIFICATE DOES NOT EXTEND TO ANY UNNAMED PERSON WITHOUT AN EXPRESS RE-CERTIFICATION BY THE SURVEYOR NAMING SAID.
9. HEREON PROPERTY IS SUBJECT TO ANY AND ALL RESTRICTIONS AND REGULATIONS SET FORTH BY THE GOVERNING AGENCIES OF THE WILLIAMSON COUNTY PLANNING COMMISSION.
10. CONTACT PROPER AUTHORITIES BEFORE CONSTRUCTING NEAR UTILITY LINES FOR PROPER EASEMENT WIDTHS & RESTRICTIONS.
11. THE WORD "CERTIFY" OR "CERTIFICATE" AS SHOWN AND USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION BASED ON KNOWLEDGE, INFORMATION AND BELIEF, EXISTING FIELD EVIDENCE AND DOCUMENTARY EVIDENCE PROVIDED BY OTHERS REGARDING THE FACTS OF THE SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE EXPRESSED OR IMPLIED.
12. THIS SURVEY WAS PREPARED FROM CURRENT DEEDS AND PLATS OF RECORD AND DOES NOT REPRESENT A TITLE SEARCH OR A GUARANTEE OF TITLE.
13. NO LIABILITY WILL BE ACCEPTED BEYOND THAT OF THE FOUR (4) YEAR STATUTE OF LIMITATIONS (T.C.A. 28-3-114 & T.C.A. 28-3-202) ORIGINATING FROM THE FIELD DATE SHOWN HEREON.
14. NO VISIBLE INDICATIONS OF THE PRESENCE OF A CEMETERY WERE OBSERVED DURING THE COURSE OF THIS SURVEY.
15. NO DETERMINATION OF WETLANDS WAS MADE AS PART OF THIS SURVEY.
16. BY SCALE MAP LOCATION GRAPHIC PLOTTING ONLY, THIS PROPERTY LIES WITHIN FLOOD ZONE "X", AS DESIGNATED ON CURRENT FEDERAL EMERGENCY MANAGEMENT AGENCY FIRM NO. 47187C0000F, WITH AN EFFECTIVE DATE OF SEPTEMBER 29, 2006.
17. THE PROPERTY AS SHOWN HEREON IS CONTIGUOUS ALONG ITS COMMON BOUNDARY LINES WITHOUT GAPS, GORES, HIATUS OR OVERLAPS.
18. NO BUILDINGS WERE OBSERVED ON THE PREMISES DURING THE COURSE OF THIS SURVEY.
19. THE DIMENSIONS SHOWN HEREON ARE EXPRESSED IN U.S. SURVEY FOOT UNITS.

JOHN M. PAYNE — TENNESSEE NO. 845

THE SURVEYOR'S LIABILITY FOR THIS DOCUMENT SHALL BE LIMITED TO THE ORIGINAL PURCHASER AND DOES NOT EXTEND TO ANY UNNAMED PERSON OR ENTITIES WITHOUT AN EXPRESSED RE-CERTIFICATION BY THE SURVEYOR WHOSE NAME APPEARS UPON THIS SURVEY.

HEREON DEPICTION IS SUBJECT TO "FEDERAL COPYRIGHT LAWS" ANY USE OF SAME WITHOUT THE EXPRESS WRITTEN PERMISSION OF BYRD SURVEYING, INC. IS PROHIBITED.

ORDERED BY: NATHAN LEDBETTER

OWNER: SAMUEL B. WARDEN ET UX, 7276 BELVOIR DRIVE, FAIRVIEW, TENNESSEE 37062

PROPERTY ADDRESS: HIGHWAY 96 NORTH, FAIRVIEW, TENNESSEE 37062

TAX MAP: 021   PARCEL: 008.00

ZONING: RESIDENTIAL

DEED REFERENCE: DEED BOOK 2078, PAGE 843, R.O.W.C.T.

AREA: 74,806 ± SQ. FT. OR 1.72 ± ACRES

REVISIONS		
1	04-22-26	EDITED ALTA/NSPS CERTIFICATION J.M.P.
2		
3		

DRAWING SCALE: 1" = 30'	PROJ. #: 809002-26
DRAWN BY: J.M.P.	DATE: APRIL 10, 2026
CHECKED BY: J.M.P.	DATE: APRIL 14, 2026
FIELD CREW: R.B. & C.J.	DATE: APRIL 9, 2026

PATH: [illegible] HIGHWAY 96 N, 1.7-ACRE ALTA (FAIRVIEW, TN)