



Morristown City Council Agenda Item Summary

Date: July 21, 2026

Agenda Item: Approve the acquisition of certain property from College Square Owner, LLC and Time Equities, Inc. for right-of-way and related construction in the amount of \$130,362 for right-of-way necessary for the Morris and West Andrew Johnson Highway Multimodal sidewalk project, and authorize the City Administrator to execute all necessary documents.

Prepared By: Andrew Ellard

Subject: ROW Acquisition – East-West Multimodal Project.

Background: The East-West Multimodal project requires the purchase of certain rights of way. Funds were allocated last fiscal year for ROW acquisitions, and in May 2026, Council authorized the negotiation services associated with such purchases.

Findings/Current Activity:

Note that easements associated with this project are only for one year as compared to typical three year terms with other TDOT projects. TDOT approved of this shortened timeframe, which helped to limit the overall cost. Other property acquisition associated with ROW for this project will follow at a later date.

Financial Impact:

Funds are appropriated for ROW for this project.

Action options/Recommendations:

Staff recommends approval.

Attachment:

Agreement

ADMINISTRATIVE SETTLEMENT REQUEST

TO: Michael Poteet City of Morristown Capital Improvement Superintendent

FROM: Tina Newman – SWP Services, Right of Way Acquisition Agent

DATE: 6/18/2026

SUBJECT: MORRIS BOULEVARD SIDEWALK PROJECT **TRACT #:** 20
STATE ROW: 32LPLM-S3-068 **PIN:** 128609.00
COUNTY: Hamblen
OWNER: College Square Owner, LLC / Time Equities, Inc.

Name of Appraiser(s): J. Lee Butler **Appraisal Amount:** \$119,345

Before Acreage: 38.920 Acres **After Acreage:** 38.878 Acres

Taking: 1,826 SF **Fee Simple:** 3,202 SF **Slope Easement:** 0.207 Acre **TCE:** 0.207

Approved Offer: \$119,345 **Counteroffer:** \$130,362

Amount of Increase: \$11,017 **Percent of Increase:** 9.23%

JUSTIFICATION FOR SETTLEMENT

College Square Owner, LLC and Time Equities, Inc. have submitted a counteroffer of **\$130,362** for the acquisition of Tract 20 associated with the Morris Boulevard Sidewalk Project. The owner's counteroffer exceeds the approved offer by **\$11,017**, representing an increase of approximately **9.23%** above the approved acquisition amount.

The owner has expressed concerns regarding the valuation of the Temporary Construction Easement (TCE), irrigation cost-to-cure allowance, and impacts associated with construction activities affecting parking and access near the Olive Garden restaurant located on the College Square Mall property. The owner specifically contends that the one-year Temporary Construction Easement valuation should reflect a higher annual return rate and has requested an increase from \$18,034 to \$27,051. Additionally, the owner requests an increase in the irrigation cost-to-cure allowance from \$1,000 to \$3,000.

While the City maintains that the approved compensation reflected on the updated Form 2 accurately represents just compensation for the revised one-year Temporary Construction Easement, an administrative settlement is recommended to avoid the costs, delays, and uncertainties associated with condemnation proceedings. The requested increase is within the TDOT Administrative Settlement threshold and is considered reasonable when compared to

anticipated litigation expenses, appraisal updates, attorney fees, staff time, and potential project schedule delays.

Approval of this administrative settlement will allow the City to secure possession of the required right of way, maintain project schedules, avoid condemnation-related expenditures, and facilitate timely completion of the Morris Boulevard Sidewalk Project.

APPROVED AS FOLLOWS

Item	Amount
Fee Simple Acquisition	\$36,520
Slope Easement	\$60,838
Temporary Construction Easement	\$27,051
Improvements (Landscaping)	\$2,950
Cost to Cure (Irrigation)	\$3,000
Rounding	\$3
GRAND TOTAL	\$130,362

Recommended for Approval:

Tina Newman
Right of Way Acquisition Agent

Date: 6/18/2026

Approved By:

Authorized Approving Official

Date: _____