

HOUSE BILL 595

By Casada

AN ACT to amend Tennessee Code Annotated, Sections 13-3-403(b) and 13-4-303(b), relative to revision of plats.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 13-3-403(b), is amended by adding the following language to the end of the current language in subsection (b):

A plat showing a subdivision of land that has been approved by the planning commission where a bond or other method of guaranteeing that such improvements and utilities will be built has been posted, and where the developer has not installed the required improvements and utilities thereby resulting in the local governments enforcing the bond or other method of guaranty, but prior to the county utilizing the proceeds from an enforced bond or other method of guaranty to install such improvements and utilities, and if no lots have been sold in the subdivision the property owner may request that the planning commission revoke the plat. If the planning commission approves the revocation of the plat, then the secretary of the planning commission shall execute an instrument of revocation and deliver such instrument to the current property owner. The property owner shall record the instrument of revocation with the County Register, whereupon the plat shall become null and void. Any proceeds from the enforced bond or other method of guaranty shall then be returned to the current property owner.

SECTION 2. Tennessee Code Annotated, Section 13-4-303(b), is amended by adding the following language to the end of the current language in subsection (b):

A plat showing a subdivision of land that has been approved by the planning commission where a bond or other method of guaranteeing that such improvements and utilities will be built has been posted, and where the developer has not installed the required

improvements and utilities thereby resulting in the local governments enforcing the bond or other method of guaranty, but prior to the county utilizing the proceeds from an enforced bond or other method of guaranty to install such improvements and utilities, and if no lots have been sold in the subdivision the property owner may request that the planning commission revoke the plat. If the planning commission approves the revocation of the plat, then the secretary of the planning commission shall execute an instrument of revocation and deliver such instrument to the current property owner. The property owner shall record the instrument of revocation with the County Register, whereupon the plat shall become null and void. Any proceeds from the enforced bond or other method of guaranty shall then be returned to the current property owner.

SECTION 3. This act shall take effect upon becoming law, the public welfare requiring

it.