

SENATE BILL 2878

By Southerland

AN ACT to amend Tennessee Code Annotated, Title 13,
Chapter 3, Part 4, relative to land development in
certain counties.

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

SECTION 1. Tennessee Code Annotated, Section 13-3-401(4), is amended by adding the following language as a new subdivision (C):

(C)

(i) "Subdivision", in any county in which county-wide zoning has not been enacted, means the division of a tract or parcel of land into two (2) or more lots or sites of greater than one (1) acre for the purpose, whether immediate or future, of sale or building development and includes resubdivision and, when appropriate to the context, relates to the process of resubdividing or to the land or area subdivided.

(a) The requirements of this subdivision (4)(C) shall not apply if land is being given to a child or grandchild for the purpose of the construction of an owner-occupied residence for such child or grandchild.

(b) In addition, in such counties to which this subdivision (4)(C) applies, private road maintenance agreements related to land which is being developed for owner-occupied residences may be entered into by and between the developer and the purchasers of the land within a development and become restrictive covenants running with the land and be recorded with the deed or plat related to such developments.

SECTION 2. Tennessee Code Annotated, Section 13-3-401(4)(A), is amended by deleting the language "Subdivision" and by substituting instead the language "Except as provided in subdivision (4)(C), "subdivision".

SECTION 3. Tennessee Code Annotated, Section 13-3-401(4)(B)(i), is amended by deleting the language "Subdivision" and by substituting instead the language "Except as provided in subdivision (4)(C), "subdivision".

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.