

# Berryhill Annex Report 1997

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## I. INTRODUCTION

This study examines the current and future development patterns of the proposed Berryhill Annexation Area and presents the costs and benefits of this area becoming a part of the City of Memphis. The Berryhill Annexation Area is located within the City of Memphis reserve area and at one time a portion of the area was recommended for annexation. The part of Berryhill generally west of Berryhill Road was included as part of the Bridgewater-Countrywood-Eads Annexation Ordinance. However, upon adoption by City Council in June 1995, this section of Berryhill as well as the Bridgewater area were deleted from the annexation. Until recently, Berryhill had not been scheduled for annexation into the City.

On June 30, 1997 a petition to incorporate the Town of New Berryhill community was filed with the Shelby County Election Commission. The community sought to incorporate under an amendment to the Tennessee Statutes, Public Chapter No. 98, recently passed by the State Legislature. The cities of Memphis, Clarksville, Jackson, Pulaski, Harrison and the Tennessee Municipal League are currently challenging this legislation before Chancery Court in Nashville, Tennessee. The lawsuit is seeking to overturn the amended Statute by challenging the methods in which the law was passed by the State Legislature. However, the City of Memphis is also annexing the territory to protect its Annexation Reserve Area as well as its interests regarding the infrastructure constructed in anticipation of annexation.

The Berryhill Annexation Area, herein called the "Study Area," encompasses approximately 5.76 square miles and is located to the east of the present Memphis City Limits. The general boundaries are Fletcher Trace Extended and Grove Road

to the north, Macon Road to the south, Morning Sun and Houston Levee Road to the east, and through Reflections of Carrollwood, Berryhill Farms, and Riverwood Farms subdivisions on the west. A detailed boundary description of the area is provided in Appendix A, and the boundaries are shown on the Existing Land Use Map located on page five.

The relevant data and analyses required to support annexation of the Study Area are divided into three chapters following this Introduction. Chapter II presents past trends, present conditions and future projections of population, housing and land use. Chapter III identifies the level of services to be provided by the City of Memphis in the Study Area after annexation. Finally, Chapter IV presents an analysis of the costs and revenues associated with the proposed annexation.

## **II. GROWTH TRENDS IN THE STUDY AREA**

### *POPULATION AND HOUSING*

The Berryhill Study Area has experienced a significant increase in residential development since 1990. In 1990, the approximate number of dwelling units found in the study area was 119 with an estimated population of 328 persons. A count of the number of dwelling units in July 1997 is estimated at 2,018 yielding a population of 5,570 persons. This increase of persons in the Study Area represents a population that has multiplied approximately 17 times in the past seven years.

The Berryhill Study Area encompasses approximately 3,684 acres of land or 5.76 square miles with a population of 967 persons per square mile. One hundred

percent of the 2,018 housing units are consist of single-family structures. Between 1990 and 1997 the population and housing stock multiplied dramatically. Projected development trends indicate that the area will continue to increase in housing and population by 73 percent in the next five years. Table 1 displays the projected annual population and housing units through 2002.

TABLE 1  
PROJECTED POPULATION AND HOUSING UNITS  
1997 - 2002

<u>YEAR</u>	HOUSING UNITS	POPULATION
1990	119	328
	1997	2,018
5,570		
1998	2,310	6,376
1999	2,602	7,182
2000	2,894	7,898
2001	3,187	8,795
2002	3,479	9,601

Source: Office of Planning and Development, 1997.

*EXISTING LAND USE - 1997*

## Residential

Residential development accounts for approximately 401 acres or 11 percent of the total developed land in the Study Area. The residential acreage contains approximately 2,018 housing units which are all single-family. A multi-family apartment complex is currently under construction on a 28 acre site in the area. The development of this multi-family complex will result in 324 additional housing units. At the time of this report, approximately 149 acres of land is being developed for residential uses.

## Commercial/Office

Currently, there is no office development within the Study Area and commercial development is limited to only one parcel totaling two acres found along Lenow Road. Berryhills close proximity to the numerous commercial establishments on Germantown Parkway could account for the lack of commercial development within the Study Area.

## Industrial

Industrial development is somewhat more prevalent in the Study Area, comprising 19 acres of developed land. The industrial acreage includes a brick manufacturing company and Cordova Cellars, both of which can be found along the southern edge of the Study Area on Macon Road.

## Institutional

There are two institutional uses within the Study Area comprising 71 acres of developed land. The two institutional parcels are currently under construction for a new elementary located on Macon Road and new high school on Berryhill Road. Both schools will service the Berryhill Annexation Area.

#### Other Land Uses

An additional land use that dominates the center of the Study Area is a Memphis Light, Gas and Water Substation facility which comprises all but two acres of the 149 acres of utility use. The remaining two acres are utilized for a communication tower. Both utility uses are located along Lenow Road in the center of the Study Area.

The recreational and open space uses found in the Study Area comprise roughly 97 acres of the developed land. The subdivisions along the western boundary of the annexation area, Reflections of Carrollwood, Berryhill Farms and Riverwood Farms, contain a system of small lakes and greenways that constitute the recreational land.

#### Vacant Land

The vacant land that may be available for future development accounts for approximately 2,238 acres or 60 percent of the acreage in the Study Area. This land is found predominately in the eastern portion of the annexation area, east of Berryhill Road.



Table 2 provides information on the existing land uses in the Study Area, while the following map displays the land development patterns.

TABLE 2  
1997 EXISTING LAND USE  
BERRYHILL ANNEXATION AREA

<u>LAND USE</u>	<u>NUMBER OF ACRES</u>	<u>PERCENT OF TOTAL ACRES</u>	<u>PERCENT OF DEVELOPED</u>
<u>ACRES</u>			
Single-Family	373	10.0	25.8
Multi-Family	28	0.8	1.9
Residential <i>(Under Constr.)</i>	149	4.0	10.3
Commercial	2	0.1	0.1
Institutional	71	1.9	4.9
Industrial	19	0.5	1.3
Utilities	149	4.0	10.3
Recreation	97	2.6	6.7
Transportation	<u>558</u>	<u>15.1</u>	<u>38.5</u>
<b>Total Developed Land</b>	<b>1,446</b>	<b>39.5</b>	<b>100.0</b>
Vacant	2,238	60.7	N/A
<b>TOTAL</b>	<b>3,684</b>	<b>100.0</b>	<b>N/A</b>

Source: Land use survey conducted in July 1997 by the Office of Planning and Development Staff.

### III. URBAN SERVICE NEEDS

The Berryhill Study Area is receiving the majority of its services at a rural level through Shelby County Government and the Shelby County School Board. If the area is annexed, the City of Memphis will make extensive improvements in fire and police protection, recreation facilities, streets, lighting and other public works.

#### *FIRE SERVICES*

Extension of the City's higher standard of protection to the entire study area will require the construction of one City fire station. This station will be located within the study area.

One pumper truck and one ladder truck will be placed in service to ensure high standards of fire protection in the annexation area.

#### *POLICE SERVICES*

Following annexation, a new patrol ward will be created in the East Precinct containing only the study area. The Police Division will assign two patrol cars per shift to patrol the ward.

The City of Memphis Police Department will provide many services that will result in a significant improvement over and above the services currently being provided by the County Sheriff's Department. These services are provided as a result of Memphis' position as a large metropolitan law enforcement agency. Due to low demand for these services in small communities and the relatively high cost of provision, these services are traditionally available only through large agencies.

A partial list of these services includes: the aviation squad (an emergency Medivac unit and response team for the location and apprehension of criminals or lost/abducted

individuals); the integrated criminal apprehension program; computerized communication system; the canine squad; Police Service Technicians and marked traffic units, hostage negotiation team; and, the soon to be implemented crisis intervention team. The East Precinct, which will service the Study Area, houses its own branch of detectives. The City Police Department offers numerous crime prevention programs such as personal safety, child safety, robbery preventions and a comprehensive neighborhood watch program.

### *EDUCATIONAL FACILITIES*

Currently, the County Board of Education is constructing an elementary and high school in the Study Area. After annexation, the Memphis City School System will construct one middle school. These schools will be utilized by students within the Berryhill Annexation Area and adjacent City areas.

The City School Board also provides such services as specialized programs for the intelligently gifted (CLUE), optional schools (performing arts, medical/engineering, open education, pre-engineering, etc.), the Orff music program, specialized programs for the handicapped, and programs for students who are at risk academically. All of these programs will be available to the students in the Study Area.

### *PARKS AND RECREATION FACILITIES*

The City of Memphis will purchase and develop 24 acres of parkland after annexation. The park(s) will offer a full array of recreation activities and programs currently offered to City residents.

### *SOLID WASTE MANAGEMENT SERVICES*

Annexation of the study area will result in regularly scheduled curbside pickup service as provided throughout Memphis by the City Sanitation Division. All single family residences will receive weekly curbside garbage collection, weekly recycling collection and weekly curbside trash pickup. Commercial and industrial uses will continue to be served by a private sanitation service. Other sanitation services provided by Memphis include regularly scheduled street sweeping, weed-cutting on public rights-of-way and vacant lots, clean-up of illegal dumping, and collection of roadside litter.

### *SANITARY SEWER SERVICE*

Sewer laterals will be extended in the study area as development occurs. The sewer line construction is financed by a sewer fund which does not receive tax revenues. User fees are the primary source of funds for the extension of interceptor and collector sewer lines. Annexation will have little direct effect on sewer fund revenues.

### *PUBLIC WORKS ACTIVITIES AND SERVICES*

After annexation, Memphis will construct a number of street improvements to provide better vehicular access within the study area. These improvements are as follows:

- Construct Cordova Road from Germantown Parkway to Dexter Lane.
- Construct Cordova Road from Dexter Lane to Forest Hill-Irene Road.
- Installation of traffic signals at the following locations:

Intersection of Macon Road and Houston Levee Road

Intersection of Macon and Berryhill Roads.

Two school flashers: one for the new elementary and one for the new middle school.

Memphis will assume all responsibility for maintaining the public streets and storm water drainage within the study area following annexation. Memphis will also erect signs and traffic signals as conditions warrant them. Street lights will be installed and maintained on all public streets by Memphis Light, Gas and Water within the first five years after annexation.

#### *WATER, ELECTRIC AND GAS SERVICES*

Memphis Light, Gas and Water provides gas, water and electricity to the entire study area. Water facilities located in Lenow Road from Macon Road to Morning Sun Road, and Morning Sun Road from Grove Road to Lenow Road will be upgraded after annexation to provide increased water pressure to the study area. The extension and/or improvement of electrical and gas lines will not require the use of tax revenues.

#### *LAND DEVELOPMENT SERVICES*

The Office of Planning and Development conducts the comprehensive planning and zoning administration for both Memphis and Shelby County. The Office of Planning and Development will continue to perform the same functions for the Study Area following annexation as it did before. Similarly, the Land Use Control Board and the Board of Adjustment, which serve both the City and the County governments, will continue to perform the same functions following annexation.

At present, zoning changes, planned unit developments and sewer subdivisions proposed in the Study Area require approval from both the City of Memphis and Shelby County legislative bodies. Following annexation, only approval of the Memphis City Council will be required. The joint zoning regulations now in effect will continue within the annexed area.

## *OTHER PUBLIC SERVICES*

### Animal Control Services

In addition to the previously described urban services, the City of Memphis will provide animal control services to the annexed area. This will include enforcement of Memphis dog licensing and leash laws, complaint response, rabies vaccinations for dogs and cats and other animal control activities.

### Emergency Management Services

The Emergency Management Agency will install three new pole mounted warning sirens. One pole mounted warning siren will be installed at or near the intersection of Berryhill Road and Hearthstone Drive. This siren will have an effective range of 9,000 feet. The second siren will be installed at or near the intersection of Stablemill Lane and Stable Park, with an effective range of 5,000 feet. The third siren will be installed at or near the north side of Macon Road at the intersection of Big Orange Road. This siren will also have an effective range of 5,000 feet.

## V. FINANCIAL ANALYSIS



The operating and capital costs presented in this section represent estimates and projections of the additional expenses that would be incurred as a result of annexation. They should not be considered as budgets for the specified fiscal years. Expenditure changes or re-allocations could occur through refinement of the preliminary plans for providing City-level services.

### *REVENUE ANALYSIS*

Annexation of the Berryhill Study Area will result in additional revenues for the City of Memphis from the following sources:

- 1) property tax revenues, based on assessed valuation;
- 2) state-shared revenues, based on population as determined by a census of the annexed area;
- 3) city service fees, gross receipt taxes, auto fees and telephone franchise taxes based on the number of housing units;
- 4) state aid and distribution of funds for education based on the number of public school students; and
- 5) local option sales tax revenues from this area.

Revenues are estimated in Table 3 for fiscal year 1998 through fiscal year 2002. Growth of the revenue base was projected according to population and housing growth as shown in Table 1. All tax rate and distribution formulas were assumed to continue unchanged during the four and one half year period. The revenue estimates are of course subject to many uncertainties, such as the impact of the economy upon state-shared taxes and upon the rate of growth in the Study Area.

TABLE 3  
 FOUR AND ONE HALF YEAR REVENUE ANALYSIS  
 BERRYHILL ANNEXATION AREA  
 FISCAL YEARS 1998-2002

GENERAL FUND REVENUES

Property Tax	\$5,798,634
Delinquent Tax	\$41,046
Automobile Fees	\$973,806
State Shared Revenues	\$2,752,062
Telephone Franchise Fees	\$239,706
City Service Fees	\$1,038,726
Local Sales Tax	\$173,917
Gross Receipts Tax	<u>\$2,369</u>
<b>TOTAL GENERAL FUND</b>	<b>\$11,020,265</b>

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BOARD OF EDUCATION REVENUES

Property Tax	\$3,371,557
Net Local Sales Tax Loss*	(\$133,916)
Delinquent Tax	<u>\$23,866</u>
<b>TOTAL BOARD OF EDUCATION REVENUES</b>	<b>\$3,261,507</b>

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DEBT SERVICE REVENUES

Property Tax	\$1,855,674
State Shared Tax	\$955,405
Delinquent Tax	<u>\$13,135</u>

**TOTAL DEBT SERVICE REVENUES** **\$2,824,214**

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**TOTAL REVENUE FROM ALL SOURCES** **\$17,105,986**

Source: Memphis Division of Finance; July 1997.

\*Loss of Shelby County sales tax revenues that are designated for City and County schools.

## *COST ANALYSIS*

Projected costs for the first four and one half years following annexation are presented in Table 4 (Capital Costs) and Table 5 (Operating Costs). Only those costs are included that would represent major additional commitments for service and facilities from the City of Memphis due to annexation. Excluded are costs related to services that are now provided by the City beyond its corporate limits and reimbursed through user charges or other agreements. Also excluded are those services provided County-wide in which Memphis shares the costs with the Shelby County government.

Costs were determined by a survey of all City divisions directly affected by the proposed annexation. Each division was asked to provide capital costs by project and operations and maintenance costs by category. To insure compatibility, all costs are shown in 1997 dollars.

### Capital Costs

The capital costs presented in this analysis represent estimates and projections of additional expenses that would be incurred as a result of annexation. They should not be considered to be specific budget items for any specified fiscal year. A number of projects, particularly road construction and drainage improvements, may be accomplished through the private land development process. Capital costs are generally financed through General Obligation Bonds over a 20 year period. The capital cost analysis reflects the annual debt service requirements of these bonds. The four and one half year total of debt service obligation for the Berryhill Annexation Area is presented in Table 4.

## Operating Costs

Operating costs are presented as estimates and projections of the additional expense that will be incurred by the City in the provision of services to the Study Area. These costs are based upon such factors as number of households, types of households, projected growth of housing, population and non-residential uses and the number of miles of streets and infrastructure in the Study Area.

Operating costs are subject to adjustment based on changes in the factors listed above. These projected costs should not be considered to be specific budgetary items. The projected operating costs have a direct impact on the general revenue fund of the City. The estimated five year operating costs are presented in Table 5.

TABLE 4  
 FOUR AND ONE HALF YEAR CAPITAL COST ANALYSIS  
 BERRYHILL ANNEXATION AREA  
 FISCAL YEARS 1998-2002

AGENCIES

FIRE SERVICES		
Fire Stations	\$1,651,500	
Equipment	<u>\$ 865,000</u>	
FIRE SERVICES TOTAL		\$2,516,500
POLICE SERVICES		
\$0		
PARK COMMISSION		
Acquire/Develop Parks	<u>\$2,760,000</u>	
PARK COMMISSION TOTAL		\$2,760,000
PUBLIC WORKS		
Extend Cordova Rd. - Germantown Pkwy to Dexter	\$5,268,000	
Extend Cordova Rd. - Dexter Ln to Forest Hill-Irene	\$3,533,000	
Install Traffic Signals	\$162,000	
Repave Existing Streets	<u>\$55,000</u>	
PUBLIC WORKS TOTAL		\$9,018,000
EMERGENCY MANAGEMENT		
Install/Maintain 3 Warning Sirens	<u>\$80,000</u>	
EMERGENCY MANAGEMENT TOTAL		<u>\$80,000</u>
TOTAL CITY AGENCIES		\$14,374,500
MEMPHIS LIGHT, GAS & WATER		
Install Street Lights	\$4,093,033	
Install 2 12" Water Mains	<u>\$555,000</u>	
MEMPHIS LIGHT, GAS & WATER		\$4,648,033

BOARD OF EDUCATION	
Acquire Land/Construct 1 Middle School	<u>\$18,000,000</u>
BOARD OF EDUCATION TOTAL	<u>\$18,000,000</u>

TOTAL CAPITAL COSTS	<u>\$37,022,533</u>
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DEBT SERVICE REQUIREMENT\*

CITY	\$5,283,207
BOARD OF EDUCATION	\$8,298,302

\* Debt service requirement includes long term (20 year) bonds Capital Improvement Projects and short term bonds for capital equipment.

TABLE 5  
FOUR AND ONE HALF YEAR OPERATING COST ANALYSIS  
BERRYHILL ANNEXATION AREA  
FISCAL YEARS 1998-2002

GENERAL FUND

Police Services	\$2,767,446
Fire Services	\$7,984,494
Park Commission	\$268,800
Public Works	\$5,124,054



Emergency Management

\$2,700

TOTAL GENERAL FUND      \$16,111,494

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BOARD OF EDUCATION      \$3,289,179

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TOTAL OPERATING COSTS      \$19,400,673

## *FUND BALANCE ANALYSIS*

Revenues are obtained from a variety of sources and allocated to three general categories: General Fund, Board of Education, and Debt Service. Table 6 presents a four and one-half year summary of the impact on city finances as a result of this annexation.

The City's General Fund is used to finance the daily operations of each division. It is estimated that property taxes, vehicle registration fees and other revenues from the annexed area will add approximately 11 million dollars to this fund during the four and one-half year period. However operating costs due to the annexation are expected to increase by 16 million dollars, which will leave the General Fund with an estimated deficit of approximately 5 million dollars.

The Board of Education has an intricate funding procedure that is shared among Federal, State, County and City governments. The annexation will increase revenues but expenditures for students and the debt service for new schools to serve the annexed area will result in a deficit of approximately 8.3 million dollars to the Board of Education.

It is estimated that the portion of the property tax allocated to Debt Service will generate approximately 2.8 million dollars in revenues during Fiscal Years 1998-2002. However, debt service expenditures for capital items to serve the annexed area for the same period is estimated at 5.2 million dollars. This provides the city with an estimated Debt Service Fund deficit of approximately 2.4 million dollars.

The annexation of Berryhill will produce more expenditures than revenues for the City of Memphis. The General Fund, Debt Service and Board of Education deficits will yield a 15.8 million dollar deficit to the City during Fiscal Years 1998-2002.

TABLE 6  
FOUR AND ONE HALF YEAR IMPACT ON FUND BALANCES  
BERRYHILL ANNEXATION AREA

GENERAL FUND

Revenues	\$11,020,265
Expenditures	<u>\$16,111,494</u>
<b>FUND BALANCE</b>	<b>(\$5,091,229)</b>

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BOARD OF EDUCATION

Revenues	\$3,261,507
Expenditures*	<u>\$11,587,481</u>
<b>FUND BALANCE</b>	<b>(\$8,325,974)</b>

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CAPITAL IMPROVEMENT PROGRAM

Debt Service Revenues \$2,824,214

Debt Service Expenditures \$5,283,207

FUND BALANCE (\$2,458,993)

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TOTAL NET IMPACT ON FUND BALANCE (\$15,876,196)

\*Board of Education expenditures include annual debt service for capital projects.

APPENDIX A

LEGAL DESCRIPTION

BERRYHILL ANNEXATION AREA

STUDY AREA #43

Berryhill Annexation Area  
Study Area #43  
(as approved by Memphis City Council)

Beginning at a point, said point being the eastern right of way of Houston Levee Road and the southern right of way of Macon Road; thence northwardly along the eastern right of way of Houston Levee Road crossing Grays Creek Drainage Canal and continuing northwardly along the eastern right of way of Houston Levee Road to a point where Houston Levee Road intersects Morning Sun Road; thence westwardly along the southerly right of way line of Morning Sun Road to a point where said roadway turns northwestwardly; thence continuing in a northwestwardly direction with the southwesterly right of way line of Morning Sun Road to its intersection with the southerly right of way line of Grove Road; thence westwardly and northwestwardly with the southerly and southwesterly right of way line of Grove Road and a northwestward projection of said southwesterly right of way line to its intersection with the westerly right of way line of Berryhill Road; thence northwardly with the westerly right of way line of Berryhill Road to its intersection with the southerly right of way line of Fletcher Trace Parkway; thence westwardly with the southerly right of way line of Fletcher Trace Parkway to a point on the northeast corner of Lot No. 1 of the Berryhill P.D., Phase 3 (Fletcher Park-Section A), Part of Parcel A (PB 149, PG 71); thence southwestwardly with the southeasterly boundary line of Berryhill P.D., Phase 3 to a point on the southeast corner of said subdivision; thence westwardly with the southerly boundary line of Berryhill P.D., Phase 3 to a point on the southwest corner of said subdivision, said point also

being located on the easterly boundary line of Countrywood Colonial-Fairways Subdivision, Section "F" (PB 70, PG 7); thence southwardly with the easterly boundary lines of the Countrywood Colonial-Fairways Subdivision, Section "F" and the Countrywood Subdivision, Section "D" (PB 54, PG 60) to a point on the southeast corner of Section "D"; thence westwardly with the southerly boundary line of the Countrywood Subdivision, Section "D" to a point on the northwest corner of Lot No. 315 of the Carrollwood Lakes Subdivision, Section "K" (PB 140, PG 52); thence southwardly following the westerly boundary line of the Carrollwood Lakes Subdivision, Section "K" to a point on the most northerly-northwest corner of Lot No. 29 of the Reflections of Carrollwood Lakes Subdivision (PB 135, PG 27); thence eastwardly and southeastwardly with the northerly and northeasterly property lines of Lot No.s 29, 28, 27, 26, and 25 of the Reflections of Carrollwood Lakes Subdivision to a point on the most easterly corner of said Lot No. 25; thence southwestwardly with the southeasterly boundary line of the Carrollwood Lakes Subdivision and a southwestward projection of said southeasterly boundary line to a point on the southerly right of way line of Grandbury Place; thence westwardly with the southerly right of way line of Grandbury Place to a point on the easterly boundary line of the Carrollwood Lakes Subdivision, Section "1-3" (PB 127, PG 24); thence in a generally southwardly direction following the easterly boundary lines of the Carrollwood Lakes Subdivision, Section "1-3" and the Carrollwood Lakes Subdivision, Section "H" (PB 120, PG 45) to a point on the southeast corner of Lot No. 301 of said Section "H", said point also being located on the northerly right of way line of a 250 foot wide Memphis Light, Gas, and Water Easement; thence southeastwardly along an imaginary line to a point on the southerly right of way line of said Memphis Light, Gas, and Water (MLG&W) Easement, said point also being located on the northeast corner of the Countrywood South Subdivision, Section "E-5" (PB 128, PG 36); thence southwestwardly with the southeasterly



boundary lines of Countrywood South Subdivision, Section "E-5", the Countrywood Subdivision, Section "E-3" (PB 113, PG 1), the Countrywood South Subdivision, Section "E-1" (PB 102, PG 37) and the Countrywood South Subdivision, Section "B-2" (PB 78, PG 47) to a point on the northerly right of way line of Chimneyrock Boulevard; thence easterly with the northerly right of way line of Chimneyrock Boulevard to its intersection with the easterly right of way line of New Dexter Road; thence southwardly and southwestwardly with the easterly and southeasterly right of way line of New Dexter Road to its intersection with a southward projection of the easterly boundary line of the Dexter Lake P.D., Parcel "A"-Phase "2" (PB 148, PG 55); thence northwardly with said southward projection and the easterly boundary line of the Dexter Lake P.D., Parcel "A"-Phase "2" to a point on the northeast corner of said subdivision; thence westwardly with the northerly boundary line of the Dexter Lake P.D., Parcel "A"-Phase "2" and the northerly property lines of the Hacks Cross Builders 6.59 acre parcel (D02-08-469) and the Hyneman Homes, Inc. 16.01 acre parcel (D02-08-490) to a point on the most westerly-easterly property line of said 16.01 acre parcel; thence northwardly with the most westerly-easterly property line of the Hyneman Homes, Inc. 16.01 acre parcel to a point on the most northerly-northeast corner of said parcel; thence westwardly with the northerly property lines of the Hyneman Homes, Inc. 16.01 acre parcel, the Hi-Point Developers, JV 32.04 acre parcel (D02-08-471C) and the Briarwood Baptist Church, Inc. 0.59 acre parcel (D02-08-485) to a point on the northwest corner of said church parcel; thence southwardly with the westerly property line of the Briarwood Baptist Church, Inc. 0.59 acre parcel to a point on the southwest corner of said parcel; thence continuing southwardly along an imaginary line to a point on the northwest corner of the Briarwood Baptist Church, Inc. 1.15 acre parcel (D02-08-487); thence southwardly with the westerly property line of the Briarwood Baptist Church, Inc. 1.15 acre parcel to a point on the southwest corner of said

parcel; thence continuing southwardly along an imaginary line to a point on the northwest corner of the Briarcrest Baptist School System, Inc. 0.40 acre parcel (D02-08-369); thence southwardly with the westerly property line of the Briarcrest Baptist School System, Inc. 0.40 acre parcel to a point on the northerly right of way line of Old Dexter Road; thence easterly with the northerly right of way line of Old Dexter Road to its intersection with the easterly right of way line of Dexter Lane; thence southwardly with the easterly right of way line of Dexter Lane to its intersection with the northerly right of way line of Riverwood Farms Parkway; thence easterly with the northerly right of way line of Riverwood Farms Parkway to its intersection with the westerly right of way line of Wood Mills Drive West; thence northwardly with the westerly right of way line of Wood Mills Drive West to a point on the southwesterly boundary line of the Riverwood Farms Subdivision, 3rd Addition, Phase "2" (PB 136, PG 20); thence northwestwardly with the southwesterly boundary line of the Riverwood Farms Subdivision, 3rd Addition, Phase "2" to a point on the northwest corner of Lot No. 76 of said subdivision; thence northeastwardly with the northwesterly boundary line of the Riverwood Farms Subdivision, 3rd Addition, Phase "2" and a eastward projection of said boundary line to a point on the easterly right of way line of Autumndale Drive; thence southwestwardly with the easterly right of way line of Autumndale Drive to its intersection with the northeasterly right of way line of Wood Mills Drive; thence southeastwardly with the northeasterly right of way line of Wood Mills Drive to its intersection with the northeastward projection of the easterly property line of Lot No. 75 of the Riverwood Farms Subdivision, 3rd Addition, Phase "2"; thence southwestwardly with said northeastward projection and the easterly property line of Lot No. 75 of the Riverwood Farms Subdivision, 3rd Addition, Phase "2" to a point on the northeasterly property line of Lot No. 68 of said subdivision; thence southeastwardly with the northeasterly boundary lines of the Riverwood Farms

Subdivision, 3rd Addition, Phase "2" and the Riverwood Farms Subdivision, 6th Addition, Phase "1" (PB 138, PG 94) to a point on the northeast corner of said 6th Addition, Phase "1"; thence southwardly with the easterly boundary line of the Riverwood Farms Subdivision, 6th Addition, Phase "1"; thence southwardly with the easterly boundary line of the Riverwood Farms Subdivision, 6th Addition, Phase "1" to a point on the southeast corner of said subdivision; thence westwardly with the southerly boundary line of the Riverwood Farms Subdivision, 6th Addition, Phase "1" to a point on the northeast corner of Riverwood Farms Subdivision, Phases "1-2" (PB 111, PG 2); thence in a generally southwardly direction following the easterly boundary lines of the Riverwood Farms Subdivision, Phases "1-2" and the Riverwood Farms Subdivision, 1st Addition (PB 123, PG 6) to a point on the most northerly-northwest corner of (Out) Lot No. 3A of the said 1st Addition; thence eastwardly with the northerly property line of (Out) Lot No. 3A of the Riverwood Farms Subdivision, 1st Addition to a point on the northeast corner of said (Out) Lot No. 3A; thence southwardly with the easterly property line of (Out) Lot No. 3A of the Riverwood Farms Subdivision, 1st Addition to a point on the southeast corner of said (Out) Lot No. 3A; thence westwardly with the southerly property line of (Out) Lot No. 3A of the Riverwood Farms Subdivision, 1st Addition to a point on the southwest corner of said (Out) Lot No. 3A; thence northwardly with the westerly property line of (Out) Lot No.3A of the Riverwood Farms Subdivision, 1st Addition to a point on the most southerly-southeast corner of (Out) Lot No. 2 of the Riverwood Farms Subdivision, Phases "1-2"; thence westwardly with the southerly property lines of (Out) Lot No. 2 of the Riverwood Farms Subdivision, Phases "1-2" and the Cordova Associates PSO 3.38 acre parcel (D02-08-246) to a point on the southeast corner of the Linda K. Yates 14.99 acre parcel (D2-09-165); thence northwardly with the easterly property line of the Linda K. Yates 14.99 acre parcel to a point on the northeast corner of said parcel;

thence westwardly with the northerly property line to a point on the westerly right of way line of Dexter Lane; thence northwardly with the westerly right of way line of Dexter Lane to a point on the southeast corner of Lot No. 3 of the River Ridge Subdivision (PB 140, PG 16); thence westwardly with the southerly boundary line of the River Ridge Subdivision to a point on the easterly boundary line of the Country Hills Subdivision, Section "G" (PB 138, PG 25); thence southwardly with the easterly boundary line of the Country Hills Subdivision, Section "G" to a point on the southerly right of way line of Shallow Glen Trail; thence westwardly with the southerly right of way line of Shallow Glen Trail, to a point on the easterly boundary line of Germantown Glen Subdivision, Phase I, Section "B" (PB 64, PG 20); thence southwardly with the easterly boundary lines of the Germantown Glen Subdivision, Phase I, Section "B" and the Germantown Glen Subdivision, Phase II, Section "B" (PB 68, PG 23) to a point on the southeast corner of Lot No. 63 of the Cross Creek Subdivision, Section "B" (PB 107, PG 25); thence southwestwardly with the southerly boundary line of the Cross Creek Subdivision, Section "B" to a point on the northeast corner of Lot No. 81 of the Cross Creek Subdivision, Section "D" (PB 116, PG 53); thence southeastwardly with the easterly boundary line of the Cross Creek Subdivision, Section "D" to a point on the southeast corner of said subdivision; thence southwestwardly with the southerly boundary line of the Cross Creek Subdivision, Section "D" to a point on the northeast corner of Lot No. 31 of the Cross Creek Subdivision, Section "C" (PB 116, PG 52); thence southeastwardly with the easterly boundary line of the Cross Creek Subdivision, Section "C" and a southeastward projection of said easterly boundary line to a point on the northerly property line of the Blanche J. Spain and H.M. Spain, Jr. 31.24 acre parcel (91-08-05), said point also being located in the existing Memphis City Limits; thence in a generally eastwardly direction following the existing Memphis City Limits, as established by the 1991 annexation of

Cordova-Area 26 to a point at the northeastern corner of the Blanche J. Spain and H. M. Spain 31.24 acre parcel; thence southwardly along the east property line of the Blanche J. Spain and H. M. Spain 31.24 acre parcel to a point in the northwest corner of an 8 acre parcel (91-08-6); thence eastwardly to the northeast corner of said 8 acre parcel (91-08-6); thence southwardly along the eastern property line of said 8 acre parcel to a point in the southwest corner of an 8.12 acre parcel (D02-14-29); thence along the southern property line of said 8.12 acre parcel (D02-14-29) to a point in the eastern right of way of Dexter Lane, said point along being a point on the Memphis City Limits; thence northwardly along the eastern right of way of Dexter Lane to a point in the northwest corner of a 4 acre parcel (91-11-1); thence eastwardly along the Memphis City Limits to a point in a 122.17 acre parcel (D02-14-512); thence southwardly along the existing Memphis City Limits to a point in the northern right of way of the CSX Railroad; thence eastwardly and northeastwardly along the northern right of way of CSX Railroad to its intersection with the eastern right of way line of Macon Road; thence northwardly along the eastern right of way line of Macon Road to a point where Macon Road turns eastward; thence eastwardly along the south right of way line of Macon Road crossing Grays Creek Drainage Canal and continuing eastwardly along south right of way line of Macon Road to a point in the eastern right of way line of Houston Levee Road, being the point of beginning.

APPENDIX B

PLAN OF SERVICES

BERRYHILL ANNEXATION AREA

STUDY AREA #43

**PLAN OF SERVICES  
BERRYHILL ANNEXATION #43**

**POLICE**

Patrolling, radio response to calls and other routine police services using present personnel and equipment will be provided on January 1, 1998.

**FIRE SERVICES**

Fire Protection by the present personnel and equipment of the fire suppression force, within the limits of available water and distance from fire stations, will be provided on January 1, 1998.

**EMERGENCY MEDICAL SERVICES**

Emergency medical services will be provided, including ambulance and paramedic service, on January 1, 1998 by the closest available fire station with an ambulance.

**WATER**

1. Water for domestic, commercial and industrial use will be provided at City rates from existing lines on January 1, 1998. Thereafter, water will be provided from new lines as extended in accordance with current policies of the City. The City

will purchase any additional lines owned by the Shelby County Board of Public Utilities.

2. Water for fire protection is generally available throughout the area to be annexed. The installation of additional water lines and fire hydrants to meet the standards applicable in the City will be completed by January 1, 1999.

#### SANITARY AND STORM SEWERS

1. Intercepting and trunk sewers will be constructed as warranted by the progress of land development in accordance with existing sewer extension policy.
2. When needed, construction of new collector sewers in the previously developed portions of the annexed area will be completed in accordance with priorities set by the governing body through the Capital Improvement Program. Residences and commercial and industrial properties will then be connected to those servers in accordance with current policies.
3. Drainage improvements in the previously developed portions of the annexation area will be made with priorities set by the governing body through the Capital Improvement Program and the current City policies regarding emergency repairs.

#### SEWAGE TREATMENT

Wastewater from the existing sewers of the annexed area will continue to be treated by the City treatment plant(s) in accordance with State and Federal regulations on January 1, 1998.



## REFUSE COLLECTION

Refuse collection service will be provided by the City in the annexed area on January 1, 1998. Curbside pickup, in accordance with City of Memphis standards will be in effect on January 1, 1998.

## STREETS

1. Emergency maintenance, (repair of hazardous pot holes, measures necessary for traffic flow, etc.) will begin on January 1, 1998.
2. Routine maintenance, on the same basis as in the present City, will begin in the annexed area when funds from the State gasoline tax based on the annexed population are received.
3. Reconstruction and resurfacing of streets, installation of storm drainage facilities, construction of curbs and gutters and other such major improvements as the need thereof is determined by the governing body, will be accomplished through the Capital Improvement Program of the City and the provisions of the Subdivisions Regulations.
4. Traffic signals, traffic signs, street markings and other traffic control devices will be installed as the need thereof is established by appropriate engineering studies and in accordance with appropriate traffic engineering standards.

## STREET LIGHTING

In those areas of the annexed area that are substantially developed with commercial and residential uses on the effective date of the annexation, street light construction will begin within six months of January 1, 1998 and the entire area will be served by July 1, 2000. In all other such areas that are developed subsequent to January 1, 1998, street lights will be installed in accordance with the policies currently in effect throughout the City.

## ELECTRICITY

The Memphis Light, Gas and Water Division will provide electrical service throughout the annexed area utilizing the distribution system existing on January 1, 1998 at the same rates applicable throughout the balance of the City, and thereafter from new lines in accordance with current policies of the City.

## GAS SERVICE

The Memphis Light, Gas and Water Division will provide gas service throughout the annexed area utilizing the distribution system existing on January 1, 1998 at the same rates applicable throughout the balance of the City, and thereafter from new lines in accordance with current policies of the City.

## SCHOOLS

1. Students currently served by the County school system may remain in their current schools, as arranged through negotiations with the County.
2. Any school facilities currently operated by the County school system may be acquired for the Memphis school system, subject to negotiations between the Memphis and Shelby County Boards of Education.

## RECREATION

1. A recreation program adapted to the existing facilities will be extended to the annexed area on January 1, 1998.
2. Additional recreational facilities (at the same standards existing in the City), as the need thereof is determined by the governing body, will be provided in the annexed area through the Capital Improvement Program of the City.

## INSPECTION SERVICES

Any inspection services now provided by the City (automobile, building, electrical, plumbing, gas, housing, weights and measures, sanitation, etc.) will begin in the annexed area on January 1, 1998.

## PLANNING AND ZONING

Planning, zoning and subdivision regulations for the unincorporated area of Shelby County as contained in the Joint Ordinance and Resolutions numbers 2524, 3064 and 3352 respectively, and as they may be amended, are also the

planning, zoning and subdivision regulations for the City of Memphis. The services provided by the Office of Planning and Development, the Land Use Control Board and the Board of Adjustment will continue to be the same in the annexed area after January 1, 1998. The existing zoning of the annexed area will be maintained until the need for changes is determined by the governing body in accordance with the Zoning Ordinance.

#### MISCELLANEOUS

All City of Memphis administrative, health, construction codes, and similar services and regulations will apply to the area on January 1, 1998.

