

RESOLUTION

A RESOLUTION OF THE COMMISSION
OF KNOX COUNTY, TENNESSEE,
DELEGATING TO THE INDUSTRIAL
DEVELOPMENT BOARD OF THE
COUNTY OF KNOX THE AUTHORITY
TO NEGOTIATE, ACCEPT AND/OR
WAIVE PAYMENTS IN LIEU OF TAXES
IN CONNECTION WITH A PROJECT
PROPOSED BY DWF JOHN SEVIER, LLC
AND FINDING THAT SUCH PAYMENTS
OR THE WAIVER THEREOF ARE
DEEMED TO BE IN FURTHERANCE OF
THE PUBLIC PURPOSES OF THE BOARD
AS DEFINED IN TENN. CODE ANN.
§ 7-53-305.

RESOLUTION: R-26-8-905

REQUESTED BY: COUNTY MAYOR

PREPARED BY: EGERTON MCAFEE
ARMISTEAD & DAVIS, PC
KNOXVILLE, TN

APPROVED AS TO FORM
AND CORRECTNESS: 
DIRECTOR OF LAW

APPROVED: August 31, 2026
DATE

VETOED: Sept. 3, 2026
DATE

VETO
OVERRIDE: _____
DATE

MINUTE
BOOK _____ PAGE _____

WHEREAS, The Industrial Development Board of the County of Knox (the "Corporation") is a nonprofit public corporation organized by Knox County as an industrial development board pursuant to Tenn. Code Ann. §7-53-301 et seq. (the "Act") and as such is a public instrumentality of Knox County performing a public function; and

WHEREAS, Tenn. Code Ann. §7-53-305 provides that the Corporation and all properties at any time owned by it, and the income and revenues therefrom, and all bonds issued by it, and the income therefrom are exempt from all taxation in the State of Tennessee; and

WHEREAS, the Commission of Knox County, Tennessee (the "Commission") has the power to delegate to the Corporation the authority to negotiate and accept from the Corporation's lessees payments in lieu of ad valorem taxes, provided that any such authorization shall be granted only upon a finding that such payments are deemed to be in furtherance of the Corporation's public purposes as set forth in the Act; and

WHEREAS, by Resolution R-03-1-801 dated January 27, 2003, the Commission adopted a Property Tax Incentive Program, as subsequently amended, (the "Tax Incentive Program") pursuant to which the Corporation has implemented a program designed for economic development using payments in lieu of taxes in accordance with the Act; and

WHEREAS, by Resolution R-04-12-801 dated December 20, 2004, the Commission adopted certain amendments to the Tax Incentive Program in accordance with the Act; and

WHEREAS, under the Tax Incentive Program, the Commission authorized the Corporation to approve and enter into tax incentives that have a term-length established using specified criteria based primarily on the economic impact criterion of job creation, wages, and capital investment; and

WHEREAS, DWF John Sevier, LLC ("Applicant") has or will acquire the real property located at 400 W. Governor John Sevier Highway, Knoxville, TN 37920, parcel ID 137 25403 (the "Property"); and

WHEREAS, Applicant has submitted to the Corporation an application for tax incentives under the Tax Incentive Program in connection with the proposed redevelopment of the Property into a workforce housing townhome development having approximately eighty (80) units (the "Project"); and

WHEREAS, Applicant proposes to restrict 50% of the units within the Project to rents equal to 30% of 80% - 120% of the area median income for the Project's locale, which would be leased to residents making 80% to 120% of such area median income; and

WHEREAS, while the Project does not qualify under the current program criteria established primarily for manufacturing/distribution projects, Commission deems it to be in furtherance of the Act and in the best interest of the public to grant the tax incentive to Applicant based on other public benefits; and

WHEREAS, Applicant has requested that the Commission consider delegating to the Corporation the authority to grant and enter into a 50% tax abatement with Applicant having a term of twenty (20) years; and

WHEREAS, the Commission will designate the County Mayor to approve such Project.

NOW THEREFORE BE IT RESOLVED BY THE COMMISSION OF KNOX COUNTY AS FOLLOWS:

That the Commission adopts the Recitals to this Resolution in their entirety, as set forth above.

BE IT FURTHER RESOLVED, the Commission hereby finds that the negotiation and acceptance by the Board of payments in lieu of ad valorem taxes, as such payments are related to the Project, consistent with this resolution are deemed to be in furtherance of the public purposes of the Board as defined in Tennessee Code Annotated Section 7-53-305, and the Commission hereby consents and delegates to the Board the right to negotiate and accept such payments from the Company.

BE IT FURTHER RESOLVED, the Commission hereby finds that the Corporation is a nonprofit public corporation organized by Knox County as an industrial development board pursuant to the Act and as such is a public instrumentality of Knox County performing certain public functions.

BE IT FURTHER RESOLVED, the Commission hereby delegates to the Corporation the authority (i) to accept from Applicant, as a lessee of the Corporation, payments in lieu of ad valorem taxes annually in the amount of 50% of the taxes otherwise to be paid to Knox County, including without limitation all taxes assessed against real property constituting the Project, for a term of twenty (20) years, and (ii) to take such other actions with respect to the Project as may be necessary or convenient to effect the intent of this Resolution. In connection therewith, the Commission hereby finds that the authorization and delegation to the Corporation provided herein are deemed to be in furtherance of the Corporation's public purposes as set forth in the Act.

BE IT FURTHER RESOLVED, to the extent necessary for this Project, the Commission hereby amends the Tax Incentive Program. The Corporation and the County Mayor are hereby authorized and directed to take such actions, from time to time, as they consider necessary or appropriate to carry out the purposes and intentions of this Resolution.

BE IT FURTHER RESOLVED, if any notifications are to be made to effectuate this Resolution, then the County Clerk is hereby requested to forward a copy of this Resolution to the proper authority.

BE IT FURTHER RESOLVED, this Resolution is to take effect from and after its passage, as provided by the Charter of Knox County, Tennessee, the public welfare requiring it.

Gina Oster 8/31/26
Presiding Officer of the Commission Date

R. Beeler 9/1/26
County Clerk Date

Approved: _____
County Mayor Date

Vetoed: Betsy Henderson 9/3/26
County Mayor Date