

ORDINANCE NO. BL2009-579

An ordinance adopting a proposed plan of services for the extension of the boundaries of the Urban Services District to include certain property located on Whites Creek Pike, all of which is more particularly described herein.

WHEREAS, a request has been made to extend the boundaries of the Urban Services District within the jurisdiction of the Metropolitan Government of Nashville and Davidson County to include certain lots and lands located on Whites Creek Pike, more particularly described herein; and

WHEREAS, Section 1.04 of the Charter of the Metropolitan Government provides that:

The area of the urban services district may be expanded and its territorial limits extended by annexation whenever particular areas of the general services district come to need urban services, and the metropolitan government becomes able to provide such service within a reasonable period, which shall not be greater than one (1) year after ad valorem taxes in the annexed area become due;

and

WHEREAS, pursuant to Tennessee Code Annotated §6-51-102 (b) a plan of services is required to be adopted by the Metropolitan Council, after public hearing, before the boundaries of the urban services district may be extended; and

WHEREAS, Tennessee Code Annotated §6-51-102(b)(4) mandates that before the plan of services can be adopted, it must be submitted to the Planning Commission for study and a written report to be rendered within ninety (90) days after submission; and

WHEREAS, Resolution No. RS2009-963, adopted on October 6, 2009, submitted a proposed plan of services to the Planning Commission for study and a written report; and

WHEREAS, the Planning Commission considered and approved the proposed plan of services at its October 22, 2009, meeting and has issued a written report, which is on file with the Metropolitan Clerk.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That the Metropolitan County Council hereby adopts a plan of services, a copy of which is attached hereto as "Exhibit A", for the extension of the boundaries of the Urban Services District within the jurisdiction of the Metropolitan Government of Nashville and Davidson County to include the areas described as follows:

The lots and lands located on Whites Creek Pike included on the attached "Exhibit B" incorporated herein, all of which is more particularly described by lines, words and figures on the attached map identified as "Exhibit C", which is hereby referenced and made a part hereof.

Section 2. That this Ordinance shall take effect from and after its passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:



Walter Hunt
Member of Council

Exhibit A

Plan of Services

Section 1.04 of the Charter of the Metropolitan Government provides that:

The area of the urban services district may be expanded and its territorial limits extended by annexation whenever particular areas of the general services district come to need urban services, and the metropolitan government becomes able to provide such service within a reasonable period, which shall not be greater than one (1) year after ad valorem taxes in the annexed area become due.

Section 1.05 provides that:

The additional functions of the metropolitan government to be performed and the additional governmental services to be rendered within the urban services district shall include: additional police protection; fire protection; water; sanitary sewers; storm sewers; street lighting; street cleaning; refuse collection and wine and whiskey supervision.

The plan of services for the property proposed to be annexed into the urban services district, to-wit: The lots and lands located on Whites Creek Pike listed by map and parcel number included on the attached list, all of which is more particularly described by lines, words and figures on the map attached hereto, which is hereby referenced and made a part hereof, is as follows:

Additional police protection, fire protection, water, sanitary sewers, storm sewers, and street cleaning are presently being provided to said properties at the same level as all other property within the urban services district.

Not later than six (6) months from and after the adoption of an ordinance annexing said property into the urban services district, refuse collection, recycling collection, and street lighting shall be provided. The cost to the Metropolitan Government to provide these additional services is presently \$330.00 annually, with an initial start-up cost of \$10,000.

Exhibit B

Map/Parcel No.	Owner	Address
04900031900	Fontanel Properties, LLC	4105 Whites Creek Pike
04900020001	Fontanel Properties, LLC	4125 Whites Creek Pike
04900014000	Fontanel Properties, LLC	4225 Whites Creek Pike

Exhibit C

