

Ordinance No. BL2018-1129

An ordinance authorizing the acquisition and subsequent conveyance of certain right-of-way easements, drainage easements, temporary construction easements and property rights by negotiation or condemnation for use in public projects of the Metropolitan Government, acting by and through the Metropolitan Department of Public Works, for the Lebanon Pike Sidewalk Improvements, Federal Project No. STP-M-24(60), State Project No. 19PLM-F1-128, PIN 121729.00 (Proposal No. 2018M-031ES-001).

WHEREAS, it is in the public interest that right-of-way easements, drainage easements, temporary construction easements and property rights (“easements and property rights”) be acquired by the Metropolitan Government, for use in public projects of the Metropolitan Government, initially for the purposes of PIN 121729.00, Proposal No. 2018M-031ES-001, Lebanon Pike Sidewalk Improvements; and,

WHEREAS, said easements and property rights are located on the properties described in Exhibit 1, attached hereto; and,

WHEREAS, the easements and property rights are further described in the Metropolitan Public Works Department’s plans on file for PIN 121729.00, Proposal No. 2018M-031ES-001, Lebanon Pike Sidewalk Improvements; and,

WHEREAS, upon acquisition, Metro will convey to the State of Tennessee, Tennessee Department of Transportation (“TDOT”), said easements and property rights acquired for PIN 121729.00.

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

Section 1. The Metropolitan Government of Nashville and Davidson County, by and through the Director of Public Property Administration, is hereby authorized to acquire by negotiation or condemnation the following described easements and property rights for use in public projects of the Metropolitan Government, initially for purposes of PIN 121729.00, Proposal No. 2018M-031ES-001, Lebanon Pike Sidewalk Improvements, the same being for a public purpose and the public convenience requiring it.

Section 2. The easements and property rights to be acquired are described in the Metropolitan Public Works Department’s plans on file for PIN 121729.00, Proposal No. 2018M-031ES-001, Lebanon Pike Sidewalk Improvements, and located on the property described in Exhibit 1, attached hereto, which plans and Exhibit are incorporated herein.

Section 3. The Director of Public Property Administration or designee, upon acquisition of said easements and property rights, is authorized to convey such interest as the Metropolitan Government may have in said easements acquired for PIN 121729.00, to the State of Tennessee.

Section 4. The Director of Public Property Administration or designee, when it is deemed necessary to acquire easements on a state route by eminent domain, is hereby authorized to request that the State Attorney General's Office initiate condemnation proceedings.

Section 5. All necessary and incidental costs of the easements and property rights herein authorized to be acquired shall be paid from funds authorized from Fund No. 40015 and Business Unit No. 42401015.

Section 6. This ordinance shall take effect from and after its final passage, the welfare of the Metropolitan Government of Nashville and Davidson County, Tennessee, requiring it.

RECOMMENDED BY:

INTRODUCED BY:

Mark Sturtevant, Director
Public Works Department

Steve Berry, Director
Public Property Administration

Council Member(s)

APPROVED AS TO THE AVAILABILITY
OF FUNDS:

Talia Lomax O'Dneal, Director
Department of Finance

APPROVED AS TO FORM AND
LEGALITY:

Assistant Metropolitan Attorney