

Ordinance No. BL2018-1175

An ordinance approving an option to purchase a parcel of real property and an agreement to sell a parcel of real property, with an exchange of associated easements, all in connection with the further development of park property in southeastern Davidson County (Proposal Number 2018M-014PR-001).

WHEREAS, pursuant to RS2015-1577, the Metropolitan Council authorized the acquisition of certain parcels of property (collectively “the Park Property”) for use in the Metropolitan Government’s parks and recreation system; and,

WHEREAS, pursuant to the option agreement (the “Clark Agreement”) attached to this ordinance as Exhibit 1, Mary Sue Clark proposes to sell to the Metropolitan Government an approximately 64-acre tract located at 12900 Old Hickory Boulevard (Metro Parcel ID No. 17500002400 the “Clark Tract”); and,

WHEREAS, because it is largely surrounded by the Park Property and its other characteristics, acquisition of the Clark Tract is important for the most effective development of the Park Property for public use; and,

WHEREAS, pursuant to the agreement (the “Wirtgen Agreement”) attached to this ordinance as Exhibit 2, the Metropolitan Government proposes to: (1) sell to Wirtgen America, Inc. (“Wirtgen”), an approximately 19-acre parcel of real property (the “Wirtgen Tract”) near the northwestern corner of the Park Property; (2) grant Wirtgen an access easement; and (3) obtain from Wirtgen a right-of-way easement to allow the public to access the Park Property from Crossings Boulevard; and,

WHEREAS, the location and characteristics of the Wirtgen Tract diminish its usefulness for development as part of the Park Property; and,

WHEREAS proceeds from the sale of the Wirtgen tract will significantly offset the cost of acquiring the Clark Tract; and,

WHEREAS, approval of the Clark Agreement and Wirtgen Agreement is in the best interest of the citizens of Davidson County.

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

Section 1. The Clark Agreement is approved, and the Director of Public Property Administration is hereby authorized to receive, execute, and record such documents as may be necessary to carry out the purchase of the Clark Tract.

Section 2. The Wirtgen Agreement is approved, and the Director of Public Property Administration is hereby authorized to receive, execute, and record such documents as may be

necessary to carry out the sale of the Wirtgen Tract and the exchange of easements contemplated by the Wirtgen Agreement.

Section 3. The Director of Public Property Administration or his designee is further authorized to execute such other documents as are customary and necessary to carry out the intent of this ordinance.

Section 4. Amendments to either the Clark Agreement or Wirtgen Agreement may be approved by resolution of the Metropolitan Council.

Section 5. This Ordinance shall take effect from and after its passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

RECOMMENDED BY:

INTRODUCED BY:

Monique Odom, Director
Department of Parks and Recreation

Steve Berry, Director
Public Property Administration

Member(s) of Council

APPROVED AS TO AVAILABILITY
OF FUNDS:

Talia Lomax-O'dneal, Director
Department of Finance

APPROVED AS TO FORM AND
LEGALITY:

Assistant Metropolitan Attorney