

ORDINANCE NO. BL2019-1520

An Ordinance amending BL2000-278, as amended, to authorize complete closure of a portion of 24<sup>th</sup> Avenue South.

WHEREAS, BL2000-278, as amended, closed eight alleys and three streets located on the Vanderbilt University Campus, provided, that upon the closure, Vanderbilt would continue to permit Garland Avenue and a portion of 24<sup>th</sup> Avenue South to be used by members of the public as a right-of-way; and,

WHEREAS, Vanderbilt wishes to close a portion of 24<sup>th</sup> Avenue South to all traffic but emergency vehicles, in order to create a walking district and to increase pedestrian and biking safety in the area; and,

WHEREAS, the majority of the current traffic on this street is internal to Vanderbilt and even upon closing this street, Vanderbilt Place will remain open and will provide access to that area of campus; and,

WHEREAS, closure of a portion of 24<sup>th</sup> Avenue South in the best interest of the citizens of The Metropolitan Government of Nashville and Davidson County.

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

Section 1. That Ordinance No. 2000-278 is hereby amended by deleting Section 1 in its entirety and substituting in lieu thereof the following:

That the Geographic Information Systems (GIS) Street and Alley Centerline Layer for The Metropolitan Government of Nashville and Davidson County, as enacted by Ordinance No. 2018-144, be and hereby is amended as follows:

That Alley #636 from 25<sup>th</sup> Avenue South to its terminus slightly beyond 24<sup>th</sup> Avenue South; Alley #638 from 25<sup>th</sup> Avenue South to its terminus at Alley #603; Alley #603 from Kirkland Place to its terminus at Alley #638; Alley #911 from 28<sup>th</sup> Avenue South to its terminus at Alley #914; Alley #914 from 28<sup>th</sup> Avenue South to its terminus at Alley #911 and from Alley #913 to its western terminus, but not section over near 29<sup>th</sup> Avenue South; Alley #912 from 28<sup>th</sup> Avenue South to its terminus at Alley #913; Alley #913 from 28<sup>th</sup> Avenue South to its terminus at Alley #912; 24<sup>th</sup> Avenue South between West End Avenue and its terminus at Alley #636 and between Highland Avenue to its terminus at Garland Avenue; Kirkland Place from 25<sup>th</sup> Avenue South to its terminus; and Garland Avenue from 25<sup>th</sup> Avenue South to its terminus at 24<sup>th</sup> Avenue South, all of which is more particularly described by lines, words and figures on the sketch which is attached to and made a part of this ordinance as though copied herein, are hereby closed.

Provided, however, that Vanderbilt University shall continue to permit Garland Avenue to be used by members of the public as right-of-way. Vanderbilt University shall maintain said closed streets to at least the same standards of repair as public streets are maintained by the Metropolitan Government; That Vanderbilt University shall indemnify and hold harmless the Metropolitan Government, together with its officers, agents and employees from any and all

claims, damages, penalties, costs and attorneys fees arising out of any accident or event occurring in or upon the closed portions of said streets, whether the cause thereof is related to maintenance and upkeep, or for some other reason, subsequent to the effect date of this ordinance; That this ordinance shall not take effect until evidence of the indemnification required by the preceding subsection, in a form and amount satisfactory to the Director of Finance, the Director of Law, and the Director of Public Works, has been furnished to the Metropolitan Government.

Section 2. That the Director of the Department of Public Works be and hereby is authorized and directed, upon the enactment and approval of this ordinance, to cause said change to be made on said GIS Centerline Record as set out in Section 1 of this ordinance, and to make notation thereon of reference to the date of passage and approval of this amendatory ordinance.

Section 3. That easements are herein retained by The Metropolitan Government of Nashville and Davidson County, its agents, servants, and/or contractors and utility companies operating under franchise from the Metropolitan Government for the right to enter, construct, operate, maintain, repair, rebuild, enlarge, and patrol its now existing or future utilities, including drainage facilities, together with their appurtenances, and the doing of any and all things necessary and incidental thereto.

Section 4. This Ordinance shall take effect from and after its adoption, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

RECOMMENDED BY:

INTRODUCED BY:

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Mark Sturtevant, Director  
Public Works

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APPROVED AS TO FORM

AND LEGALITY:

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Council Member(s)

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Assistant Metropolitan Attorney