

RESOLUTION NO. RS2019 - 106

A resolution authorizing H.G. Hill Realty Company, LLC to construct and install an aerial encroachment at 1925 Broadway. (Proposal No.2019M-034EN-001).

WHEREAS, H.G. Hill Realty Company, LLC plans to construct, install and maintain an aerial encroachment, under Proposal No. 2019M-034EN-001, at 1925 Broadway; and,

WHEREAS, Proposal No. 2019M-034EN-001 is comprised of one blade sign measuring two feet by four feet encroaching the public right-of-way on property located at 1925 Broadway; and,

WHEREAS, H.G. Hill Realty Company, LLC has agreed to indemnify and hold The Metropolitan Government of Nashville and Davidson County harmless of any and all claims for damages of every nature and kind resulting from or arising from the installation of said aerial encroachment; and,

WHEREAS, Metropolitan Code of Laws §13.16.030(A) allows the Council of The Metropolitan Government of Nashville and Davidson County to grant encroachments, permits, or privileges to construct, maintain and/or operate aerial cables, canopies, etc., over and/or across sidewalks and public rights-of-way by Resolution adopted by twenty-one (21) affirmative votes.

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

Section 1. That subject to the requirements, limitations and conditions contained herein, H.G. Hill Realty Company, LLC is hereby granted the privilege to construct and maintain said aerial encroachment in accordance with the plans which are on file in the office of the Director of Public Works, and which are more particularly described by lines, words and figures on the attached sketches which are attached to and made a part of this Resolution.

Section 2. That the authority granted hereby for the construction, installation, operation, and maintenance of said aerial encroachment shall not be construed as a surrender by the Metropolitan Government of its rights or power to pass resolutions or ordinances regulating the use of its streets, or the right of the Metropolitan Government through its legislative body, in the interest of public necessity and convenience to order the relocation of said facilities at the expense of H.G. Hill Realty Company, LLC.

Section 3. That plans and specifications for said aerial encroachment shall be submitted to the Director of Public Works of The Metropolitan Government of Nashville and Davidson County for approval before any work is begun; and all work, material, and other details of said installation shall be approved by the Director of Public Works prior to its use by H.G. Hill Realty Company, LLC.

Section 4. That construction and maintenance of said aerial encroachment shall be under the direction, supervision, and control of the Director of Public Works, and its installation, when complete, must be approved by said Director.

Section 5. That this Resolution confers upon H.G. Hill Realty Company, LLC, a privilege and not a franchise, and the Mayor and the Metropolitan Council herein expressly reserve the right to repeal this Resolution, whenever, in their judgment, a repeal may be demanded by public welfare, and such repeal shall confer no liability on The Metropolitan Government of Nashville and Davidson County, its successors and assigns, by reason of said repeal. In the event of such repeal by said Metropolitan Government, H.G. Hill Realty Company, LLC, its successors and assigns, shall remove said aerial encroach at their own expense.

Section 6. H.G. Hill Realty Company, LLC, shall pay all costs incident to the construction, installation, operation and maintenance of said aerial encroachment and shall save and hold The Metropolitan Government of Nashville and Davidson County harmless from all suits, costs, claims, damages or judgments in any way connected with said construction, installation, operation and maintenance of said aerial encroachment and shall not claim, set up or plead, as a defense, in the event of joint liability, with or without suit, that it and the Metropolitan Government were joint wrongdoers. H.G. Hill Realty Company, LLC shall be responsible for the expense, if any, of repairing and returning the right-of-way to the condition which it was in prior to the installation of said aerial encroachment, and for any street closure.

Section 7. That the authority granted to H.G. Hill Realty Company, LLC, as herein described, shall not in any way interfere with the rights of the Metropolitan Government, its agents, servants, and/or contractors and utility companies, operating under franchise from the Metropolitan Government to enter, construct, operate, maintain, repair, rebuild, enlarge, and patrol its now existing or future utilities, including drainage facilities, together with their appurtenances, and to do any and all things necessary and incidental thereto.

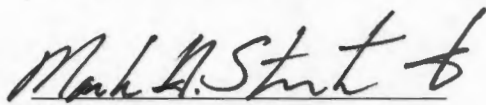
Section 8. H.G. Hill Realty Company, LLC, shall and is hereby required to furnish The Metropolitan Government of Nashville and Davidson County a certificate of public liability insurance, naming The Metropolitan Government as an insured party, of at least two million (\$2,000,000) dollars aggregate, for the payment of any judgment had on any claim, of whatever nature, made for actions or causes of action arising out of, or connected with, the construction or installation of said aerial encroachment. Said certificate of insurance shall be filed with the Metropolitan Clerk and the Department of Public Works prior to the granting of a permit, and the insurance required herein shall not be canceled without the insurance company or companies first giving thirty (30) days written notice to The Metropolitan Government of Nashville and Davidson County.

Section 9. That said construction shall be carefully guarded and protected, and shall be completed promptly, so as to cause the least inconvenience to the public. The acceptance by H.G. Hill Realty Company, LLC of all provisions of this Resolution shall be determined by the beginning of work.

Section 10. The authority granted pursuant to this Resolution shall not become effective until the certificate of insurance, as required in Section 8, has been posted with the Metropolitan Clerk and the Department of Public Works.

Section 11. This Resolution shall take effect from and after its adoption, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

RECOMMENDED BY:

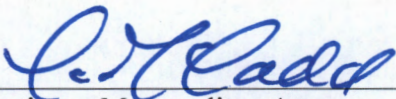


Mark Sturtevant, Director
Department of Public Works

INTRODUCED BY:

Member(s) of Council

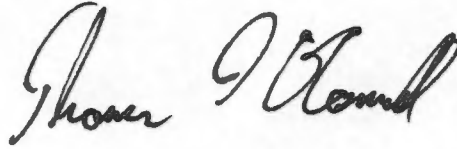
APPROVED AS TO FORM
AND LEGALITY:



Assistant Metropolitan Attorney

Electronic Signature Page

(Attach to Legislation Pursuant to Rule 8 of the Council Rules of Procedure)

A handwritten signature in black ink, appearing to read "Freddie O'Connell". The signature is written in a cursive style with a large initial 'F' and 'O'.

Freddie O'Connell, Councilmember, District 19

Electronic Signature Page

(Attach to Legislation Pursuant to Rule 8 of the Council Rules of Procedure)

Kathleen D Murphy

Kathleen Murphy
Councilmember, District 24

Electronic Signature Page

(Attach to Legislation Pursuant to Rule 8 of the Council Rules of Procedure)

Angie E. Henderson

Angie Henderson
Councilmember, District 34

Proposal No. 2019M-034EN-001

Client# 19710 NONILL
ACORD. CERTIFICATE OF LIABILITY INSURANCE DATE (MM/DD/YYYY) 8/07/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY ASEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURANCE, AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER The Crichton Group 3011 Army Drive Suite 250 615-383-8761 Nashville, TN 37204	CONTACT Melissa Wilder Tel: 615 986-8116 FAX: 615 914-5728 Email: mwilder@thecrichtongroup.com INSURANCE AFFORDING COVERAGE INSURER A: The Hartford Insurance Company INSURER B: Hartford Steam Boiler INSURER C: INSURER D: INSURER E: INSURER F:
INSURED H.G. Hill Realty Company, LLC 3011 Army Drive, Suite 130 Nashville, TN 37204	


COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

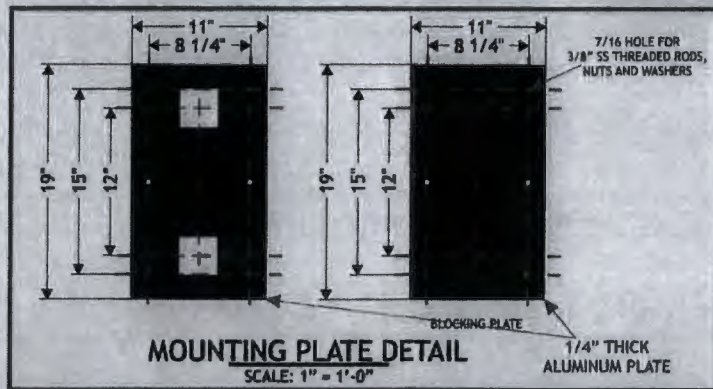
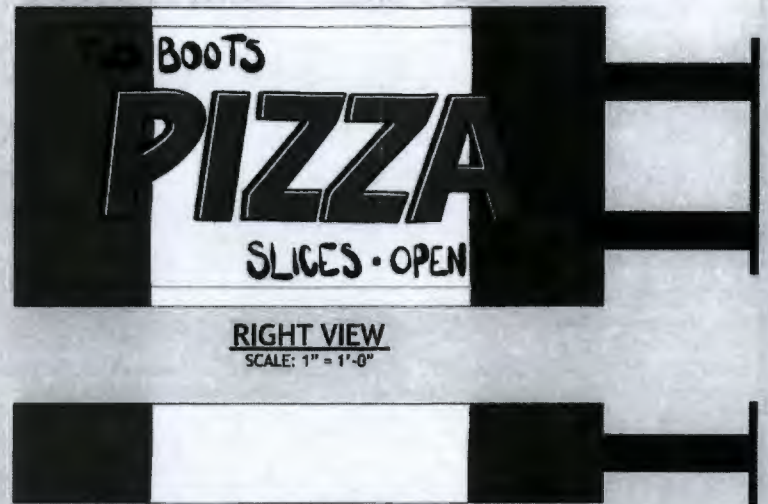
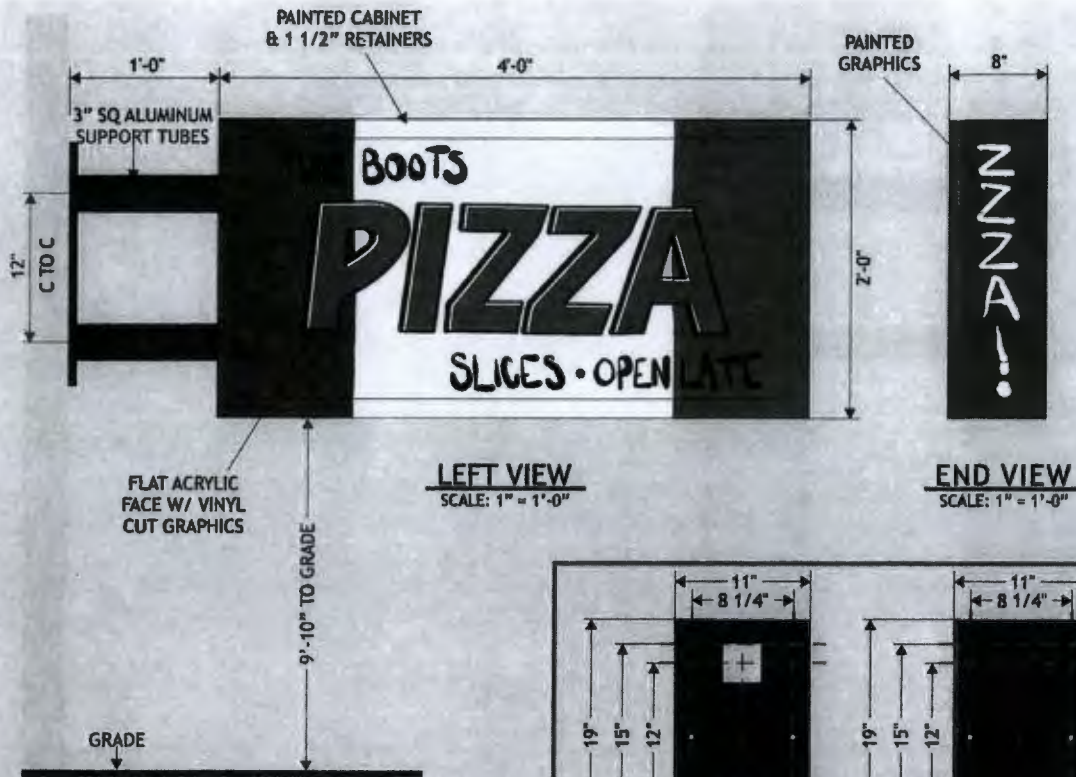
THIS IS TO CERTIFY THAT THE POLICES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

LINE	TYPE OF INSURANCE	AGREEMENT	POLICY NUMBER	INDUSTRY	POLICY EFF	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> DECLAR <input type="checkbox"/> GEN'L AGGREGATE LIMIT APPLICABLE PER POLICY <input type="checkbox"/> PRO. <input type="checkbox"/> SBC <input type="checkbox"/> LOC. <input type="checkbox"/> OTHER		28LJUNIC4191	12/31/2018	12/31/2018	EACH OCCURRENCE \$1,000,000 AGGREGATE LIMIT \$500,000 MED EXPENSE \$10,000 PERSONAL & ADY INURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMPLETE \$
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HOIST AUTOS <input checked="" type="checkbox"/> NON-SCHEDULED AUTOS		28LJUNIC4191	12/31/2018	12/31/2018	BODILY INJURY (PER ACCIDENT) \$1,000,000 BODILY INJURY (PER OCCURRENCE) \$ PROPERTY DAMAGE (PER OCCURRENCE) \$
B	<input checked="" type="checkbox"/> VERIFIABLE LOSS <input checked="" type="checkbox"/> EXCESS <input type="checkbox"/> EXCESS LOSS <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> ISO <input checked="" type="checkbox"/> RETENTION \$10000		28RHLIC4983	12/31/2018	12/31/2018	EACH OCCURRENCE \$25,000,000 AGGREGATE \$25,000,000 HIGH CAPACITY <input type="checkbox"/> OTHER <input type="checkbox"/> P.L. EACH ACCIDENT \$ P.L. DISABLE - SA EMPLOYEE \$ P.L. DISABLE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 RE: 1929 Broadway, Nashville, TN.

Full Holder Name:
 The Metropolitan Government of Nashville and Davidson County
 Metro Legal & Claims
 (See Attached Descriptions)

CERTIFICATE HOLDER The Metropolitan Government of Nashville and Davidson County Metro Legal & Claims 222 2nd Avenue North, Ste. 801 Nashville, TN 37201	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE SHALL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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BOTTOM VIEW
SCALE: 1" = 1'-0"

ELECTRICAL NOTES
ELECTRICAL IN J. BOX
INSIDE CAB CONNECTED
TO PRIMARY LEADS:
POWER-POWER
NEUTRAL-NEUTRAL
GRND-GRND
THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.
 Suitable For Wet Locations

PAGE 2 - PHOTO RENDERING
PAGE 3- SED

TWO BOOTS PIZZA
 1925 BROADWAY
 NASHVILLE, TN 37203
 PROJECT MGR: D.LUTHER
 190105-L30-01

SPECIFICATIONS & FINISHES
 1. FABRICATE/INSTALL ONE (1) OF WHITE LED-ILLUMINATED BLADE SIGN W/ FLAT ACRYLIC FACES, CUT VINYL GRAPHICS AND PAINTED CABINET AND RETAINERS AS ILLUSTRATED AND SPECIFIED.
 WHITE #7328 WHITE BLACK PMS 200 C 3730-53L PMS 348 C 3630-156 WHITE LED

DATE: 05-13-19 DESIGNED BY: J. MORTON
385228
 PAGE 1 OF 3

APPROVALS
 FOR MEASUREMENTS:
 ENGINEERING:
 INSTALLATION:
 PROJECT MANAGER:

JOSLIN AND SON SIGNS
 630 Murfreesboro Rd. Nashville, TN 37210
 615.255.3463 1.800.945.9557

*Design & Drawing Are Property Of Joslin Sign. Use Without Consent Is Subject To Invoicing And/or Litigation.



TWO BOOTS PIZZA
 1925 BROADWAY
 NASHVILLE, TN 37203
 PROJECT MGR: D.LUTHER
 190105-L30-02

SPECIFICATIONS & FINISHES

PHOTO RENDERING AND PLACEMENT

DATE: 05-13-19
 DESIGNED BY: J. MORTON
385228
 PAGE 2 OF 3

APPROVALS FOR MANUFACTURING:
 ENGINEERING:
 INSTALLATION:
 PROJECT MANAGER:

JOSLIN AND SON SIGNS
 639 Murfreesboro Rd. Nashville, TN 37210
 615.255.3463 1.866.543.9557

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GOOGLE Street View | Image Capture: March 2019