

RESOLUTION NO. RS2019 - 107

A resolution authorizing J. Crew Group Inc. to construct and install an aerial encroachment at 2709 12th Avenue South. (Proposal No.2019M-035EN-001).

WHEREAS, J. Crew Group Inc. plans to construct, install and maintain an aerial encroachment, under Proposal No. 2019M-035EN-001, at 2709 12th Avenue South; and,

WHEREAS, Proposal No. 2019M-035EN-001 is comprised of one blade sign measuring 15 inches by 30 inches, projecting from the building one foot, encroaching the public right-of-way on property located at 2709 12th Avenue South; and,

WHEREAS, J. Crew Group Inc. 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, J. Crew Group Inc. 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 J. Crew Group Inc.

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 J. Crew Group Inc.

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 J. Crew Group Inc. 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, J. Crew Group Inc., its successors and assigns, shall remove said aerial encroach at their own expense.

Section 6. J. Crew Group Inc. shall pay all cost 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. J. Crew Group Inc. 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 J. Crew Group Inc., 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.

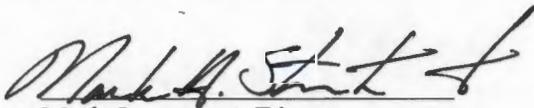
Section 8. J. Crew Group Inc., shall and is hereby required, to furnish The Metropolitan Government of Nashville and Davidson County a certificate of public liability insurance, naming The Metropolitan Government as an insured party, of at least fifteen million (\$15,000,000) dollars aggregate, for the 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 J. Crew Group Inc. 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)

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-035EN-001



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
06/03/2019

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 AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED (provisions or 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 AON Risk Services Northeast, Inc. Stamford CT office 1600 Summer Street Stamford CT 06907-4997 USA	CONTACT Name: AON, Inc. (888) 283-7122 FAX: (888) 353-0365 E-MAIL: Address: Insurance Affording Coverage: MAC #
INSURED J. Crew Group Inc. 225 Liberty Street New York NY 10011 USA	INSURER A: Safety National Casualty Corp 15105 INSURER B: Liberty Insurance Corporation 42404 INSURER C: INSURER D: INSURER E: INSURER F:

COVERAGES **CERTIFICATE NUMBER:** 570077784202 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES 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 POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS. *Limits shown are as requested*

LINE	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFF. DATE	POLICY EXP. DATE	LIMITS
A	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIM-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-SECT <input checked="" type="checkbox"/> LOC <input type="checkbox"/> OTHER	SLA4852209	12/18/2018	12/18/2019	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTALS \$100,000 PRODUCTS (EA accident) \$10,000 MED EXP (Per acc. occurr) \$50,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$15,000,000 PRODUCTS - CLAIM/CP AGG \$2,000,000
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> OTHER (Per Comp. Co.) <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY	CAF4052207	12/18/2018	12/18/2019	COMBINED SINGLE-LIMIT (Per accident) \$1,000,000 BODILY INJURY (Per person) BODILY INJURY (Per family) PROPERTY DAMAGE (Per accident)
B	<input checked="" type="checkbox"/> UMBRELLA LMB <input type="checkbox"/> EXCESS LMB <input type="checkbox"/> DED. \$1,000,000	FW7811508184058	12/18/2018	12/18/2019	EACH OCCURRENCE \$1,000,000 AGGREGATE \$1,000,000
A	EMPLOYERS COMPENSATION AND EMPLOYER LIABILITY ANY EMPLOYER, PARTNER, EXECUTIVE OFFICER/DIRECTOR OR OFFICER/SHAREHOLDER OF ANY ENTITY IN WHICH THE INSURED HAS AN INTEREST Y/N N/A	LDC4052205 PS4052206	12/18/2018	12/18/2019	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER EL EACH ACCIDENT \$1,000,000 EL DISEASE-AN EMPLOYER \$1,000,000 EL DISEASE-POLICY LIMIT \$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (RECORD NO. Additional Reports Schedule may be attached if more space is required)
 The Metropolitan Government of Nashville and Davidson County is included as an additionally insured as respects to General Liability.

CERTIFICATE HOLDER The Metropolitan Government of Nashville and Davidson County (Metro Legal) & Claims c/o Insurance and Safety Division 222 3rd Avenue North, Ste. 501 Nashville TN 37203 USA	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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Certificate No. : 670077784202



STOREFRONT - ELEVATION
 Scale: 3/16" = 1' - 0"



35' - 7"



93 Industry Drive
 PO Box 349
 Versailles, KY 40383
 859.879.1199



Madswell

Store 1264
 Space

2705 12TH AVE S.
 NASHVILLE, TN 37204

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.

RUGGLES SIGN DOES NOT PROVIDE PRIMARY ELECTRICAL TO SIGN LOCATION!



Submittal Date: 09/17/18
 Acct Rep: Matt Roberts
 Designer: Derek Couch

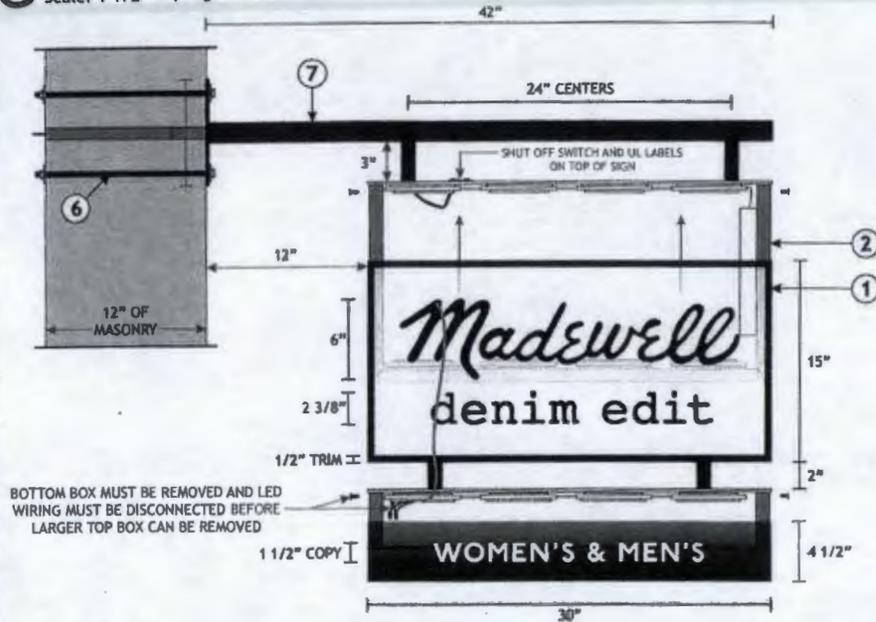
REVISIONS

r1: 09/24/18	r7: 04/01/19
r2: 11/08/18	r8: 07/25/19
r3: 01/16/19	r9: _____
r4: 01/23/19	r10: _____
r5: 02/04/19	r11: _____
r6: 02/15/19	r12: _____

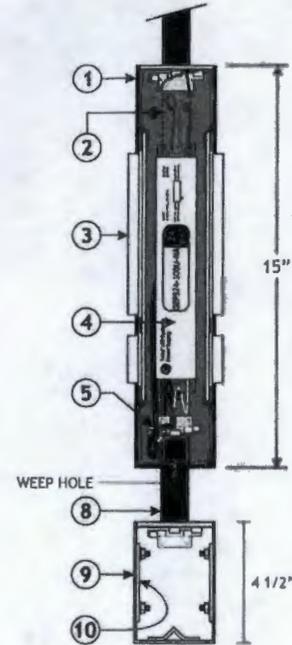
- A** MW24BL Qty - 1
- B** MW de9.5FL DN BL Qty - 1
- C** MWde BLD30 arm illum cust Qty - 1
- D** MW AWN Qty - 1
- E** MW DENIM10neon Qty - 1
- F** MW MIP5 neon Qty - 1

PAGE: 2

C ILLUMINATED BLADE SIGN - ELEVATION
Scale: 1 1/2" = 1' - 0"



ILLUMINATED BLADE SIGN - END VIEW
Scale: 3" = 1' - 0"



SIGN - DETAILS

- ① 15" x 30" x 3" FABRICATED ALUMINUM SIGN BOX PAINTED MATTE WHITE, RETURNS AND 1/2" TRIM PAINTED MATTE BLACK
- ② FABRICATED ALUMINUM INTERNAL 1" TUBE FRAME WELDED TO 1/4" THICK MOUNTING PLATE, SIGN BOX WILL SLIDE OVER FRAME AND SECURE WITH COUNTERSUNK SCREWS ALONG TOP RETURN
- ③ SIGN FACE IS ROUTED, 1/2" THICK CLEAR ACRYLIC PUSH THRU COPY WILL MILL EDGES, AND .040 OVERLAYS PAINTED TO MATCH RETURNS, BACKED WITH WHITE 1/8" POLYCARBONATE PANEL HELD IN PLACE WITH Z-TRACK CLIPS
- ④ GE GEPS24-100U-NA LED DRIVER (120-277 VOLT) CONTAINED IN WITHIN BLADE SIGN
- ⑤ GE TETRA EDGESTRIP HO 4100K WHITE LEDS ALONG THE TOP AND BOTTOM OF INTERNAL ALUMINUM FRAME
- ⑥ THRU-BOLT ATTACHMENT THROUGH 12" OF MASONRY
- ⑦ 1 1/2" SQUARE ALUMINUM TUBE ARM WELDED TO A 8" x 8" x 1/4" THICK ALUMINUM MOUNTING PLATE, 1" SQUARE CONNECTING ARMS WELDED BETWEEN ARM AND TOP OF BLADE SIGN
- ⑧ 1" SQUARE ALUMINUM TUBE CONNECTING ARMS, ALL CONNECTIONS WELDED, PAINTED MATTHEWS MATTE BLACK
- ⑨ 4 1/2" TALL X 30" FABRICATED ALUMINUM BOX PAINTED MATTHEWS MATTE BLACK WITH ROUTED COPY
- ⑩ ROUTED COPY IS BACKED WITH 1/8" THICK WHITE POLYCARBONATE, STUD MOUNTED ON INSIDE SURFACE

MWde BLD30 arm illum cust



Ruggles
SIGN

93 Industry Drive
PO Box 349
Versailles, KY 40383
859.879.1199



Madewell

Store 1264
Space

2705 12TH AVE S.
NASHVILLE, TN 37204

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.

RUGGLES SIGN DOES NOT PROVIDE PRIMARY ELECTRICAL TO SIGN LOCATION



Submission Date: 09/17/18
Acct Rep: Matt Roberts
Designer: Derek Couch

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