

RESOLUTION NO. RS2020 - 205

A resolution authorizing 300 Broadway LLC to construct and install an aerial encroachment at 300 Broadway (Proposal No.2020M-002EN-001).

WHEREAS, 300 Broadway LLC plans to construct, install and maintain an aerial encroachment, under Proposal No. 2020M-002EN-001, at 300 Broadway; and,

WHEREAS, Proposal No. 2020M-002EN-001 is comprised of one, double-faced, illuminated sign measuring 4 feet, 8 inches by 15 feet, 9 inches, encroaching the public right-of-way on property located at 300 Broadway; and,

WHEREAS, 300 Broadway 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, 300 Broadway 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 300 Broadway 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 300 Broadway 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 completed, must be approved by said Director.

Section 5. That this Resolution confers upon 300 Broadway 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, 300 Broadway LLC, its successors and assigns, shall remove said aerial encroach at their own expense.

Section 6. 300 Broadway 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. 300 Broadway 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 300 Broadway 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. 300 Broadway 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 300 Broadway 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

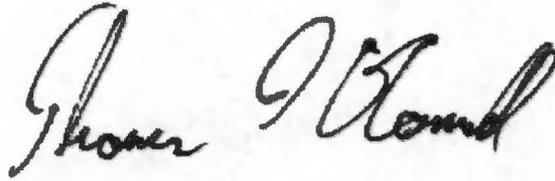
APPROVED AS TO FORM
AND LEGALITY:



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, stylized '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. 2020M-002EN-001



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
10/29/2019

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 Willis Towers Watson Southeast, Inc. file Willis of Tennessee, Inc. c/o 76 Century Blvd P O Box 309391 Nashville, TN 37205191 USA	CONTACT NAME PHONE (A/C, NA, Ext) 1-877-943-7376 FAX (A/C, Ext) 1-888-467-2378 E-MAIL ADDRESS: certificates@willis.com														
INSURED Ryman Hospitality Properties, Inc. One Gaylord Drive Nashville, TN 37214	<table border="1"> <tr> <th>INSURER(S) AFFORDING COVERAGE</th> <th>NAIC #</th> </tr> <tr> <td>INSURER A: Continental Casualty Company</td> <td>20443</td> </tr> <tr> <td>INSURER B: Lexington Insurance Company</td> <td>19437</td> </tr> <tr> <td>INSURER C:</td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: Continental Casualty Company	20443	INSURER B: Lexington Insurance Company	19437	INSURER C:		INSURER D:		INSURER E:		INSURER F:	
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INSURER D:															
INSURER E:															
INSURER F:															

COVERAGES CERTIFICATE NUMBER: W13440110 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.

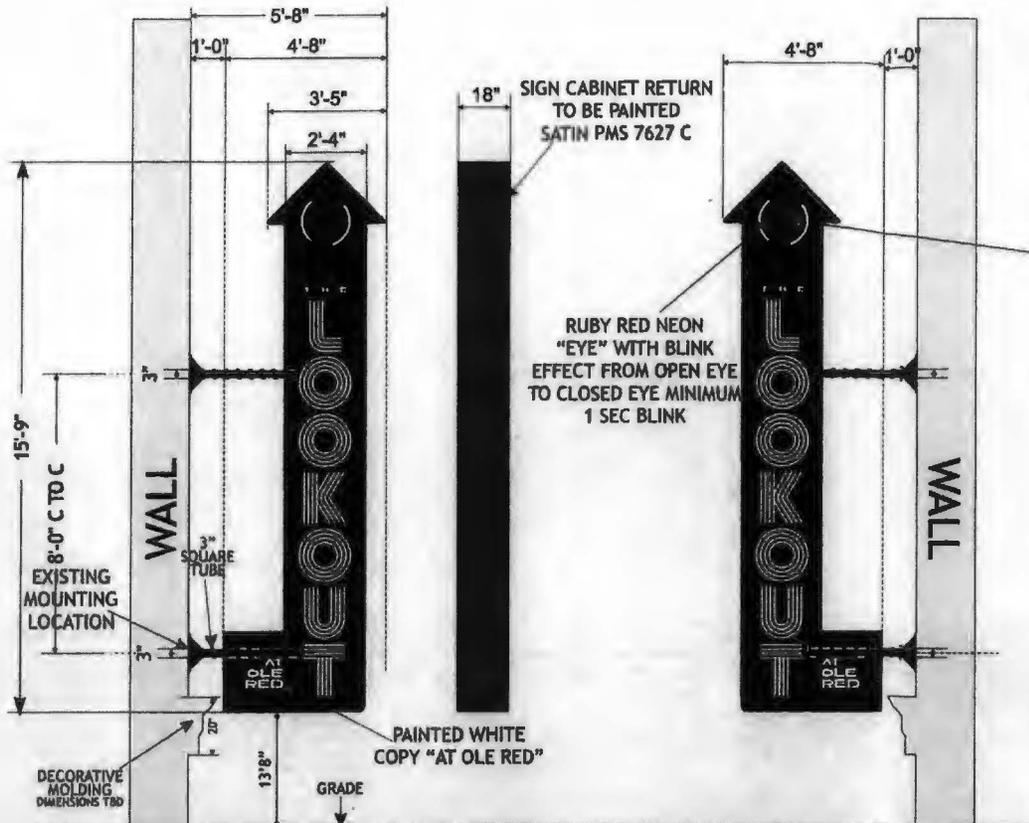
CLASS	TYPE OF INSURANCE	ADDITIONAL	POLICY NUMBER	POLICY EFF	POLICY EXP	LIMITS
LINE		COVER		(MM/DD/YYYY)	(MM/DD/YYYY)	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:	Y	6072144048	10/01/2019	10/01/2020	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Per occurrence) \$ 300,000 (See D EXP Any one person) PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS COMPROP AGG \$ 2,000,000 OTHER:
	AUTOMOBILE LIABILITY ANY AUTO OWNED AUTOS ONLY HIRED AUTOS ONLY SCHEDULED AUTOS NON-OWNED AUTOS ONLY					COMBINED SINGLE LIMIT (Per occurrence) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per occurrence)
B	<input checked="" type="checkbox"/> UMBRELLA LIAB EXCESS LIAB DEPT RETENTIONS		015375227	10/01/2019	10/01/2020	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000 Prod/Opn Agg. \$ 5,000,000 PER STATE OR OTHER JURISDICTION
	WORKERS COMPENSATION AND EMPLOYERS LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/EMPLOYEE (Mandatory in NH) (Per Statute/Contract) DESCRIPTION OF OPERATIONS (Optional)	<input checked="" type="checkbox"/> Y/N N/A				EL EACH ACCIDENT \$ EL DISEASE - EA EMPLOYEE \$ EL WARE - POINT UNIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 491, Additional Remarks Schedule, may be attached if more space is required)
 RE: Sign for Ryman Hospitality Properties, LLC - Ole Red Nashville

The Metropolitan Government of Nashville & Davidson County, Metro Legal and Claims c/o Insurance and Safety Division is included as additional insured as required by written contract.
 Umbrella is primary and non-contributory

CERTIFICATE HOLDER Metropolitan Gov of Nashville and Davidson County Metro Legal and Claims 222 Third Ave N Ste. 501 Nashville, TN 37201	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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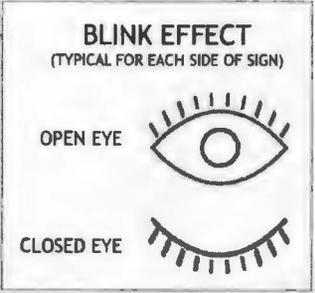
73.5 SQ FT
RGB LED ILLUMINATION
FLASHER FOR "BLINK EFFECT" REQUIRED



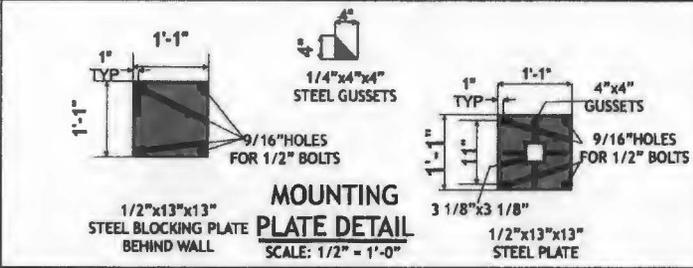
LEFT VIEW
 SCALE: 1/4" = 1'-0"

END VIEW
 SCALE: 1/4" = 1'-0"

RIGHT VIEW
 SCALE: 1/4" = 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



MOUNTING TBV

LOOKOUT - RE-MODEL
 300 BROADWAY
 NASHVILLE, TN 37201
 PROJECT MGR: M. SHEA
 190508-S60-01-A

SPECIFICATIONS & FINISHES
 1. FABRICATE/INSTALL ONE(1) OF RGB LED ILLUMINATED BLADE SIGN W/ 1/2" PUSH THRU ACRYLIC "LOOKOUT" COPY, ROUTED AND BACKED "THE" COPY AND SKELETON NEON W/ BLINK EFFECT AS ILLUSTRATED AND SPECIFIED.
 WHITE 6500K NEON HORIZON BLUE NEON RUBY RED NEON PMS 7627 SATIN FINISH PMS 439 C WHITE #7328

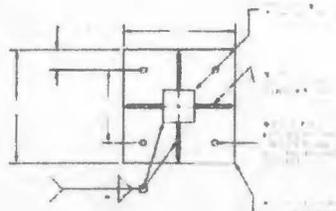
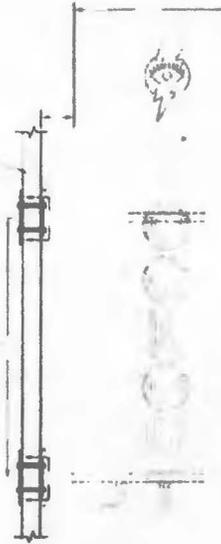
DESIGNED BY
 10-10-19 M. CLINE
 386268
 PAGE 1 OF 2

APPROVALS
 OR AUTHORITY SIGNATURE
 ENGINEERING:
 INSTALLATION:
 PROJECT MANAGER:

JOSLIN
 AND SON
SIGNS
 630 Mudfreesboro Rd. Nashville, TN 37210
 615.255.3463 1.800.545.9557

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

PROJECT NO. 1190



- NOTE
- The sign shall conform to the following specifications:
- STRUCTURAL STEEL: STRUCTURAL STEEL SHALL BE SHIP SHOWN AND FABRICATED BY A STEEL FABRICATOR WHO SHALL BE LICENSED BY THE AMERICAN INSTITUTE OF STEEL CONSTRUCTORS (AISC) AND SHALL BE FABRICATED IN ACCORDANCE WITH THE AMERICAN INSTITUTE OF STEEL CONSTRUCTORS (AISC) REQUIREMENTS FOR STRUCTURAL STEEL FABRICATION. THE FABRICATOR SHALL BE LICENSED BY THE AMERICAN INSTITUTE OF STEEL CONSTRUCTORS (AISC) AND SHALL BE FABRICATED IN ACCORDANCE WITH THE AMERICAN INSTITUTE OF STEEL CONSTRUCTORS (AISC) REQUIREMENTS FOR STRUCTURAL STEEL FABRICATION.
 - ALL FABRICATION SHALL BE IN ACCORDANCE WITH THE AMERICAN INSTITUTE OF STEEL CONSTRUCTORS (AISC) REQUIREMENTS FOR STRUCTURAL STEEL FABRICATION.
 - THE ELECTRICAL INSTALLATION SHALL BE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE AND ALL REQUIREMENTS OF THE LOCAL ELECTRICAL AUTHORITY.
 - THE SIGN SHALL BE FABRICATED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE AND ALL REQUIREMENTS OF THE LOCAL ELECTRICAL AUTHORITY.
 - THE CUSTOMER'S SIGN SHALL BE FABRICATED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE AND ALL REQUIREMENTS OF THE LOCAL ELECTRICAL AUTHORITY.
 - THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND SPACING AS SHOWN AND NOTIFY THE ENGINEER OF ANY DISCREPANCIES.
 - ENGINEERING SEAL IS APPLICABLE TO THE WALL ATTACHMENT DETAIL ONLY. THE ENGINEER IS NOT RESPONSIBLE FOR THE SIGN.
 - THE SIGN SHALL BE FABRICATED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE AND ALL REQUIREMENTS OF THE LOCAL ELECTRICAL AUTHORITY.
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	JOSLIN AND SON SIGNS 630 MURFREESBORO ROAD NASHVILLE, TN 37210 BRUSH SIGN
	LOOKOUT AT 0.1 SCALE 300 BROADWAY NASHVILLE TN
	CAD: OT SCALE: 3/8" = 1' DATE: 10/21/08 SHEET NO: 1 OF 1 DWG NO: 1109235

LOOKOUT - RE-MODEL

300 BROADWAY
NASHVILLE, TN 37201

PROJECT MGR: M. SHEA

190508-S60-02-A

SPECIFICATIONS & FINISHES

SED

DESIGNED BY
10-10-19 M. CLINE

386268

PAGE 2 OF 2

APPROVALS

ENGINEERING:

INSTALLATION:

PROJECT MANAGER:

JOSLIN AND SON SIGNS

630 Murfreesboro Rd. Nashville, TN 37210
615.255.3463 1.800.545.9557

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