

Ordinance No. BL2020 - 198

An ordinance approving and authorizing the Director of Public Property Administration, or his designee, to accept a donation of real property located at 128 Lifeway Plaza (Parcel ID 09301009800) and 1008 Dr. Martin Luther King Jr. Boulevard (Parcel ID 09305020300) for use as part of the parks system (Proposal No. 2020M-002PR-001).

WHEREAS, Capitol View Joint Venture owns property in Davidson County located at 128 Lifeway Plaza and 1008 Dr. Martin Luther King Jr. Boulevard (the "Property"), described in Exhibit 1, attached hereto, that is suitable for a public park (being Parcel IDs 09301009800 and 09305020300); and,

WHEREAS, Capitol View Joint Venture proposes to donate the Property to the Metropolitan Government of Nashville and Davidson County ("Metropolitan Government") for use as part of the parks system; and,

WHEREAS, the Board of Parks and Recreation recommends acceptance of the donation of the Property; and,

WHEREAS, acceptance of the donation of the Property will benefit the citizens of Davidson County by enhancing the quality and availability of recreational opportunities in Davidson County.

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

Section 1. The Director of Public Property Administration, or his designee, is hereby authorized to execute such documents as may be necessary to effectuate the donation of the Property described in Exhibit 1, attached hereto, from Capitol View Joint Venture to The Metropolitan Government for use as part of its park system.

Section 2. This ordinance shall take effect from and after its passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

**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**

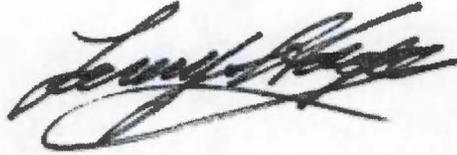
(Attach to Legislation Pursuant to Rule 8 of the Council Rules of Procedure)

*Bob Mendes*

Bob Mendes  
Councilmember At-Large

**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 "Larry Hagar", written in a cursive style.

Larry Hagar

Councilmember, District 11

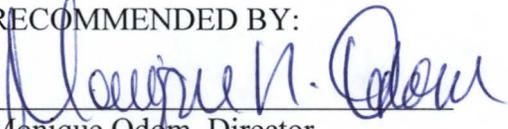
**Electronic Signature Page**

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

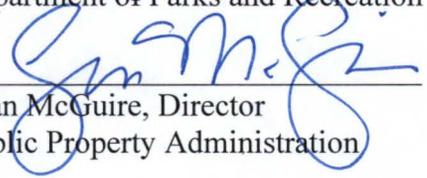
A handwritten signature in black ink that reads "Kathleen D. Murphy". The signature is written in a cursive style with a large, stylized "K" and "M".

Kathleen Murphy  
Councilmember, District 24

RECOMMENDED BY:



Monique Odom, Director  
Department of Parks and Recreation



Sean McGuire, Director  
Public Property Administration

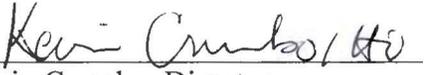
INTRODUCED BY:

\_\_\_\_\_

\_\_\_\_\_

Member(s) of Council

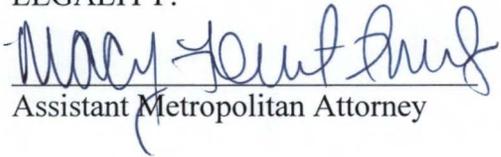
APPROVED AS TO AVAILABILITY  
OF FUNDS:



Kevin Crumbo, Director  
Department of Finance



APPROVED AS TO FORM AND  
LEGALITY:



Assistant Metropolitan Attorney

This Instrument Was Prepared:  
Robert M. Holland, Jr.  
Butler Snow, LLP  
150 3<sup>rd</sup> Avenue South, Suite 1600  
Nashville, TN 37201

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**Address New Owner(s):**  
Metropolitan Government of  
Nashville and Davidson County,  
Tennessee  
Department of Parks and Recreation  
PO Box 196300  
Nashville, Tennessee 37219

**Send Tax Bills to:**  
New Owner

**Tax Parcel No.:**  
093-05-203.00

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**QUITCLAIM DEED**

FOR AND CONSIDERATION OF Ten and 00/100 Dollars (\$10.00) and other good and valuable consideration, the receipt of all of which is hereby acknowledged, **CAPITOL VIEW JV-D**, a Tennessee general partnership, (hereinafter referred to as the "Grantor") does hereby quitclaim, transfer and convey unto **THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY, TENNESSEE**, all of their right, title and interest in the property in the County of Davidson, State of Tennessee, more particularly described on Exhibit A attached hereto and made a part hereof.

This is unimproved property located on 1008 Charlotte Avenue, Nashville, Tennessee 37203.

Whenever used, the singular number shall include the plural, the plural the singular and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, Grantor has executed this instrument on this \_\_\_\_ day of \_\_\_\_\_, 2019.

CAPITOL VIEW JV-D

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_



STATE OF TENNESSEE)

COUNTY OF \_\_\_\_\_)

The actual consideration or value, whichever is greater, for this transfer is \$-0-.

\_\_\_\_\_  
Sworn to and subscribed before me this  
\_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

**PROPERTY DESCRIPTION**

Land in Davidson County, Tennessee, being Lot 7, Resubdivision of Lots 2, 4 and 5 Resubdivision of the consolidation and subdivision of Capitol View, as shown in Instrument No. 20170501-0042561, in the Register's Office for Davidson County, Tennessee, to which plat reference is hereby made for a more particular description of said property.

Being part of the property conveyed to Capitol View JV-D by deed from C-Land Fund, LLC and BCVD Investments, L.P. of record in Instrument No. 201612080128954, Register's Office for Davidson County, Tennessee.

EXHIBIT A

This Instrument Was Prepared:  
Robert M. Holland, Jr.  
Butler Snow, LLP  
150 3<sup>rd</sup> Avenue South, Suite 1600  
Nashville, TN 37201

---

**Address New Owner(s):**  
Metropolitan Government of  
Nashville and Davidson County,  
Tennessee  
Department of Parks and Recreation  
PO Box 196300  
Nashville, Tennessee 37219

**Send Tax Bills to:**  
New Owner

**Tax Parcel No.:**  
093-01-098.00

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**QUITCLAIM DEED**

FOR AND CONSIDERATION OF Ten and 00/100 Dollars (\$10.00) and other good and valuable consideration, the receipt of all of which is hereby acknowledged, **CAPITOL VIEW JOINT VENTURE**, a Tennessee general partnership, (hereinafter referred to as the "Grantor") does hereby quitclaim, transfer and convey unto **THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY, TENNESSEE**, all of their right, title and interest in the property in the County of Davidson, State of Tennessee, more particularly described on Exhibit A attached hereto and made a part hereof.

This is unimproved property located at 128 Lifeway Plaza, Nashville, Tennessee 37203.

Whenever used, the singular number shall include the plural, the plural the singular and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, Grantor has executed this instrument on this \_\_\_\_ day of \_\_\_\_\_, 2019.

**CAPITOL VIEW JOINT VENTURE**, a Tennessee general partnership

By: C-Land Fund, LLC, a Delaware limited liability company, general partner

By: NML Real Estate Holdings, LLC, a Wisconsin limited liability company, its sole member

By: The Northwestern Mutual Life Insurance Company, a Wisconsin corporation, its sole member

By: Northwestern Mutual Investment Management Company, LLC, a Delaware limited liability company, its wholly-owned affiliate

By: \_\_\_\_\_

Name: \_\_\_\_\_

Its: Managing Director

By: Charlotte Eleventh Investments, LLC, a Tennessee limited liability company, general partner

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

STATE OF WISCONSIN  
COUNTY OF MILWAUKEE

Before me, the undersigned Notary Public in the State and County aforesaid, personally appeared \_\_\_\_\_, with whom I am personally acquainted and who, upon oath, acknowledged himself to be a Managing Director of Northwestern Mutual Investment Management Company, LLC, Authorized Representative of The Northwestern Mutual Life Insurance Company, sole member of NML Real Estate Holdings, LLC, sole member of C-Land Fund, LLC, a Delaware limited liability company, a General Partner of Capitol View Joint Venture, a Tennessee general partnership, and that he, as such Managing Director, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the limited liability company by himself as such Managing Director.

WITNESS my hand and Official Seal at office this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

STATE OF TENNESSEE  
COUNTY OF SHELBY

Before me, the undersigned Notary Public in the State and County aforesaid, personally appeared \_\_\_\_\_, with whom I am personally acquainted and who, upon oath, acknowledged himself to be Chief Manager of Charlotte Eleventh Investments, LLC, a General Partner of Capitol View Joint Venture, a Tennessee general partnership, and that he, as such Chief Manager, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the limited liability company by himself as such Chief Manager.

WITNESS my hand and Official Seal at office this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

STATE OF TENNESSEE)

COUNTY OF \_\_\_\_\_)

The actual consideration or value, whichever is greater, for this transfer is \$-0-.

\_\_\_\_\_  
Sworn to and subscribed before me this  
\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

## PROPERTY DESCRIPTION

Land in Davidson County, Tennessee, being Lot 5, Resubdivision of Lots 2, 4 and 5 Resubdivision of the consolidation and subdivision of Capitol View, as shown in Instrument No. 20170501-0042561, in the Register's Office for Davidson County, Tennessee, to which plat reference is hereby made for a more particular description of said property.

Being part of the property conveyed to North Charlotte Avenue Holdings, LLC by deed from Crosland Capitol View, LLC of record in Instrument No. 200801180005919, Register's Office for Davidson County, Tennessee.

North Charlotte Avenue Holdings, LLC is now known as Capitol View Joint Venture, a Tennessee general partnership, as evidenced by Certificate of Conversion of record in Instrument No. 201404150031462, Register's Office for Davidson County, Tennessee.

EXHIBIT A

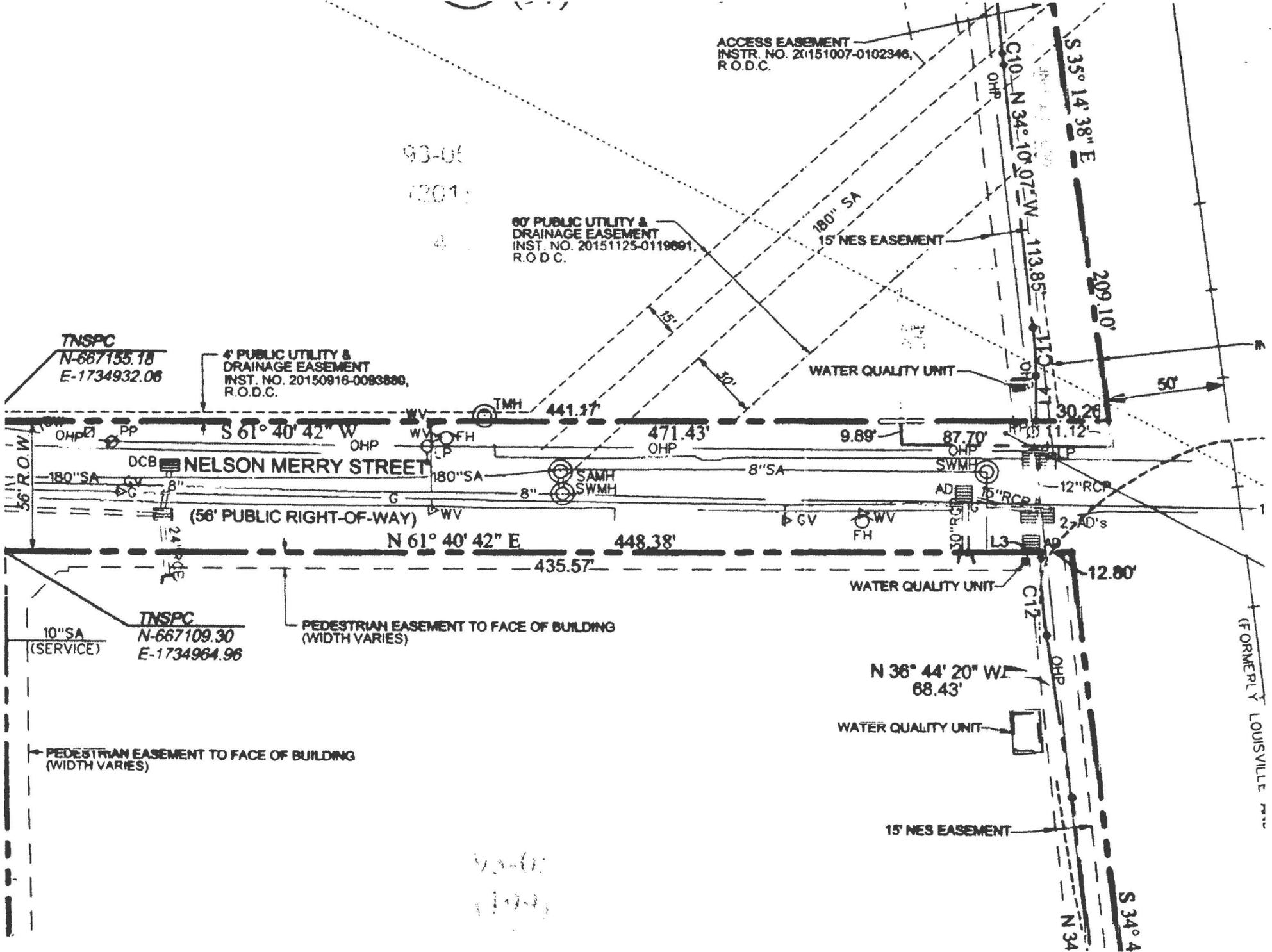
ACCESS EASEMENT  
INSTR. NO. 20151007-0102346,  
R.O.D.C.

93-06  
(201)

60' PUBLIC UTILITY &  
DRAINAGE EASEMENT  
INSTR. NO. 20151125-0119661,  
R.O.D.C.

4' PUBLIC UTILITY &  
DRAINAGE EASEMENT  
INSTR. NO. 20150916-0093666,  
R.O.D.C.

TNSPC  
N-667155.18  
E-1734932.06



TNSPC  
N-667109.30  
E-1734964.96

PEDESTRIAN EASEMENT TO FACE OF BUILDING  
(WIDTH VARIES)

93-06  
(194)

(FORMERLY LOUISVILLE ST)

N 36° 44' 20" W  
68.43'

15' NES EASEMENT

S 34° 4'  
N 34'

1. THE PROPERTY IS SUBJECT TO ANY AND ALL LIENS, ENCUMBRANCES, EASEMENTS, AND OTHER INTERESTS OF RECORD.

**CHANGES OR DISCREPANCIES**  
 The applicant warrants that the information furnished herein is true and correct to the best of his knowledge and belief, and that the same conform to the actual conditions of the property and the records of the public offices of the State of Tennessee.

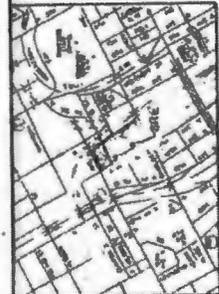
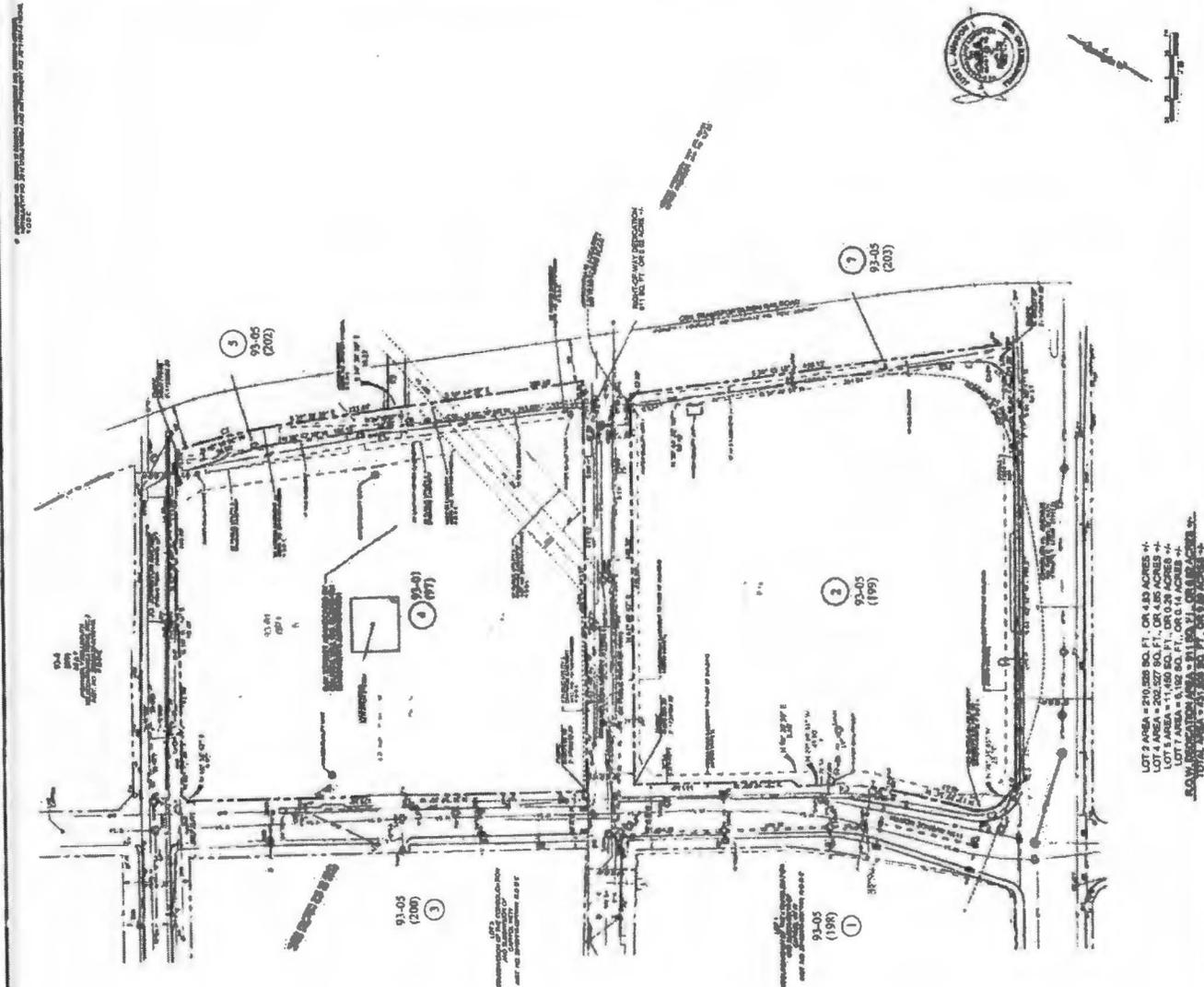
**APPLICANT'S STATEMENT**  
 I, the undersigned, being duly sworn, depose and say that the foregoing is a true and correct copy of the original plat as shown to me by the applicant, and that the same conform to the actual conditions of the property and the records of the public offices of the State of Tennessee.

**NOTICE TO APPLICANT**  
 The applicant is notified that the Commission will hold a public hearing on the application at the office of the Commission on the date and at the time specified below. The applicant is advised that the Commission may, at its discretion, require the applicant to appear in person at the hearing to answer questions and to defend the application. The applicant is also notified that the Commission may, at its discretion, require the applicant to file a sworn statement with the Commission at the time of the hearing. The applicant is further notified that the Commission may, at its discretion, require the applicant to file a bond with the Commission to guarantee the payment of any taxes, fees, and costs that may be assessed against the property as a result of the application. The applicant is also notified that the Commission may, at its discretion, require the applicant to file a plan of improvement with the Commission at the time of the hearing. The applicant is further notified that the Commission may, at its discretion, require the applicant to file a report of the results of the hearing with the Commission at the time of the hearing. The applicant is also notified that the Commission may, at its discretion, require the applicant to file a copy of the plat with the Commission at the time of the hearing. The applicant is further notified that the Commission may, at its discretion, require the applicant to file a copy of the plat with the Commission at the time of the hearing.

**COMMISSIONER'S APPROVAL**  
 I, the undersigned, being duly sworn, depose and say that the foregoing is a true and correct copy of the original plat as shown to me by the applicant, and that the same conform to the actual conditions of the property and the records of the public offices of the State of Tennessee.



RESUBMISSION OF  
 LOTS 2, 4, & 5  
 RESUBDIVISION OF THE  
 CONSOLIDATION AND RESUBDIVISION  
 CAPITOL VIEW  
 JO. JOHNSON TRACT, 100 ACRES, MORE OR LESS,  
 URBAN SERVICES DISTRICT  
 NINTH FIVE COUNCILMANIC DISTRICT  
 NASHVILLE DAVIDSON COUNTY, TENNESSEE  
 FILED JAN 20 1981



**DEVELOPMENT SUMMARY**  
 The applicant is requested to provide the following information to the Commission at the time of the hearing:  
 1. A copy of the plat as shown to the applicant.  
 2. A copy of the plat as shown to the applicant.  
 3. A copy of the plat as shown to the applicant.  
 4. A copy of the plat as shown to the applicant.  
 5. A copy of the plat as shown to the applicant.  
 6. A copy of the plat as shown to the applicant.  
 7. A copy of the plat as shown to the applicant.  
 8. A copy of the plat as shown to the applicant.  
 9. A copy of the plat as shown to the applicant.  
 10. A copy of the plat as shown to the applicant.

**SUBJECT'S STATEMENT**  
 I, the undersigned, being duly sworn, depose and say that the foregoing is a true and correct copy of the original plat as shown to me by the applicant, and that the same conform to the actual conditions of the property and the records of the public offices of the State of Tennessee.

Lot No.	Area (Sq. Ft.)	Area (Acres)
1	210,285	4.83
2	11,482	0.26
3	6,182	0.14
4	3,111	0.07
5	457,288	10.43
<b>TOTAL</b>	<b>788,248</b>	<b>18.13</b>



Lot No.	Area (Sq. Ft.)	Area (Acres)
1	210,285	4.83
2	11,482	0.26
3	6,182	0.14
4	3,111	0.07
5	457,288	10.43
<b>TOTAL</b>	<b>788,248</b>	<b>18.13</b>

1. THE PROPERTY IS SUBJECT TO ANY AND ALL LIENS, ENCUMBRANCES, EASEMENTS, AND OTHER INTERESTS OF RECORD.

I, Robert Leeman, do hereby make oath that I am the custodian of the electronic version of the attached document tendered for registration herewith and that this is a true and correct copy of the original document executed and authenticated according to law.

Signed and sworn to this 11 day of October, 2016.

Robert Leeman

Signature

State of TN

County of Davidson

Personally appeared to me, Kelly Adams, a notary public for this county and state, ROBERT LEEMAN, who acknowledges that this certification of an electronic document is true and correct and whose signature I have witnessed.

Witness my hand and official seal office in Nashville, TN, this 11 day of OCTOBER, 2016

Kelly Adams

Notary's signature

MY COMMISSION EXPIRES: September 7, 2020

Notary's seal (if on paper)