

ORDINANCE NO. _____

An ordinance authorizing the Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Department of Water and Sewerage Services, to enter into an agreement with GREAT TENNESSEE LAND COMPANY, for the operation and maintenance of a public pressure sewer extension and acceptance of associated easements, for development of the Darsey Subdivision in Williamson County (MWS Project No. 17-SL-146).

WHEREAS, GREAT TENNESSEE LAND COMPANY (“DARSEY”) has expressed a desire to provide a public pressure sewer extension through construction of a sanitary sewerage pump station and force main for its development Darsey Subdivision in Williamson County, as shown in Exhibit 1 hereto attached, Project No. 17-SL-146; and,

WHEREAS, the Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Department of Water and Sewerage Services, (“METRO”) will inspect the construction, accept associated easements to access the pump station and upon acceptance of the pump station, be responsible for ongoing operation and maintenance; and,

WHEREAS, DARSEY agrees to fund the additional operation and maintenance costs for the proposed pump station and force main in the amount of \$148,666.00 and provide METRO with associated easements, according to the terms of the Darsey Subdivision Pump Station and Force Main Operation and Maintenance Agreement, attached as Exhibit 2; and,

WHEREAS, METRO will not contribute funds toward the project; and,

WHEREAS, the Project is deemed to benefit both parties and the general community.

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

Section 1. The Darsey Subdivision Pump Station and Force Main Operation and Maintenance Agreement (Exhibit 2) between the Metropolitan Government of Nashville and Davidson County, acting by and through the Department of Water and Sewerage Services, and Great Tennessee Land Company, attached hereto and incorporated herein, is hereby approved, and the Metropolitan Mayor is authorized to execute the same.

Section 2. Amendments to this legislation shall be approved by resolution.

Section 3. This ordinance shall take effect from and after its final passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

RECOMMENDED BY:

DocuSigned by:

Jim Snyder

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Scott A. Potter, Director
Water and Sewerage Services

INTRODUCED BY:

Bob Mendes

Kyonte Johnson

Angie E. Henderson

Council Member(s)

APPROVED AS TO THE AVAILABILITY
OF FUNDS:

DocuSigned by:

Kevin Crumbo

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Kevin Crumbo, Director
Department of Finance

APPROVED AS TO FORM AND
LEGALITY:

DocuSigned by:

Sara Ladd

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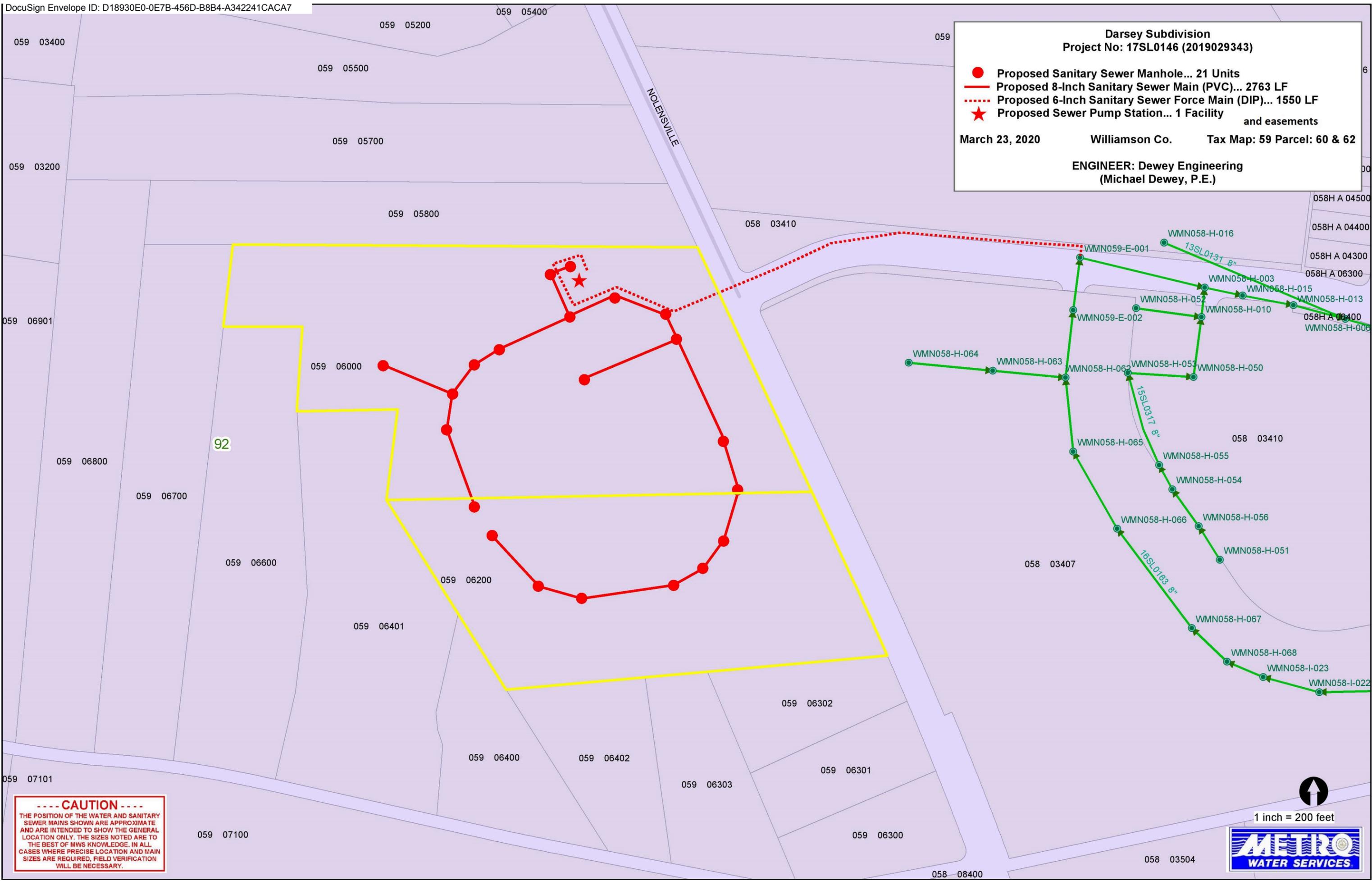
Assistant Metropolitan Attorney

Darsey Subdivision
Project No: 17SL0146 (2019029343)

- Proposed Sanitary Sewer Manhole... 21 Units
- Proposed 8-Inch Sanitary Sewer Main (PVC)... 2763 LF
- - - Proposed 6-Inch Sanitary Sewer Force Main (DIP)... 1550 LF
- ★ Proposed Sewer Pump Station... 1 Facility and easements

March 23, 2020 Williamson Co. Tax Map: 59 Parcel: 60 & 62

ENGINEER: Dewey Engineering
(Michael Dewey, P.E.)



----- CAUTION -----
 THE POSITION OF THE WATER AND SANITARY SEWER MAINS SHOWN ARE APPROXIMATE AND ARE INTENDED TO SHOW THE GENERAL LOCATION ONLY. THE SIZES NOTED ARE TO THE BEST OF MWS KNOWLEDGE. IN ALL CASES WHERE PRECISE LOCATION AND MAIN SIZES ARE REQUIRED, FIELD VERIFICATION WILL BE NECESSARY.



DARSEY SUBDIVISION PUMP STATION AND FORCE MAIN OPERATION AND MAINTENANCE AGREEMENT

THIS AGREEMENT is entered into by and between GREAT TENNESSEE LAND COMPANY, hereinafter known as "DARSEY", and The Metropolitan Government of Nashville and Davidson County acting through the Metropolitan Department of Water and Sewerage Services, hereinafter known as "METRO".

WHEREAS, DARSEY desires to provide public gravity sewer through construction of a sewerage pump station and force main for its development; and

WHEREAS, DARSEY has been approved to serve its development using this sanitary sewage pumping station and force main; known as Project No. 17SL0146 (2019029343), and

WHEREAS, the provision of such pressure sewer facility will directly benefit DARSEY; and

WHEREAS, the operation and maintenance extraordinarily increases the cost to METRO for providing public sewer service to the development;

NOW, THEREFORE, DARSEY AND METRO AGREE AS FOLLOWS:

I. SCOPE OF WORK:

A project consisting of the construction of approximately 2,763 linear feet of 8-inch sanitary sewer main (PVC), 21 sanitary sewer manholes, 1,550 linear feet of 6-inch sanitary sewer force main (DIP), and a sewer pump station.

II. PAYMENT TERMS AND CONDITIONS:

- A. DARSEY has submitted complete design and construction plans (the "Plans") for the Facility for approval by METRO at Owner's expense, as the same are attached as Exhibit 1;
- B. DARSEY will contract and oversee construction of this project, and the pump station design shall meet all METRO specifications and requirements including telemetry and any required repeater sites. The pump station shall be constructed and fully operational prior to any early release sanitary sewer taps for the proposed development;
- C. **METRO** will inspect the construction and will be responsible for ongoing operation and maintenance;
- D. DARSEY agrees to provide all required easements for the benefit of METRO;
- E. DARSEY agrees to fund the additional operation and maintenance costs for the proposed pump station in the amount of **\$148,666.00 (\$3,034.00 per unit of flow for a maximum of 49 units equivalent to 17,150 gallons per day average flow)**. This amount shall be due and payable upon the following terms:
 - 1. The total amount shall be paid at the time the final plat is submitted for approval.
 - 2. In the event no plat is required, the total amount shall be paid at the time a sewer connection permit is requested.
- F. This agreement is subject to the approval through Ordinance (three readings) by The Metropolitan Council of Nashville and Davidson County. In the event Council approval of the agreement occurs before E1 or E2 listed above, Metro will collect and hold this amount in Metropolitan Government account until this agreement is approved.
- G. This project must be constructed or obligated for this Funding Agreement to become binding on either party.

III. FUTURE AMENDMENTS:

Any future amendments to this agreement shall be approved by resolution of the Metropolitan Council.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed.

RECOMMENDED BY:

DocuSigned by:

Jim Snyder

94D702552B4467 Metropolitan Department of Water and Sewerage Services

APPROVED AS TO AVAILABILITY OF FUNDS:

DocuSigned by:

Kevin Crumboltz

6ACD297069E14E9... Director of Finance

APPROVED AS TO FORM AND LEGALITY:

DocuSigned by:

Sara Ladd

E355FC378EF2427... Metropolitan Attorney

THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Metropolitan Mayor

ACCEPTED BY:

[Signature]
Developer

Sworn to and subscribed to before me, a Notary Public,

7th day of April 2020

by Daniel Woods of

Developer and duly authorized to execute this instrument on Developer's behalf.

Carol-Lynn Daigle
Notary Public

My Commission Expires: 2/28/21

ATTEST:

Metropolitan Clerk



My Commission Expires February 28, 2021

ORIGINAL

METROPOLITAN COUNTY COUNCIL

Bill No. _____

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Introduced _____

Passed First Reading _____

Amended _____

Passed Second Reading _____

Passed Third Reading _____

Approved _____

By _____
Metropolitan Mayor

Advertised _____

Effective Date _____
