

Mandatory Referral Application: PERMANENT *Street / Alley Closure*

*** Before filing this application, please review checklist on the back of this application. ***

Mandatory Referral Project No. _____
(Metro Planning staff assigns project #)

Date Submitted: 6/27/23

Closure Type:

- Street
 Alley

Easements:

- Retain utilities
 Abandon utilities & relocate at applicant's expense

STREET / ALLEY LOCATION: Street Name(s) / Alley Number(s) 1225 Keller } 2925 Scott

Street / Alley Located Between? _____

Reason for Closure:

Seeking abandonment of previously dedicated ROW for sidewalks. Zoning
Administrator has determined that sidewalks are not required.

Applicant: All correspondence will be mailed to the applicant.

Architect Engineer Property Owner Other:

Name: Alex Dickerson - attorney for ^{property} owner

Business: Thompson Burton PLLC

Address: 1801 West End, Suite 1550

City: Nashville State: TN Zip: 37203

Phone: 615-988-1629

Fax: _____
business home business mobile

business home business mobile

E-mail: alex@thompsonburton.com

Applicant's Signature: 

Filing Fee (All application fees are non-refundable)

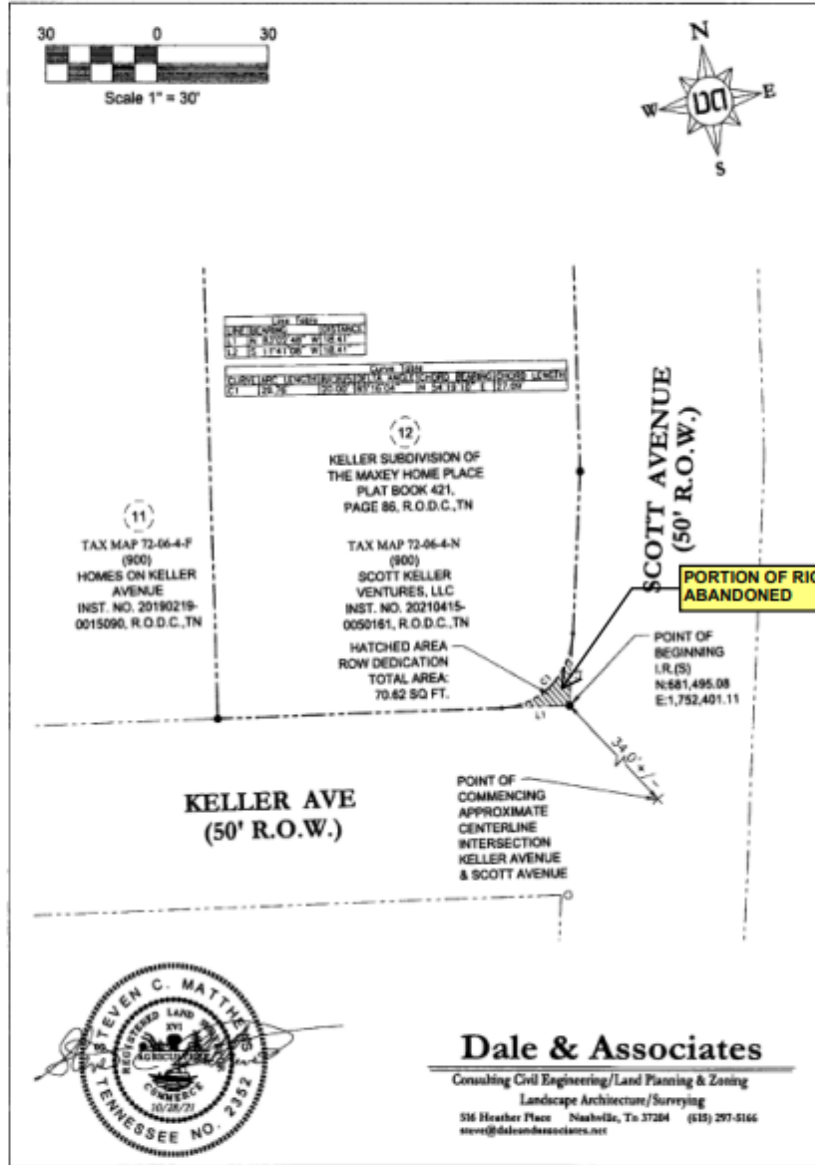
Street / Alley Closure \$300.00

Amount paid: \$ WAIVED PER LEGAL

Accepted by: _____ Date: _____

Proposal: 2023M-012AB-001
 Map 72-6-4-N
 Council District 7

Page 3 of 3



**AGREEMENT FOR DEDICATION OF
PUBLIC RIGHT-OF-WAY**

Prepared By:
Metro Public Works and
Dale and Associates
516 Heather Place
Nashville TN, 37204

For and in consideration for the mutual benefits that will accrue by reason of the proposed improvements, the undersigned do hereby grant, dedicate, bargain, sell, transfer and convey unto The Metropolitan Government of Nashville and Davidson County, its successors and assigns forever, the public right-of-ways described as follows:

Owner Name and Address: O.I.C. SCOTT AVENUE RESIDENCES
PO Box 235
Whites Creek, TN 37189

Karen Johnson Davidson County
Batch# 871253 ROW
06/14/2022 10:27:44 AM 3 pgs
Fees: \$17.00 Taxes: \$0.00

Recorded Document of Ownership: MA: 20210415-0050161, RODC, TN



20220614-0067443

Street or Alley Number of Dedication: Scott Avenue

Map No. 72-06-4-N: Parcel No.: 900

Legal Description (a survey by a Tennessee Registered Land Surveyor is attached):

ROW Dedication

Being a portion of land situated in the 7th Council District of Davidson County, Tennessee, being lot 12 on the plan of the Keller Subdivision of the Maxey Home Place, of record in Plat Book 421, Page 86, in the Register's Office for Davidson County, Tennessee, (R.O.D.C., TN), and is more particularly described as follows:

Commencing at the approximate intersection of Keller Avenue and Scott Avenue, in a northwesterly direction 34.0+/- feet to a 5/8" iron rod set, by Dale and Associates having a pink cap, at the northwest intersection of the margin of Keller Avenue and Scott Avenue, at approximate Tennessee state plane coordinate location of, N:681,495.08, E:1,752,401.11, at the southeasterly most corner of the subject property and being the point of beginning of herein described right of way dedication;

thence with existing margin of Keller Avenue, North 83°02'48" West, a distance of 18.41 feet to a point at the new margin at the westerly most radius return;

thence with the new margin, with a curve turning to the left with an arc length of 29.76 feet, with a radius of 20.00 feet, with a chord bearing of North 54°19'10" East, with a chord length of 27.09 feet to a point at the new northerly most radius return on Scott Avenue;

thence with said margin, South 11°41'08" West, a distance of 18.41 feet to the point of beginning of herein described land, having an area of 70.62 square feet or 0.00 acres more or less;

This description was taken from a Boundary & Topographic survey, by Dale and Associates under project number 20076, dated August 20, 2020, and the legal description was written by Steven C. Matthews, Tennessee Registered Land Surveyor Number 2352, on October 28, 2021;

Being the same property conveyed to Scott Avenue Residences, by Declaration of Covenants, Conditions and Restriction, dated March 21, 2021, from Scott & Keller, LLC, as recorded in Instrument Number 20210415-0050161, R.O.D.C., TN;

See Exhibit "A" for graphic depiction.

All of which is more particularly shown by words, figures, signs and symbols on the attached map, which is made a part hereof.

This conveyance includes the right of The Metropolitan Government of Nashville and Davidson County, its servants and agents to construct, operate, maintain, repair, replace and inspect the public roadway, sidewalks, and all appurtenances, within the limits of the aforescribed right-of-way

to have and to hold said right-of-way to The Metropolitan Government of Nashville and Davidson County, its successors and assigns forever.

I/We do hereby covenant with said The Metropolitan Government of Nashville and Davidson County that I am/we are lawfully seized and possessed of said land in fee simple and have a good right to make this conveyance.

I/We do further covenant with said The Metropolitan Government of Nashville and Davidson County that said portion or parcel of land as aforesaid is to remain the property of the undersigned and may be used for any lawful purpose desired after the construction of all of the aforesaid improvements provided, in the opinion of the Metropolitan Government of Nashville and Davidson County, said use or uses do not destroy, weaken or damage the right-of-way improvements or interfere with the operation or maintenance thereof.

Any encroachment into the public right-of-way at, above, or below grade requires an Encroachment Permit from the Department of Public Works.

The Metropolitan Government hereby covenants that, upon completion of any construction it will restore the hereinabove described property to its original condition, or as near thereto as is reasonably possible. I/We do not waive any claim for damage in any manner for the negligence of any agent, representative or contractor for the Metropolitan Government of Nashville and Davidson County during the construction of any of the aforesaid improvements.

I/We do further covenant and bind myself/ourselves, my/our heirs and representatives to warrant and forever defend the right of the grantee to the foregoing right-of-way against the claim of all persons whomsoever.

Owner's Certificate

I (we) hereby certify that I am (we are) the owner(s) of the property shown hereon as evidenced in Instrument No. 20210415 0050161, Register's Office of Davidson County, Tennessee, and adopt the plan of subdivision of the property as shown hereon and dedicate all public ways and easements as noted. No lot or lots as shown hereon shall again be subdivided, resubdivided, altered or changed so as to produce less area than hereby established until otherwise approved by the Metropolitan Planning Commission and under no condition shall such lot or lots be made to produce less area than prescribed by the restrictive covenants as of record in Instrument No. 20210415 0050161, R.O.D.C., Tennessee, running with the title to the property.

Name: *M. G. G. G.* Date: 11/2/21

PUBLIC WORKS APPROVAL

APPROVAL BY THE DEPARTMENT OF PUBLIC WORKS OF NASHVILLE AND DAVIDSON, COUNTY, TENNESSEE.

BY: *JONATHAN HONEYCUTT*

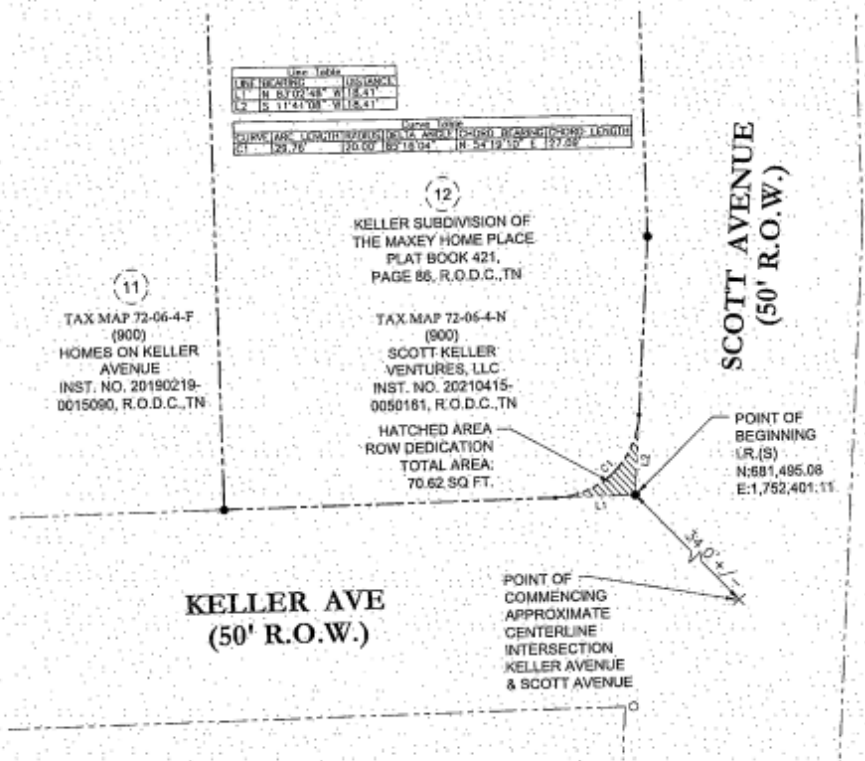
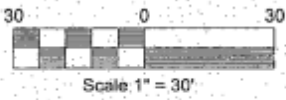
DATE: 4 November 2021

COMMISSION APPROVAL

APPROVAL BY THE METROPOLITAN PLANNING COMMISSION OF NASHVILLE AND DAVIDSON, COUNTY, TENNESSEE.

BY: *Richard S. S.*

DATE: 6/10/2022



Dale & Associates
 Consulting Civil Engineering/Land Planning & Zoning
 Landscape Architecture/Surveying
 516 Heather Place Nashville, TN 37204 (615) 297-5366
 steve@dalaandassociates.net

<p>EXHIBIT "A"</p> <p>RIGHT OF WAY DEDICATION</p> <p>2925 B SCOTT AVENUE</p>	<p>THIS SURVEY IS NOT A GENERAL PROPERTY SURVEY AS DEFINED UNDER RULE 0620.03-7 AND WAS DONE UNDER THE AUTHORITY OF TCA 62-16-126.</p> <p>NO CORNERS WERE SET OR RESET AT THE TIME OF THIS INSPECTION.</p>	<p>SHOWN BOUNDARY INFORMATION WAS TAKEN FROM A AUGUST 20, 2020 "BOUNDARY AND TOPOGRAPHIC SURVEY, DALE & ASSOCIATES UNDER PROJECT NUMBER 20076.</p>
<p>MAP SHOWING</p> <p>DEDICATION OF RIGHT OF WAY</p> <p>TO THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY, TENNESSEE</p> <p>FROM</p> <p>O.I.C. SCOTT AVENUE RESIDENCES</p>		
<p>Owner: O.I.C. SCOTT AVENUE RESIDENCES</p>		<p>Instrument No: 20210415-0050161 R.O.D.C., TN.</p>
<p>Parcel No: 900 on Tax Map: 72-06-4-N</p>	<p>Scale: 1"=30'</p>	<p>Date: 10/26/2021 By: Dale & Associates, Project #: 20076</p>