

RELEASE

This Release (“Agreement”) is entered into by and between the Metropolitan Government of Nashville and Davidson County (“Metropolitan Government”) and Jerry A. Gingerich and Judith Ellen Gingerich, owners of property located at 2124 Oakwood Avenue, Nashville, TN, 37207.

I. RECITALS

WHEREAS, Jerry A. Gingerich and Judith Ellen Gingerich (Revocable Trust Agreement of Jerry A. Gingerich and Judith Ellen Gingerich, Inst. 20230410-0025459, Davidson County Register of Deeds, RODC) are the owners of real property encumbered by a water pumping station building in a utility easement on this property as shown on Lot 287 of the plat of Shepardwood Section 3, Book 4660, Page 186, RODC; and,

WHEREAS, the water pumping station has been removed and the building is no longer being used by the Department of Water and Sewerage Services (MWS); and,

WHEREAS, Mr. & Mrs. Gingerich have requested permission to retain the pumping station building for storage use.

NOW, THEREFORE, in consideration of the foregoing and the mutual promises, undertakings, obligations, and commitments hereinafter set forth, and intending to be legally bound, the Parties do hereby covenant and agree as follows:

II. TERMS AND CONDITIONS

1. Metropolitan Government’s Agreement. The Metropolitan Government agrees to abandon the pumping station building. However, MWS retains all easement rights shown on the plat above for the sanitary sewer main that traverses the west side of property.

2. Jerry A. Gingerich and Judith Ellen Gingerich Agreement. Jerry A. Gingerich and Judith Ellen Gingerich hereby agree to take ownership of the pumping station building described herein, and hereby assume any and all risks of injury, death, or property damage arising out of or in any way connected with the pumping station building. Further, we agree to mow the grass and maintain the area around the building. On behalf of ourselves, our heirs, next of kin, family, relatives, guardians, conservators, executors, administrators, trustees and assigns, to the fullest extent provided by law, we hereby waive, release, and forever discharge in advance, and agree not to bring suit against, indemnify, and hold harmless, the Metropolitan Government of Nashville and Davidson County (“Metropolitan Government”), its officers, employees, and volunteers from and against any and all liabilities, claims, demands, and causes of action of any kind on account of any loss, damage, illness or injury to ourselves or our property, in any way arising out of or relating to the pumping station building whether due to negligence, mistake, or other action, inaction, or omission, or other legal fault of the Metropolitan Government, or its officers, employees, or volunteers, or the care, maintenance, or intended use of the pumping station building.

3. Effective Date. This Agreement shall become effective upon the Metropolitan's Council adoption of the abandonment of the pumping station building.

[signature page to follow]

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date indicated.

JERRY A. GINGERICH

Jerry A. Gingerich
Signature

Dated: 8-22-2023

Jerry A. Gingerich
Printed Name

JUDITH ELLEN GINGERICH

Judith Ellen Gingerich
Signature

Dated: 8-22-2023

Judith Ellen Gingerich
Printed Name

SCOTT POTTER

DocuSigned by:

Scott Potter
Signature

904E7D0AF02B458...

Scott Potter

Printed Name

Dated: 9/6/2023



October 19, 2023

To: Mike Atchison Metro Water Services

**Re: 2124 OAKWOOD AVENUE, ABANDON WPS BUILDING
Planning Commission Mandatory Referral 2023M-160ES-001
Council District #05 Sean Parker, Council Member**

On behalf of the Metropolitan Planning Commission, the following item, referred to the Commission as required by the Metro Charter, has been recommended for *approval* to the Metropolitan Council:

A request for the abandonment of the brick building that formerly housed a water pumping station at this address. Said pumping station is no longer in service. The existing utility easement rights are retained, as shown on Lot 287 of the plat of Shepardwood Section 3, Deed Book 4660, Page 186, Davidson County Register of Deeds.

The relevant Metro agencies (Metro Parks, Metro Public Works, Metro Water Services, Metro Emergency Communications, the Nashville Electric Service, Metro Finance – Public Property and the Metro Historical Commission) have reviewed the proposal and concur in the recommendation for approval. This request must be approved by the Metro Council to become effective. A sketch showing the location of the request is attached to this letter.

Conditions that apply to this approval: none

This recommendation for approval is given as set forth in the Metropolitan Planning Commission Rules and Procedures. If you have any questions about this matter, please contact Christopher Paulsen at Christopher.paulsen@nashville.gov or 615-880-2452.

Sincerely,

A handwritten signature in blue ink that reads "Lisa Milligan".

Lisa Milligan
Assistant Director Land Development
Metro Planning Department
cc: *Metro Clerk*

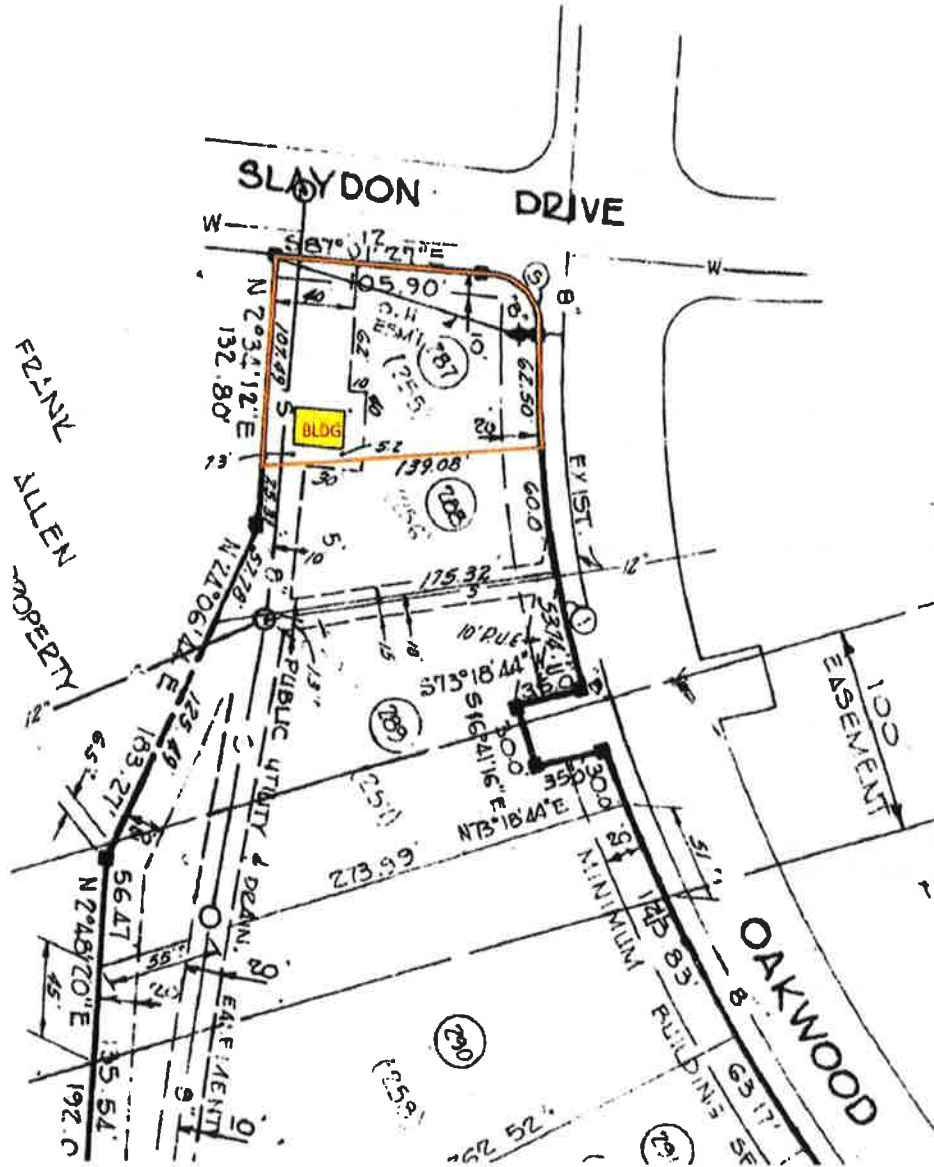
Re: 2124 OAKWOOD AVENUE, ABANDON WPS BUILDING
Planning Commission Mandatory Referral 2023M-160ES-001
Council District #05 Sean Parker, Council Member

A request for the abandonment of the brick building that formerly housed a water pumping station at this address. Said pumping station is no longer in service. The existing utility easement rights are retained, as shown on Lot 287 of the plat of Shepardwood Section 3, Deed Book 4660, Page 186, Davidson County Register of Deeds.

Abandon Water Pumping Station Building

8/18/23

2124 Oakwood Avenue
Parcel ID: 07104025500



Abandon Water Pumping Station Building

8/18/23

2124 Oakwood Avenue

Parcel ID: 07104025500

