Proposal No. 2022M-037EN-001

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September 20, 2022

Director of Engineering c/o Sara Cain Metro Nashville Public Works 750 South 5th Street Nashville, Tennessee 37206

Re: Riverside Retail

Nashville, Tennessee

Dear Mrs. Cain:

We are submitting to you, a request for an aerial encroachment for the above referenced project located at 2300 Riverside Avenue. Specifically, the request is for a canopy/awning that is attached to the building to encroach into the right of way above the public walk. The intent of the canopy is to provide a covered element/architectural feature for the building. Additional drawings, sections and elevations have been provided with this application for your reference. Should you need any additional information, please contact me at journingham@catalyst-dg.com or call 615.622.7214.

Best Regards,

Catalyst Cesign Group

Jared A. Cunningbam, PLA, ASLA

Principal, Senior Project Wanager, Landscape Architect

Enclosure(s)

Metro-Nashville Public Works

Improving the Quality of Life for Nashvillians and our Visitors



Encroachment Approval Process in Public Right-of-Way

The following information is for aerial, underground and building encroachments. Aerial encroachments require a resolution approved by the Metropolitan Council. Underground and building encroachments require approval by ordinance (three readings before the Metropolitan Council). Attached are the following items concerning the encroachment approval process for your use.

- 1. License Agreement for private encroachment
- 2. Sample insurance form
- 3. Petition to encroach upon a public right-of-way

Your firm should submit the following information:

- A. A letter of request to the Director of Engineering of Public Works.
- B. Engineering details: showing exact location of encroachment, design, measurements of sign, and anchoring details.
- C. Signed License Agreement.
- D. Insurance forms: minimum requirements, at least \$50,000 in case of injury to one person, \$100,000 in case of injuries to more than one person, and property damage insurance of at least \$5,000 each accident, \$10,000 aggregate.
- E. Processing fee of \$250.

Public Works will review and submit the application to the Metropolitan Planning Commission; this process normally takes 60 to 90 days. Upon approval by the Metropolitan Planning Commission and the Metropolitan Council an application must be made with Metropolitan Codes Administration, if applicable. A permit will be required to be taken out with Public Works by the contractor to perform the installation of the approved encroachment.

If you need further information please feel free to contact the Public Works' Right-of-Way Permits Office at 862-8782.

CERTIFICATE OF INSURANCE

This is to further certify to the Metropolitan Government of Nashville and Davidson County concerning the policies of insurance listed above and the coverage provided thereby that:

- 1. The Contractual Insurance coverage is on a Blanket Broad Form basis unless specifically indicated below,
- 2. The company or companies, upon request, agree to deliver within fifteen (15) days a certified copy of any and/or all of the policies of insurance to The Metropolitan Government of Nashville and Davidson County,
- 3. If one (1) or more Umbrella Excess policies are used, there is no gap between the limits of the primary policies and the deductible feature of the Umbrella Excess policies,
- 4. Coverage under the primary policies have no deductible features unless there is a check mark here (). If there are deductible features or the insured has adopted a funded self-insurance program, they are fully explained on an attached sheet which becomes a part of this Certificate, and
- 5. The coverage provided shall not be cancelled, reduced in coverage, or allowed to lapse <u>unless and until</u> The Metropolitan Government of Nashville and Davidson County receives at least thirty (30) days advance written notice of same. The written notice <u>must</u> be delivered to the Metropolitan Risk Manager at his office shown as the address of the Certificate Holder below or the secondary Certificate Holder, if one is so listed below.

Name and Address of Certificate Holder

The Metropolitan Government of Nashville and Davidson County Metro Legal & Claims C/O Insurance and Safety Division 222 3rd Avenue North, Ste #501 Nashville, TN 37201

Anderson Benson

(Agency or Company)

by George Anderson

(Authorized Representative)

(Attach Power of Attorney)

CERTIFICATE OF INSURANCE

FOR CONTRACTORS DOING BUSINESS WITH THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

(THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES LISTED BELOW)

Name and Ad	dress of Agency	Companies Affording Coverage									
		Company									
		Letter A									
		Company Letter B									
Name and Ad	dress of Insured										
		Company Letter C									
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		rance listed below have been and are in force at this time.									
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	() Premises Operation			Bodily Injury	\$	S \$					
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	OTHER										

LICENSE AGREEMENT FOR PRIVATE ENCROACHMENTS INTO THE PUBLIC RIGHT OF WAY

Inglewood Partners LLC I/We. _, in consideration of the Resolution No. _____, to construct, maintain, install and/or operate an encroachment into, onto, over, or under the public right of way located at in Nashville, Davidson County, Tennessee, do hereby, for myself, my agents, customers, and assigns, waive and release and hold harmless The Metropolitan Government of Nashville and Davidson County, its agents, employees, and assigns from any and all claims, rights, or demands for damages that may arise from my/our use, construction and/or maintenance of the encroachment, to wit: (SEE ATTACHED DESCRIPTION OF ENCROACHMENT). I/We hereby certify to the Metropolitan Government of Nashville and Davidson County that I/We have executed a bond or liability insurance policy in such amount as agreed upon by the Director of Public Works and the Metropolitan Attorney, and in the form approved by the Metropolitan Attorney (per Metropolitan Code Section 38-1-1), which operates to indemnify and save The Metropolitan Government of Nashville and Davidson County harmless from all claims or demands that may result to persons or property by reason of the construction, operations or maintenance of the encroachment. I/We further agree that my/our obligations hereunder may not be assigned except upon approval of the Director of Public Works and the Metropolitan Attorney. I/We further acknowledge that any action that results in a failure to maintain said bond or liability insurance for the protection of The Metropolitan Government of Nashville and Davidson County shall operate to the granting of a lien to The Metropolitan Government of Nashville and Davidson County in the amount of the last effective bond/insurance policy. Said insurance or bond may not be cancelable or expirable except on 30 days notice to the Director of Public Works.

I/We further recognize that the license granted hereby is revocable by The Metropolitan Government upon recommendation of the Director of Public Works and approval by resolution of the Metropolitan County Council if it is determined to be necessary to the public welfare and convenience. In the event the Metropolitan Government revokes this license as contemplated by this paragraph, licensee will not be entitled to any compensation of any kind. This license shall also be strictly subject to the right of way easement owned by The Metropolitan Government. I/We agree to maintain, construct and use the encroachment in such a way as will not interfere with the rights and duties of the Metropolitan Government

as owner of the right of way. Said interference shall be additional grounds for revocation of the license for encroachment. I/We agree to pay the cost of construction, maintenance, use, as well as relocations cost of said encroachment. Licensee's failure to complete construction of the contemplated encroachment within 36 months of the date of approval by the Metropolitan Council will cause this license to terminate automatically. In the event the encroachment contemplated by this license is substantially destroyed, this license shall terminate unless fully restored by licensee within 36 months from the date of such destruction. In the event this license is revoked or terminated for any reason, licensee shall restore all public property to the condition obtaining at the time the license became effective at licensee's sole cost and expense.

DATE: ___9/21/22

Inglewood Partners LLC

2300 Riverside Dr

(Address of Property)

Ego President

Nashville TN

(City and State)

STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

Sworn to and subscribed before

Me this 21st day of September, 2022

(NOTARY PUBLIC)

My Commission Expires: July 3, 202 3



PETITION TO ENCROACH UPON A PUBLIC RIGHT-OF-WAY

PETITION NO.							
We, the undersigned, do hereby petition the METROPOLITAN DEPARTMENT OF PUBLIC WORKS and the METROPOLITAN PLANNING COMMISSION to recommend to the METROPOLITAN COUNCIL and MAYOR that legislation be enacted to authorize the construction, installation and maintenance of an encroachment upon the public right-of-way as follows:							
For a canopy/awning.							
							
Addresses and Map and Parcel numbers of prencroachment:	operty or properties associated with the proposed						
ADDRESS	MAP AND PARCEL NUMBER						
2300 Riverside Drive	07207013200						
-							
Attach the following in support or explanation of this	s application:						
\underline{X} A check for the filing fee of \$250.00 made fee is non-refundable).	payable to the Metropolitan Government (application						
x_ A scaled drawing on 8 1/2 " x 14" paper of be required depending upon the nature of the request	the proposed encroachment. (Additional exhibits may).						
X A private encroachment license agreemen privilege is to be granted.	t signed by the person to whom the encroachment						
X A certificate of liability insurance in the ame	ount to be determined necessary by the Department of						

	79// / \ (/ / /
Signature:	Address: 150 Fourth Ava N, Suite 1100
Inglewo	Project La Nashville TN 37219
Council/District: _	7
	THIS PETITION: er or optionee of properties listed above, state relationship. All correspondence will b on.
Name:	Jared A. Cunningham
	Jaieu A. Cullilliuliani
Address:	5100 Tennessee Avenue
N 	
N 	5100 Tennessee Avenue Nashville, Tennessee 37209

NOTE: THIS APPLICATION WILL NOT BE ACCEPTED UNLESS COMPLETED IN FULL.

Metropolitan Government Department of Public Works 750 South 5th Street v Nashville, TN 37206 v (615) 862-8750 v www.nashville.gov/public-works

Mandatory Referral Application:

Encroachment: Sign / Awning / Fiber Optic Cable / Other

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

Encroachment Type:	Date Submitted: September 23, 2021
π Awning π Fiber Optic Cable (* ground) π Fiber Optic Cable (* ground) π Sign	Mandatory Referral Project No(MPW staff assigns project #)
π Other	
Notarized Signature of Property You must obtain the <i>notarized</i> signature of all pro to provide this information will deem your applicat Metropolitan Planning Commission. Copy form by	Owner(s): operty owners on whose property the sign or awning will occur. Failure tion incomplete and postpone your application's consideration by the below for additional signatures. n of this mandatory referral application to the Metropolitan Government
Date: Inglewood Partners LLC (Company Name)	(Signature of Proporty Owner) (Name of Proporty Owner) (Title of Proporty Owner) 230D Squerridg Drive Nashvelle, TN
STATE OF TENNESSEE COUNTY OF DAVIDSON Sworn to and subscribed before Me this	(Address of Proparty (including city & state))
Applicant: All correspondence will be malled to the appl π Architect π Engineer π Property Owner	lcant. π Other:
Name: Jared A. Cunningham	-
Business: Catalyst Design Group	\-Filing Fee (All application fees are non-refundable)
Address: 5100 Tennessee Avenue	Encroachment: Sign / Awning / Fiber Optic Cable \$250.00
City: Nashville State: TN Zip: 37209	Other Amount pald: \$
Phone: 615.622.7200	Accepted by: Date:
business home business mobile	
E-mail: jcunningham@catalyst-dg.com	
Applicant's Signature:	

Mandatory Referral 4 Checklist

ρ Mandatory Referral Application

If any electrical vaults are located below proposed sign, awning or fiber optic cable, special design standards may be required. Contact NES 615-747-3964 for more information on electrical vault locations.

DO NOT INSTALL anything that would encroach over Metro right-of-way until your application is approved by Metro Council. If you do, you could have to wait six months before your application is considered by Metro Council. For more information, see Council Bill BL2000-444 available at: https://www.nashviile.gov/mc/ordinances/term 1999 2003/bl2000 444.htm or call the Metro Clerk for a copy of the bill at 862-6770.

ρ Filing Fee \$250 (All application fees are non-refundable)

Cash or check. If check, make payable to "Metropolitan Government". Credit cards not accepted.

ρ Property Map

Show location of property and surrounding streets (use "Maps" on the MPC web to create property map)

ρ Notarized Signature of Property Owner(s)

You must obtain the *notarized* signature of all property owners whose property the sign or awning will occur. Fallure to provide this information will deem your application *incomplete* and postpone your application's consideration by the Metropolitan Planning Commission.

ρ License Agreement for Private Encroachment into Public Right-of-Way

Obtain copy from MPW web site, MPW Right-Of-Way Permits' Office at (615-862-8782).

ρ Franchise License

If fiber optic cable company, prior to submitting a fiber optic cable encroachment, you must contact the Metro Department of Law at 615-862-6341 for determination of whether franchise license is required.

ρ Certificate of Liability Insurance

Certificate must identify Metro Government of Nashville & Davidson County as Certificate Holder.

ρ Right-of-Way Notice

While not a requirement of your application, please be aware that no construction work may be undertaken in any street, road, alley or right-of-way or of any utility or temporary construction easement of the metropolitan government or other government entity by any department of the metropolitan government or any other entity unless adequate notice has been given to the abutting fee owner of a street, road, alley, or right-of-way or fee owner of the easement, and to the district member of council representing the area of such construction work. For more information, see Metro Code 13.20 available at:

https://library.municode.com/tn/metro_government_of_nashville_and_davidson_county/codes/code_of_ordinance_s?nodeId=CD_TIT13STSIPUPL_DIVIGERE_CH13.20EXOB_or_call the Metro Clerk for a copy of the bill at 862-6770, or call the Public Works Department Permits' Office at 615-862-8782.

P Drawings should identify the following:

Signs / Awnings

- Width and length of sign/awning
- Vertical height of awning
- Horizontal distance sign/awning projects over public right-of-way
- Vertical distance sign/awning will be installed above public right-of-way
- Horizontal distance between door awning and street curb (Note: Door awnings must be setback 18" from street curb)
- Location of every sign, window awning or door awning to be installed on building (photograph is helpful)
- Method of attachment / anchoring to building or sidewalk

Fiber Optic Cable

- · Map Identifying cable path
- · Cable length in feet or miles
- Thickness of cable
- Number of cables
- If a ground, what cable will be attached to and method of attachment
- If a ground, height of cable above public right-of-way
- If $\overline{}$ ground, average depth below public right-of-way (e.g. "36 42")
- If ▼ ground, size of trench / boring



CERTIFICATE OF LIABILITY INSURANCE

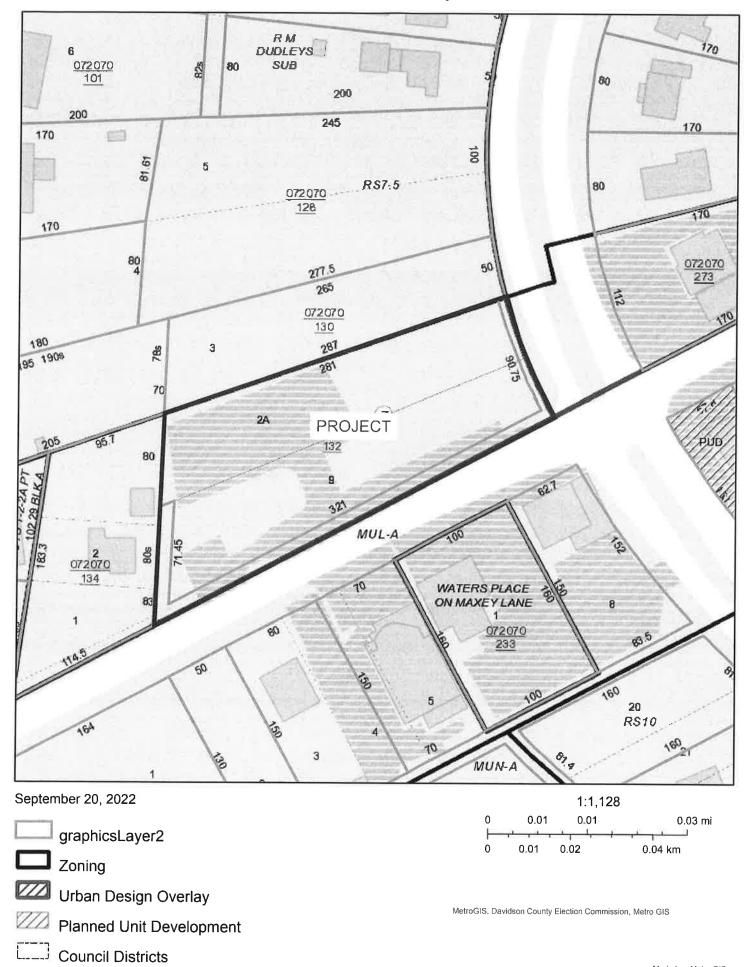
DATE (MM/DD/YYYY) 09/21/2022

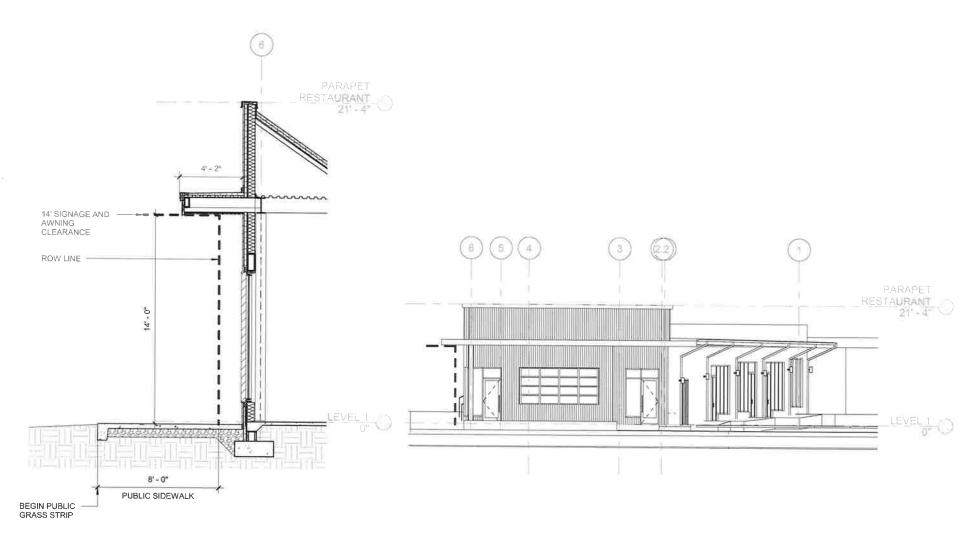
THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN 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).

Anderson Benson Insurance 3322 West End Avenue March Marc	th	this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).										
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3322 West End Avenue Mac	And	lerson Benson Insurance				PHONE (615) 630-7821 FAX No. (615) 630-7801						
Name	332	2 West End Avenue				F-MAIL B B B B B B B						
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Nashville / Davidson County Parcel Viewer







SECTION AT SOUTH FACADE

2 EAST ELEVATION

RIVERSIDE RETAIL SOUTH ROW EXHIBIT 99/21/2022

