

STORYVALE PARTICIPATION AGREEMENT

THIS AGREEMENT is entered into by and between Nolensville Owner, LLC, a subsidiary of Southern Land Company, hereinafter known as "**DEVELOPER**", and The Metropolitan Government of Nashville and Davidson County acting through the Metropolitan Department of Water and Sewerage Services, hereinafter known as "**METRO**".

WHEREAS, both the **DEVELOPER** and **METRO** desire to provide improved public sanitary sewer service for both its proposed development as well as the existing properties in this area; and

WHEREAS, the **DEVELOPER** has been approved to serve its development Storyvale; known as Project No. 23SL0178, and

WHEREAS, the provision of such sanitary sewer service will directly benefit both parties and the general community of Nashville and Davidson County, Tennessee; and

NOW, THEREFORE, THE DEVELOPER AND METRO AGREE AS FOLLOWS:

I. SCOPE OF WORK:

A project consisting of MWS recommendation for the **DEVELOPER** to design and install a new trunk sewer main, ranging from 12-inch to 24-inch within the Storyvale property and subsequent downstream parcels to be able to connect to the Mill Creek Trunk Sewer. The project will increase the service area by approximately one square mile and allow for potential customers in the Kidd Road drainage basin and will retire 4 pump stations and provide potential to retire 1 more pump station with future development. The retirement of the pump stations will help to aid in the goal of compliance for the consent decree and the Clean Water Act. The property this work will occur on is owned by the **DEVELOPER** located at 2213 McFarlin Road. All off-site easements have been acquired by the **DEVELOPER** to allow for the project to connect to the Mill Creek Trunk Sewer, located near the intersection of Kidd Road and Nolensville Road. The project will install 1,664 linear feet of 24-inch ductile iron (DIP) pipe sewer main, 5,192 linear feet of 20-inch ductile iron (DIP) pipe sewer main, 3,592 linear feet of 18-inch polyvinyl chloride (PVC) pipe sewer main, 3,056 linear feet of 18-inch ductile iron (DIP) pipe sewer main, 674 linear feet of 12-inch polyvinyl chloride (PVC) pipe sewer main, 958 linear feet of 12-inch ductile iron (DIP) pipe sewer main, 3,872 linear feet of 8-inch polyvinyl chloride (PVC) pipe sewer main, 230 linear feet of 8-inch ductile iron (DIP) pipe sewer main, 89 sanitary sewer manholes, and abandon 4 pump stations and 182 linear feet of 8-inch polyvinyl chloride (PVC) pipe sewer man and 2 manholes.

II. PAYMENT TERMS AND CONDITIONS:

- A. **DEVELOPER** will contract and oversee construction of this project, and the sanitary sewer main design shall meet all **METRO** specifications and requirements including telemetry and any required repeater sites.
- B. **METRO** will inspect the construction and will be responsible for ongoing operation and maintenance.
- C. **METRO's** level of participation is based on a determination by METRO utilizing a benefit/cost analysis to the project area's existing customer base and overall systemic operational needs. For this specific project, **METRO's** level of participation will be the lesser of 50% of the actual project costs not to exceed \$5,000,000.00 as a contribution towards these improvements. This amount is based on the secured competitive bid prices of four licensed contractors. The awarded bid amount and unit prices are within range of recently bid public projects of similar scope and size.
- D. This agreement is subject to the approval through Resolution (one reading) of The Metropolitan Council of Nashville and Davidson County and will be null and void if the improvements are not operational by July 1st, 2025.
- E. 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:

Scott Potter

Director Metropolitan Department of Water and Sewerage Services

APPROVED AS TO AVAILABILITY OF FUNDS:

DocuSigned by:

Kevin Crumbo/mjw

Director of Finance

APPROVED AS TO FORM AND LEGALITY:

DocuSigned by:

Tara Ladd

Metropolitan Attorney

THE METROPOLITAN GOVERNMENT OF
NASHVILLE AND DAVIDSON COUNTY:

Metropolitan Mayor

ACCEPTED BY:

Developer

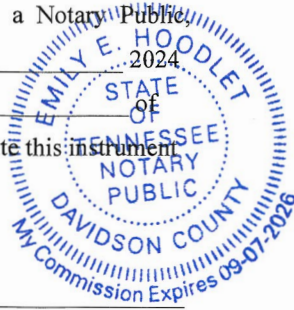
Sworn to and subscribed to before me, a Notary Public

9th day of April

by Brian Sewell

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

Notary Public



My Commission Expires: September 7, 2026

ATTEST:

Metropolitan Clerk

Date:



April 12, 2024

To: Peggy Deaner Metro Water Services

Re: **Storyvale Nolensville Participation Agreement
Planning Commission Mandatory Referral 2024M-018AG-001**

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 approving a participation agreement between The Metropolitan Government of Nashville and Davidson County acting through the Metropolitan Department of Water and Sewerage Services and Nolensville Owner, LLC, a subsidiary of Southern Land Company for MWS Project No. 23-SL-178 (Proposal No. 2024M-018AG-001).

The relevant Metro agencies (Metro Parks, Nashville Department of Transportation, 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 Delilah Rhodes at Delilah.Rhodes@nashville.gov or 615-862-7208

Sincerely,

A handwritten signature in blue ink, appearing to read "Lisa Milligan".

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

Abandon Pump Station - 4 Units
 Abandon 8" Sanitary Sewer Main (182 LF, PVC)
 Abandon Sewer Manhole - 2 Units
 Abandon Associated Easements

Storyvale Offsite Sanitary Sewer
 Project No.: 23SL0178
 Engineer: Kimley-Horn & Associates (Kirk Mills, PE)
 February 23, 2024
 Council District At Large
 ABANDON EASEMENTS

- Proposed Sanitary Sewer Manhole - 89 Units
- Proposed 24" Sanitary Sewer Main (1,664 L.F. DIP)
- Proposed 20" Sanitary Sewer Main (5,192 L.F. DIP)
- Proposed 18" Sanitary Sewer Main (3,056 L.F. DIP)
- Proposed 18" Sanitary Sewer Main (3,592 L.F. PVC)
- Proposed 12" Sanitary Sewer Main (958 L.F. DIP)
- Proposed 12" Sanitary Sewer Main (674 L.F. PVC)
- Proposed 8" Sanitary Sewer Main (230 L.F. DIP)
- Proposed 8" Sanitary Sewer Main (3,872 L.F. PVC)

Property Owner
Catalina Homeowners Association 033 10805 00017033
Fowler 033 10800 00017033
Storeplace Partners 033 10805 00017033
TBC Foundry 033 10801 00017033
Ringemann 033 10400 00017033
Norem 033 10105 00017033
Miller 033 10003 00017033
Chilvers 033 10104 00017033
Chilvers 033 10101 00017033
Muscan 033 10101 00017033
Campbell 056 05903 00017056
Hilburn 056 05904 00017056
Helton 056 05902 00017056
Dove 032 00806 00017032
Grimes 032 00810 00017032
Huggins 032 00800 0017032
McFarlin Woods HOA 057A 00100 0017057A
McFarlin Woods HOA 057B 00100 0017057A
Storyvale 057 00105 00017057
Storyvale 032 00600 00017032

