

ORDINANCE NO. \_\_\_\_\_

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing sanitary sewer main, sewer manhole and a portion of easement rights for property located at 405 South 4th Street, formerly Alley #305, also known as the Shelby House Apartments (MWS Project No. 21-SL-202 and Proposal No. 2021M-081ES-001).

WHEREAS, the abandonment of approximately 194 linear feet of existing eight inch sanitary sewer main and one sanitary sewer manhole, for property located at 405 South 4th Street, also known as the Shelby House Apartments, is needed to construct project number 21-SL-202; and,

WHEREAS, easement rights that were retained by Council Bill No. O90-1130, for any existing utilities located at 405 South 4th Street, formerly Alley #305; are no longer needed; and,

WHEREAS, the abandonment has been requested by Barge Cauthen and Associates on behalf of the owner; and,

WHEREAS, the Metropolitan Planning Commission approved mandatory referral No. 2021M-081ES-001 on October 8, 2021, for the abandonment of said sanitary sewer main, sanitary sewer manhole, and easement rights.

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

Section 1. The Metropolitan Government of Nashville and Davidson County is authorized to abandon approximately 194 linear feet of existing eight inch sanitary sewer main, one sanitary sewer manhole and easement rights that were retained by Council Bill No. O90-1130 for any existing utilities in former Alley #305, for property located at 405 South 4th Street, also known as the Shelby House Apartments, as shown below and on Exhibit 1, which is attached hereto and incorporated by reference:

Map & Parcel:

Address:

09303012600

405 South 4th Street

Section 2. The Directors of Water and Sewerage Services and Public Property Administration are authorized to execute such documents as may be necessary and appropriate to carry out the abandonment authorized by this ordinance.

Section 3. Amendments to this legislation shall be approved by resolution.

Section 4. 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:

INTRODUCED BY:

DocuSigned by:

*Scott Potter*

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Scott A. Potter, Director  
Water and Sewerage Services

*Brett G. Withers*

DocuSigned by:

*Trael Webb*

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Trael Webb, Director  
Public Property Administration

Council Member(s)

APPROVED AS TO THE  
AVAILABILITY OF FUNDS:

DocuSigned by:

*Kelly Flannery/mfw*

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Kelly Flannery, Director  
Department of Finance

APPROVED AS TO FORM  
AND LEGALITY:

DocuSigned by:

*Tara Ladd*

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Assistant Metropolitan Attorney



**METROPOLITAN GOVERNMENT  
OF NASHVILLE AND DAVIDSON COUNTY**

Planning Department  
Metro Office Building  
800 Second Avenue South  
Nashville, Tennessee 37201

October 8, 2021

To: Mike Atchison, Metro Water Services

**Re: Shelby House Apartments**  
**Planning Commission Mandatory Referral #2021M-081ES-001**  
Council District #06 – Brett Withers, 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 approximately 194 linear feet of 8-inch sewer main and one sanitary sewer manhole. Also, the easement rights of Alley #305, previously retained by Ordinance 090-1130 (see sketch for details), are also proposed to be abandoned (MWS. proj. no. 21-SL-202).*

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 Sharon O'Conner at [Sharon.oconner@nashville.gov](mailto:Sharon.oconner@nashville.gov) or 615-862-7208.

Sincerely,

A handwritten signature in cursive script that reads "Lucy Alden Kempf".

Lucy Kempf, Executive Director  
Metro Planning Department  
cc: *Metro Clerk, Elizabeth Waites*

**Re: Shelby House Apartments**  
**Planning Commission Mandatory Referral #2021M-081ES-001**  
Council District #06 – Brett Withers, Council Member

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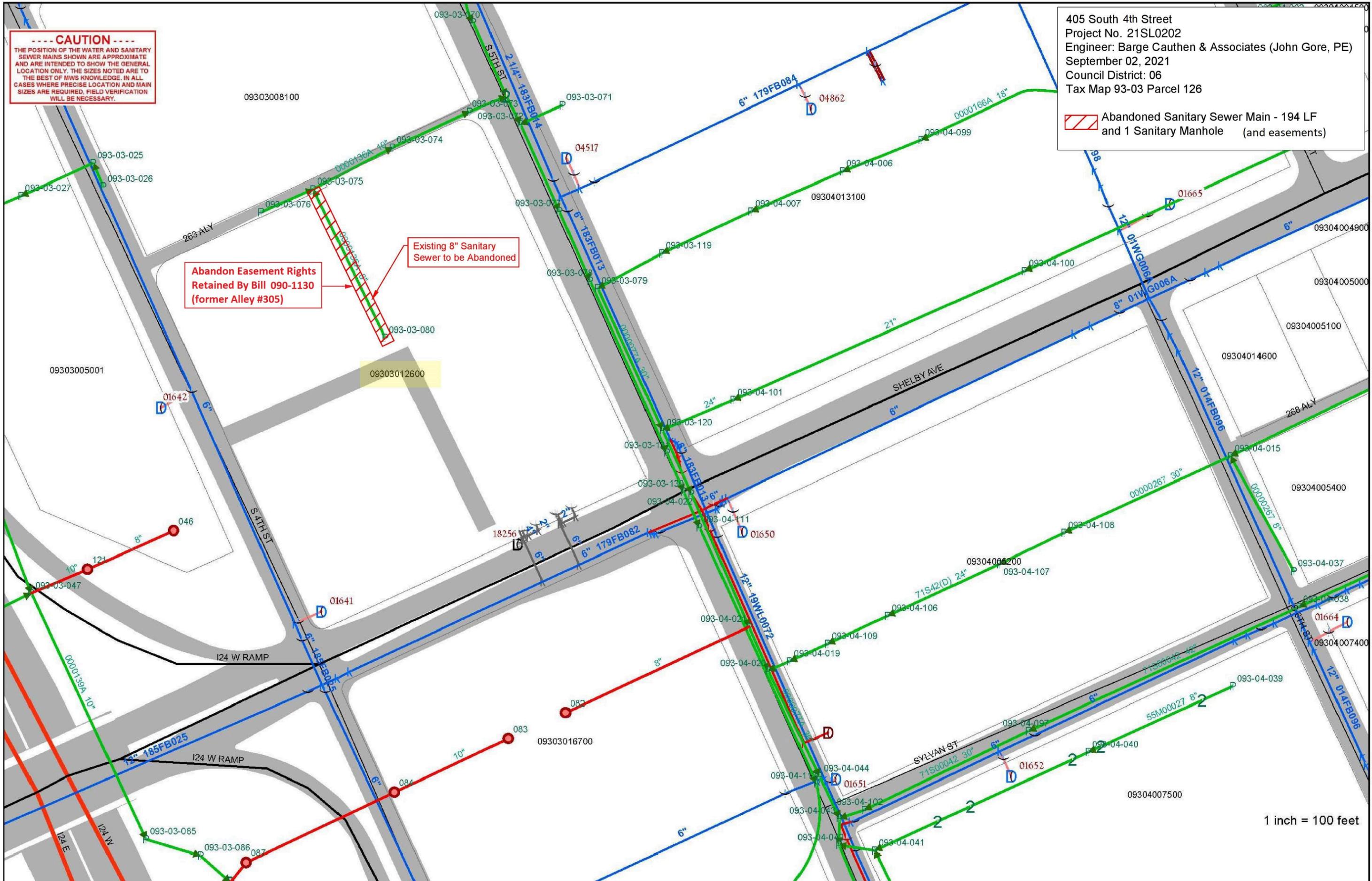
**CAUTION**  
THE POSITION OF THE WATER AND SANITARY SEWER MAINS SHOWN ARE APPROXIMATE AND ARE INTENDED TO SHOW THE GENERAL LOCATION ONLY. THE SIZES NOTED ARE TO THE BEST OF MWS KNOWLEDGE. IN ALL CASES WHERE PRECISE LOCATION AND MAIN SIZES ARE REQUIRED, FIELD VERIFICATION WILL BE NECESSARY.

405 South 4th Street  
Project No. 21SL0202  
Engineer: Barge Cauthen & Associates (John Gore, PE)  
September 02, 2021  
Council District: 06  
Tax Map 93-03 Parcel 126

 Abandoned Sanitary Sewer Main - 194 LF and 1 Sanitary Manhole (and easements)

Abandon Easement Rights Retained By Bill 090-1130 (former Alley #305)

Existing 8" Sanitary Sewer to be Abandoned



1 inch = 100 feet

# ORIGINAL

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***METROPOLITAN COUNTY COUNCIL***

**Bill No.** \_\_\_\_\_

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*Introduced* \_\_\_\_\_

*Passed First Reading* \_\_\_\_\_

*Amended* \_\_\_\_\_

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*Passed Second Reading* \_\_\_\_\_

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*Passed Third Reading* \_\_\_\_\_

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*Approved* \_\_\_\_\_

*By* \_\_\_\_\_  
*Metropolitan Mayor*

*Advertised* \_\_\_\_\_

*Effective Date* \_\_\_\_\_

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