

**PILLOW STREET WATER MAIN EXTENSION**  
**PARTICIPATION AGREEMENT**

THIS AGREEMENT is entered into by and between 1302 Pillow Street, LLC, hereinafter known as "PILLOW STREET", 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 PILLOW STREET and **METRO** desire to provide improved public water service for both its proposed development as well as the existing properties in this area; and

**WHEREAS**, PILLOW STREET has been approved to serve its development PILLOW STREET WATER MAIN EXTENSION; known as Project No. 20-WL-0142, and

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

NOW, THEREFORE, PILLOW STREET AND METRO AGREE AS FOLLOWS:

**I. SCOPE OF WORK:**

A project consisting of the construction of approximately 998 linear feet of 8-inch water main (DIP) and one (1) fire hydrant assembly to serve the proposed future development located at 1032A and 1032B Pillow Street and the remaining distance to Merritt Street.

**II. PAYMENT TERMS AND CONDITIONS:**

- A. PILLOW STREET will contract and oversee construction of this project, and PILLOW STREET 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 \$64,774.00 as a contribution towards these improvements. As a part of this project, PILLOW STREET agrees to improve the public water main the remaining distance to Merritt Avenue which has been determined to benefit the general community and the public water system. This portion will be inspected and fully reimbursed by Metro not to exceed \$239,850.00. This amount is based on the secured competitive bid prices of three 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 June 30, 2023.
- 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:

Kelly Flannery

Director of Finance

APPROVED AS TO FORM AND LEGALITY:

DocuSigned by:

Tara Ladd

Metropolitan Attorney

THE METROPOLITAN GOVERNMENT OF  
NASHVILLE AND DAVIDSON COUNTY:

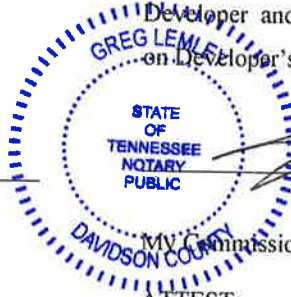
Metropolitan Mayor

ACCEPTED BY:

J. M. J. , agent on behalf of  
Developer 1302 Pillow St LLC

Sworn to and subscribed to before me, a Notary Public,  
20<sup>th</sup> day of May 2022  
by Jonathan Vick of

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



My Commission Expires:

My Commission Expires  
March 3, 2025

ATTEST:

Metropolitan Clerk

Date:



**METROPOLITAN GOVERNMENT  
OF NASHVILLE AND DAVIDSON COUNTY**

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

April 29, 2022

To: Peggy Deaner, Metro Water

**Re: PILLOW STREET WATER MAIN EXTENSION PARTICIPATION AGREEMENT  
Planning Commission Mandatory Referral #2022M-021AG-001  
Council District #17– Colby Sledge, 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 legislation approving a participation agreement between the Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Department of Water and Sewerage Services, and Jonathan Vick, to provide public water service improvements for Vick's proposed development, as well as other existing properties in the area (MWS Project No. 20-WL-142 and Proposal No. 2022M-021AG-001).*

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 Delilah Rhodes at [delilah.rhodes@nashville.gov](mailto:delilah.rhodes@nashville.gov) or 615-862-7208.

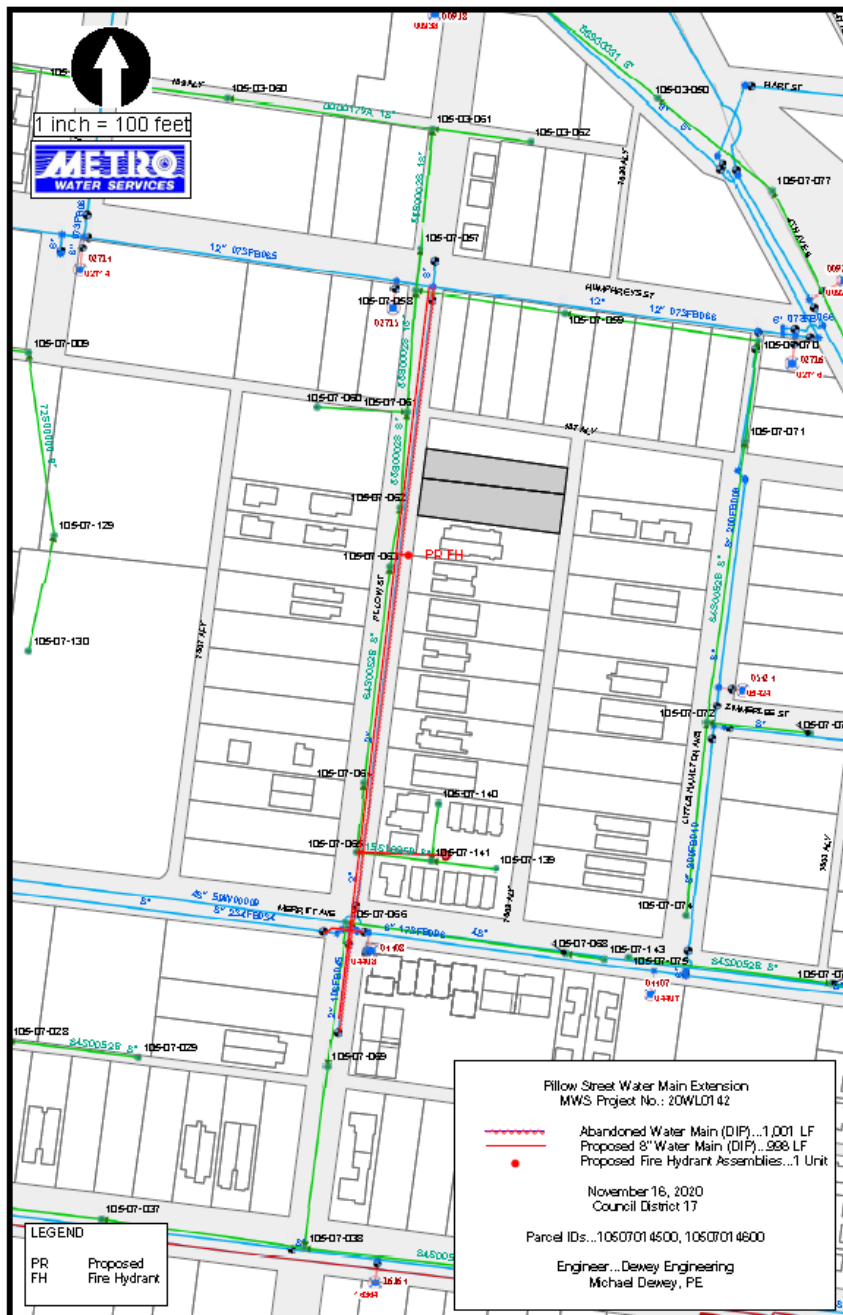
Sincerely,

A handwritten signature in black ink, appearing to read "Robert Leeman".

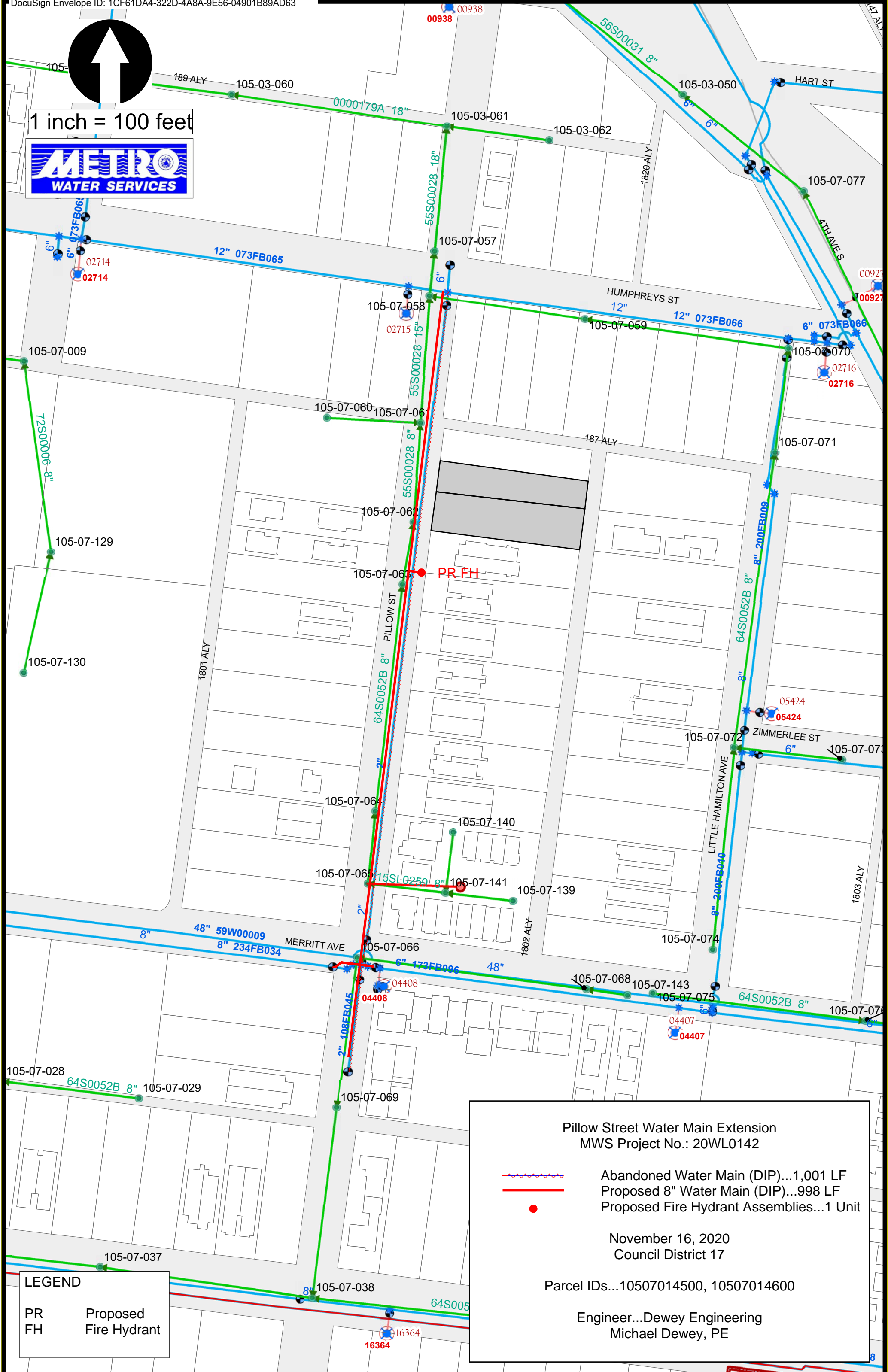
Robert Leeman  
Deputy Director  
Metro Planning Department  
cc: Metro Clerk

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PR	Proposed
FH	Fire Hydrant

Engineer...Dewey Engineering  
Michael Dewey, PE

ORIGINAL

METROPOLITAN COUNTY COUNCIL

Resolution No.

A resolution approving a participation agreement between the Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Department of Water and Sewerage Services, and 1302 Pillow Street, LLC, to provide public water service improvements for Pillow Street's proposed development, as well as other existing properties in the area (MWS Project No. 20-WL-0142 and Proposal No. 2022M-021AG-001).

Introduced

Amended

Adopted

Approved

By  
Metropolitan Mayor