

**THE NOVO ANTIOCH LIFT STATION AND FORCE MAIN OPERATION MAINTENANCE AGREEMENT**

THIS AGREEMENT (the "Agreement") is entered into by and between Novo Antioch Owner, LLC ("NOVO"), and The Metropolitan Government of Nashville and Davidson County acting through the Metropolitan Department of Water and Sewerage Services ("METRO").

**WHEREAS**, NOVO desires to provide a public pressure sewer extension through construction of a private sewage lift station and force main, with the portion of force main inside the public right-of-way becoming public upon completion and acceptance, for its development at 1421 Rural Hill Road, as shown in Exhibit 2, attached hereto; and,

**WHEREAS**, NOVO has been approved to serve its development using this sanitary sewage lift station and force main, known as Project No. 2022014926, and,

**WHEREAS**, the provision of such lift station will directly benefit NOVO; and,

**WHEREAS**, the operation and maintenance of the force main extraordinarily increases the cost to METRO for providing public sanitary sewer service to the development.

NOW, THEREFORE, NOVO AND METRO AGREE AS FOLLOWS:

**I. SCOPE OF WORK AND TERMS:**

A project consisting of the construction of approximately +/- 1,500 linear feet of 4-inch ductile iron pipe sanitary sewer force main and a lift station (the "Project"). The force main will be located within the public right-of-way of Mt. View Road. The force main will be owned and maintained by Metro upon completion of the Project and acceptance by Metro.

- A. NOVO will contract and oversee construction of the Project, and the lift station design shall meet all METRO specifications and requirements including telemetry and any required repeater sites. The Project shall be constructed and fully operational prior to the issuance of any certificate of occupancy for the Novo Antioch development.
- B. NOVO must submit complete design and construction plans for the Project for approval by METRO prior to commencement of construction.
- C. The Project will be built to METRO standards, and will be subject to inspection by METRO.
- D. NOVO will cause its design engineer to add an air release valve on the force main to delineate between the public and private portion.
- E. NOVO will be responsible for lining and coating the next three downstream manholes on the gravity sewer line on Highlander Drive.
- F. NOVO will provide MWS with a monthly operational report and maintenance schedule of the Project.
- G. NOVO agrees to provide all required easements for the benefit of METRO.
- H. This agreement is subject to the approval through Resolution (one reading) by The Metropolitan Council of Nashville and Davidson County.

**II. PAYMENT TERMS AND CONDITIONS:**

Prior to commencing any work on the Project, NOVO agrees to provide METRO with evidence of a line of credit in the amount of \$300,000 from a financial institution doing business within the state of Tennessee to cover the repair and maintenance costs of the force main in the public right-of-way for a period of 10 years.

**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/mjw*

*62377A2A8742469... Director of Finance*

**APPROVED AS TO FORM AND LEGALITY:**

DocuSigned by:

*Tara Ladd*

*E355FC378EF2427... Metropolitan Attorney*

**THE METROPOLITAN GOVERNMENT OF  
NASHVILLE AND DAVIDSON COUNTY:**

*Metropolitan Mayor*

**ACCEPTED BY:**

*James Shelton, Novo Antioch Owner, LLC*

Sworn to and subscribed to before me, a Notary Public,

29 day of November 2022

by principal of

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

*Notary Public*

My Commission Expires: June 14, 2026

ATTEST:

*Metropolitan Clerk*

Date: \_\_\_\_\_





**METROPOLITAN GOVERNMENT OF NASHVILLE  
AND DAVIDSON COUNTY**

Metro Office Building  
800 President Ronald Reagan Way  
P.O. Box 196300  
Nashville, TN 37219-6300

January 6, 2023

To: Peggy Deaner Metro Water Services

**Re: NOVO ANTIOCH MAINTENANCE AGREEMENT  
Planning Commission Mandatory Referral # 2022M-054AG-001  
Council District #28 Tanaka Vercher, 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 a resolution approving a maintenance agreement between The Metropolitan Government of Nashville and Davidson County acting by and through the Metropolitan Department of Water and Sewerage Services, and Novo Antioch Owner, LLC.*

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**

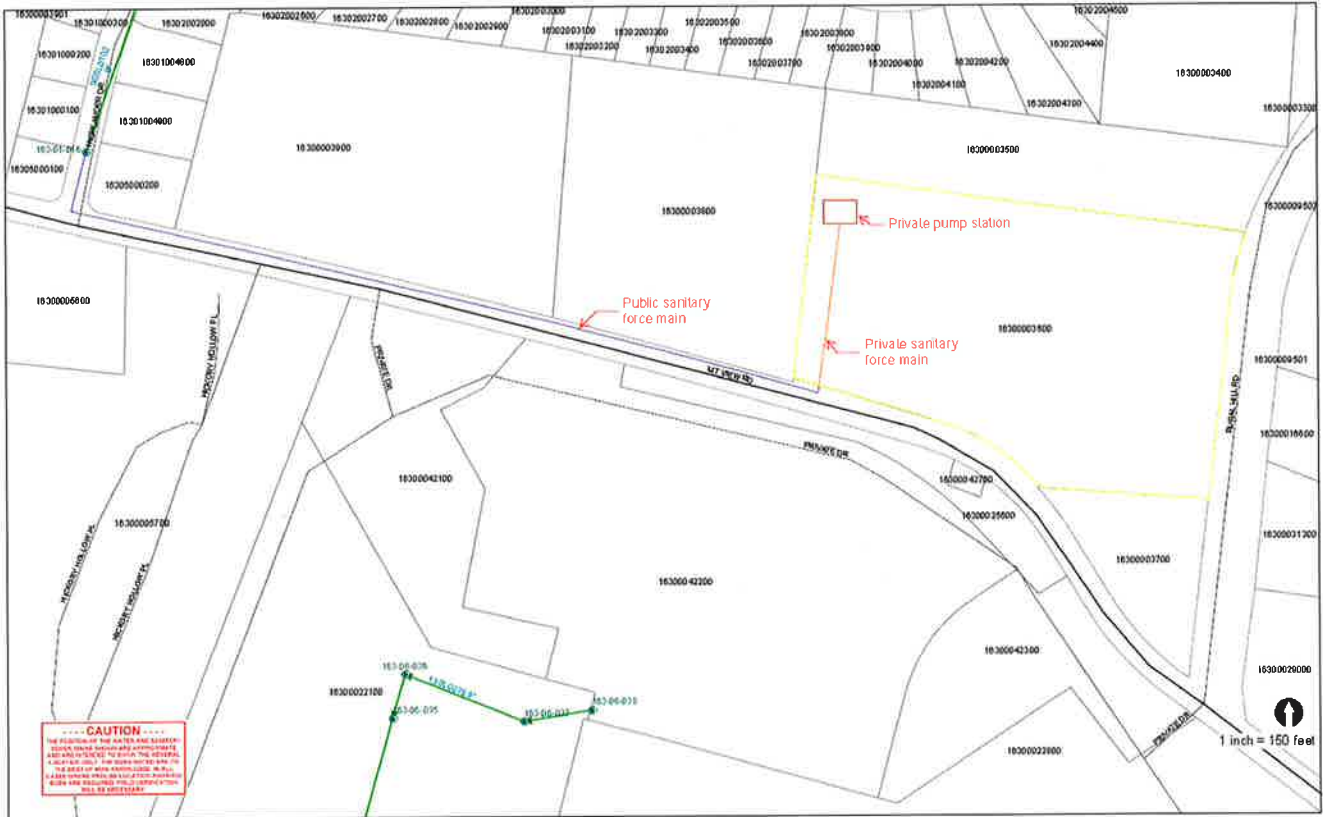
This recommendation for approval is given as set forth in the Metropolitan Planning Commission Rules and Procedures. If you have any questions about this matter, please contact Delilah Rhodes at [delilah.rhodes@nashville.gov](mailto:delilah.rhodes@nashville.gov) or 615-862-7208.

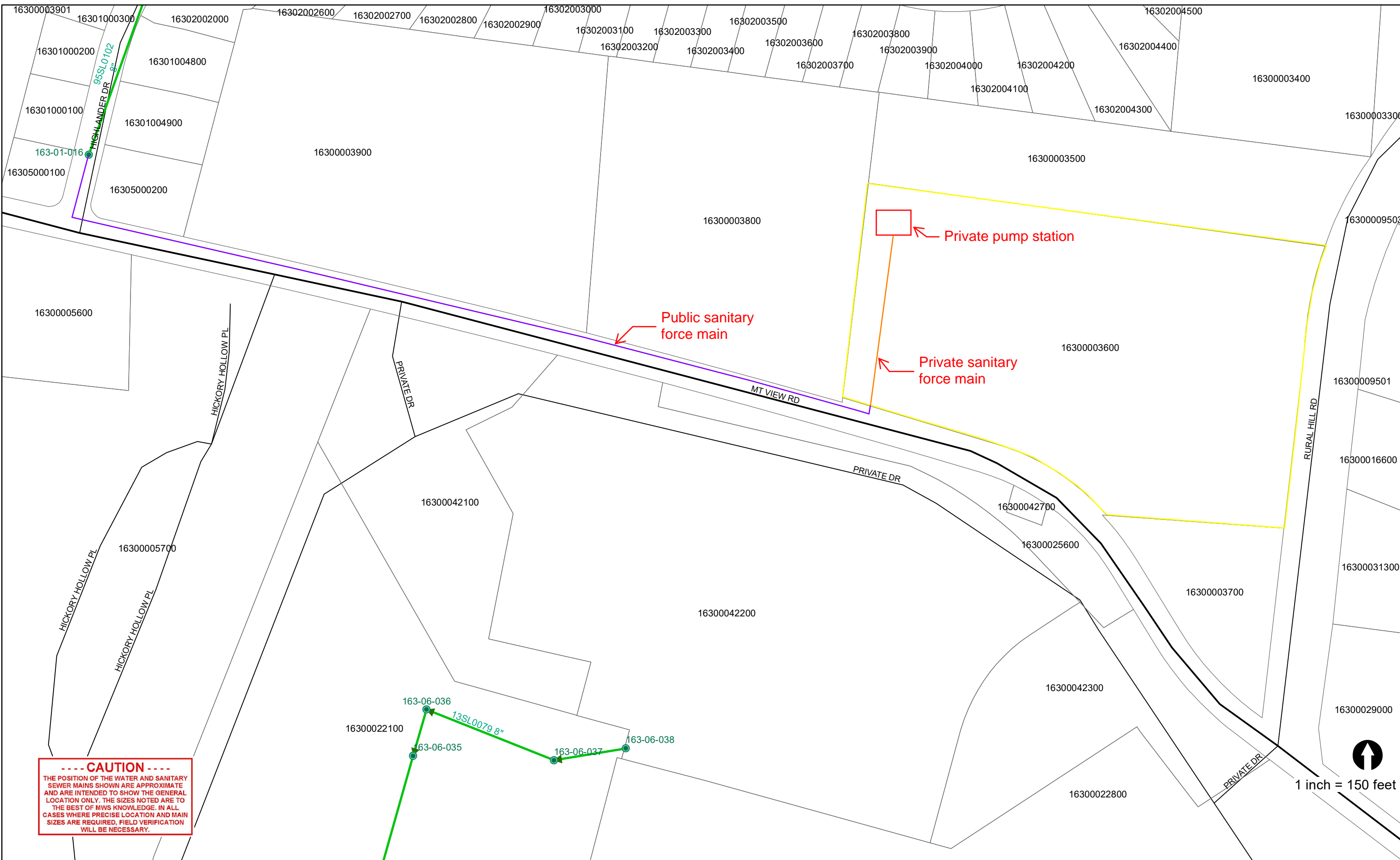
Sincerely,

Lisa Milligan  
Land Development Manager  
Metro Planning Department  
cc: *Metro Clerk*

**Re: NOVO ANTIOCH MAINTENANCE AGREEMENT**  
**Planning Commission Mandatory Referral # 2022M-054AG-001**  
**Council District #28 Tanaka Vercher, Council Member**

*A request for a resolution approving a maintenance agreement between The Metropolitan Government of Nashville and Davidson County acting by and through the Metropolitan Department of Water and Sewerage Services, and Novo Antioch Owner, LLC.*





**----- 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.

1 inch = 150 feet



16300003901 16301000300 16302002000 16302002600 16302002700 16302002800 16302002900 16302003000 16302003100 16302003300 16302003500 16302003800 16302004500 16301000200 16301004800 16301004900 16301000100 16301004900 16302003200 16302003400 16302003600 16302003900 16302004000 16302004200 16302004400 16305000100 16305000200 16300003900 16300003800 16300003800 16300003500 16300003300 16300005600 16300003800 16300003600 16300003600 16300009503 16300009501 16300016600 16300031300 16300005700 16300042100 16300042700 16300025600 1630003700 16300022100 16300042200 16300042300 16300029000 16300022800

HIGHLANDER DR 8" 95SL0102  
 HICKORY HOLLOW PL  
 PRIVATE DR  
 MT VIEW RD  
 PRIVATE DR  
 PRIVATE DR  
 RURAL HILL RD

163-01-016  
 163-06-036  
 163-06-035  
 163-06-037  
 163-06-038  
 13SL0079 8"

Public sanitary force main  
 Private sanitary force main  
 Private pump station