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 unless and until The Metropolitan Government of Nashville and Davidson County receives at least thirty (30) days advance written notice of same. The written notice must 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

Date Issued: _____

_____
(Agency or Company)

by_____
(Authorized Representative)
(Attach Power of Attorney)

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 02/14/2023

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).

PRODUCER	CONTACT NAME: Megan Champ	
Robins Insurance Agency, Inc 30 Burton Hills Blvd. Suite 300 Nashville TN 37215	PHONE (A/C, No, Ext): (615) 665-9200	FAX (A/C, No): (615) 665-9207
	E-MAIL ADDRESS: mchamp@robinsins.com	
	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A: Evanston Insurance Company	
	INSURER B: Nautilus Insurance Company	
	INSURER C: Evanston Insurance Company	
	INSURER D:	
	INSURER E:	
	INSURER F:	

INSURED
Cannery Owner LLC; Cannery Investment I LLC
209 10th Ave S Ste 134
Nashville TN 37203

COVERAGES **CERTIFICATE NUMBER:** CL2210626873 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	[X] COMMERCIAL GENERAL LIABILITY [ ] CLAIMS-MADE [X] OCCUR [X] Designated Premises Endorsement GEN'L AGGREGATE LIMIT APPLIES PER: [X] POLICY [ ] PRO-JECT [ ] LOC OTHER:			3AA477039	10/01/2022	10/01/2023	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG	$ 1,000,000 $ 100,000 $ 1,000 $ 1,000,000 $ 2,000,000 $ 2,000,000
	AUTOMOBILE LIABILITY [ ] ANY AUTO [ ] OWNED AUTOS ONLY [ ] SCHEDULED AUTOS [ ] HIRED AUTOS ONLY [ ] NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$ $ $ $
B	[ ] UMBRELLA LIAB [X] OCCUR [X] EXCESS LIAB [ ] CLAIMS-MADE [ ] DED [ ] RETENTION $			AN1269360	10/01/2022	10/01/2023	EACH OCCURRENCE AGGREGATE	$ 5,000,000 $ 5,000,000
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y/N [ ] N/A If yes, describe under DESCRIPTION OF OPERATIONS below						[ ] PER STATUTE [ ] OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	 $ $ $
C	Excess Liability- 2nd Layer			EZXS3092844	10/01/2022	10/01/2023	Occurrence Aggregate	$5,000,000 $5,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Re covered locations:
1 Cannery Row, Nashville, TN 37203
521 A 8th Avenue South, Nashville, TN 37203

Complete certificate holder:
The Metropolitan Government of Nashville and Davidson County Metro Legal and Claims c/o Insurance and Safety Division
222 3rd Avenue North Ste. #501 Nashville, TN 37201

CERTIFICATE HOLDER

The Metropolitan Government of Nashville and Davidson County (see description)
222 3rd Avenue North Ste. #501
Nashville TN 37201

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

© 1988-2015 ACORD CORPORATION. All rights reserved.

The ACORD name and logo are registered marks of ACORD

LICENSE AGREEMENT FOR PRIVATE ENCROACHMENTS
INTO THE PUBLIC RIGHT OF WAY

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: 2/6/2023

(Owner of Property)

1 Cannery Row, Nashville, TN 37203
521 A 8th Ave. S., Nashville, TN 37203
(Address of Property)

Nashville, TN
(City and State)

STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

Sworn to and subscribed before

Me this 6th day of February, 2023.

PEGGY D. HAYDEN
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY
My Commission Expires 11-6-23

(NOTARY PUBLIC)

My Commission Expires: 11/6/23.

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:

Portions of existing and replacement egress door outward swing, stairs, and ramps on 1 Cannery Lot

End of existing shared loading dock, portion of dock on 1 Cannery Lot and portion on 521 A 8th Ave Lot, all as more particularly described on the attached exhibits.

Addresses and Map and Parcel numbers of property or properties associated with the proposed encroachment:

ADDRESS	MAP AND PARCEL NUMBER
1 Cannery Row, Nashville, TN 37203	Parcel ID 09314000200
521 A 8th Ave S, Nashville, TN 37203	Parcel ID 09314000300

Attach the following in support or explanation of this application:

✓ A check for the filing fee of $250.00 made payable to the Metropolitan Government **(application fee is non-refundable).**

✓ A scaled drawing on 8 1/2 " x 14" paper of the proposed encroachment. (Additional exhibits may be required depending upon the nature of the request).

✓ A private encroachment license agreement signed by the person to whom the encroachment privilege is to be granted.

✓ A certificate of liability insurance in the amount to be determined necessary by the Department of Public Works.

Signature and mailing address of person or business to whom privilege of encroachment will be granted:

Signature: _____ Address: 1 Cannery Row
Nashville, TN 37203

Council District: 19th

PERSON FILING THIS PETITION:
If other than owner or optionee of properties listed above, state relationship. All correspondence will be mailed to this person.

Name: Jon Cooper c/o Waller Law
Address: 511 Union Street, Suite 2700

City, State, Zip: Nashville, TN 37219

Phone: Residence (615) 218-5123

Business (615) 850-8550

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

Metropolitan Government Department of Public Works

750 South 5th Street ∪ Nashville, TN 37206 ∪ (615) 862-8750 ∪ 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:

π Awning
π Fiber Optic Cable (▲ ground)
π Fiber Optic Cable (▼ ground)
π Sign
✓ Other Portions of Existing and Replacement Egress Door Outward Swing, Stairs, and Ramps and End of Existing Loading Dock

Date Submitted: _____

Mandatory Referral Project No. _____
(MPW staff assigns project #)

Map & Parcel(s): Parcel ID 09314000200 (1 Cannery) and Parcel ID 09314000300 (521 A 8th Ave S, for loading dock only)
Street Address(es): 1 Cannery Row and 521 A 8th Ave S, Nashville, TN 37203

Notarized Signature of Property Owner(s):

You must obtain the *notarized* signature of all property owners on whose property the sign or awning will occur. Failure to provide this information will deem your application ***incomplete*** and postpone your application's consideration by the Metropolitan Planning Commission. Copy form below for additional signatures.

As the owner(s) of property, I/we agree to the submission of this mandatory referral application to the Metropolitan Government Department of Public Works for a sign, awning or fiber optic cable encroachment.

Date: Cannery Owner, LLC
(Company Name)

(Signature of Property Owner)
Zach Liff
(Name of Property Owner)
Manager
(Title of Property Owner)

1 Cannery Row and 521 A 8th Ave South, Nashville, TN 37203
(Address of Property (including city & state))

PEGGY D. HAYDEN STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY My Commission Expires 11-6-23

STATE OF TENNESSEE
COUNTY OF DAVIDSON
Sworn to and subscribed before
Me this 6th day of Feb. 1923
Peggy D. Hayden
(Notary Public)
My Commission Expires: 11/6/23

Applicant: All correspondence will be mailed to the applicant.

π Architect π Engineer π Property Owner π Other: _____

Name: Jon Cooper
Business: Waller Law
Address: 511 Union Street, Suite 2700
City: Nashville State: TN Zip: 37219
Phone: 615-218-5123 ☐ business ☑ home 615-850-8550 ☑ business ☐ mobile
Fax: _____ ☐ business ☐ home _____ ☐ business ☐ mobile
E-mail: _____
Applicant's Signature: _____

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

Encroachment: Sign / Awning / Fiber Optic Cable $250.00
Other

Amount paid: $_____
Accepted by: _____ Date: _____

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.nashville.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. Failure 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_ordinances?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.

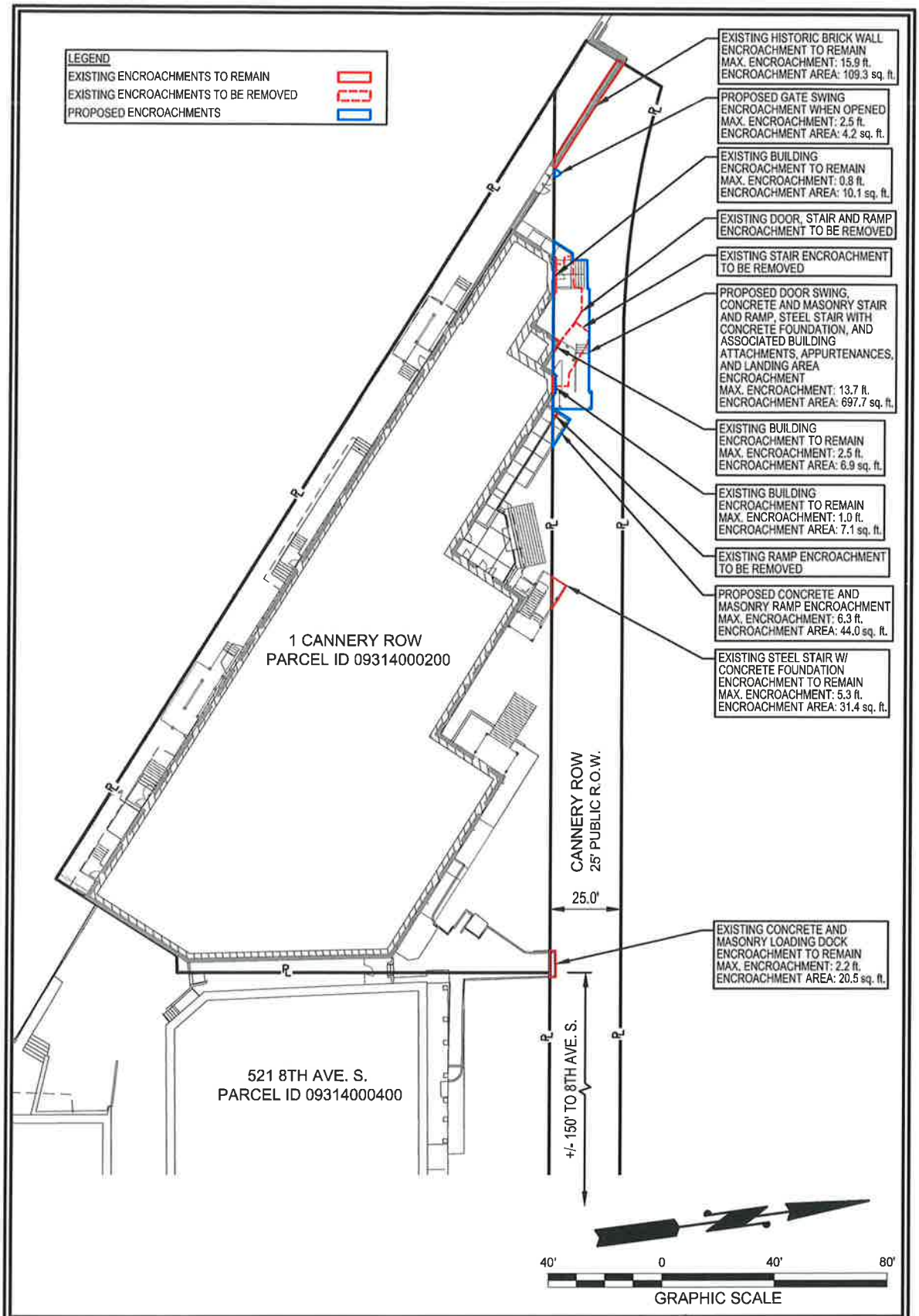
ρ **Drawings** should identify the following:

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 ▲ ground, what cable will be attached to and method of attachment
- If ▲ ground, height of cable above public right-of-way
- If ▼ ground, average depth below public right-of-way (e.g. "36 – 42")
- If ▼ ground, size of trench / boring

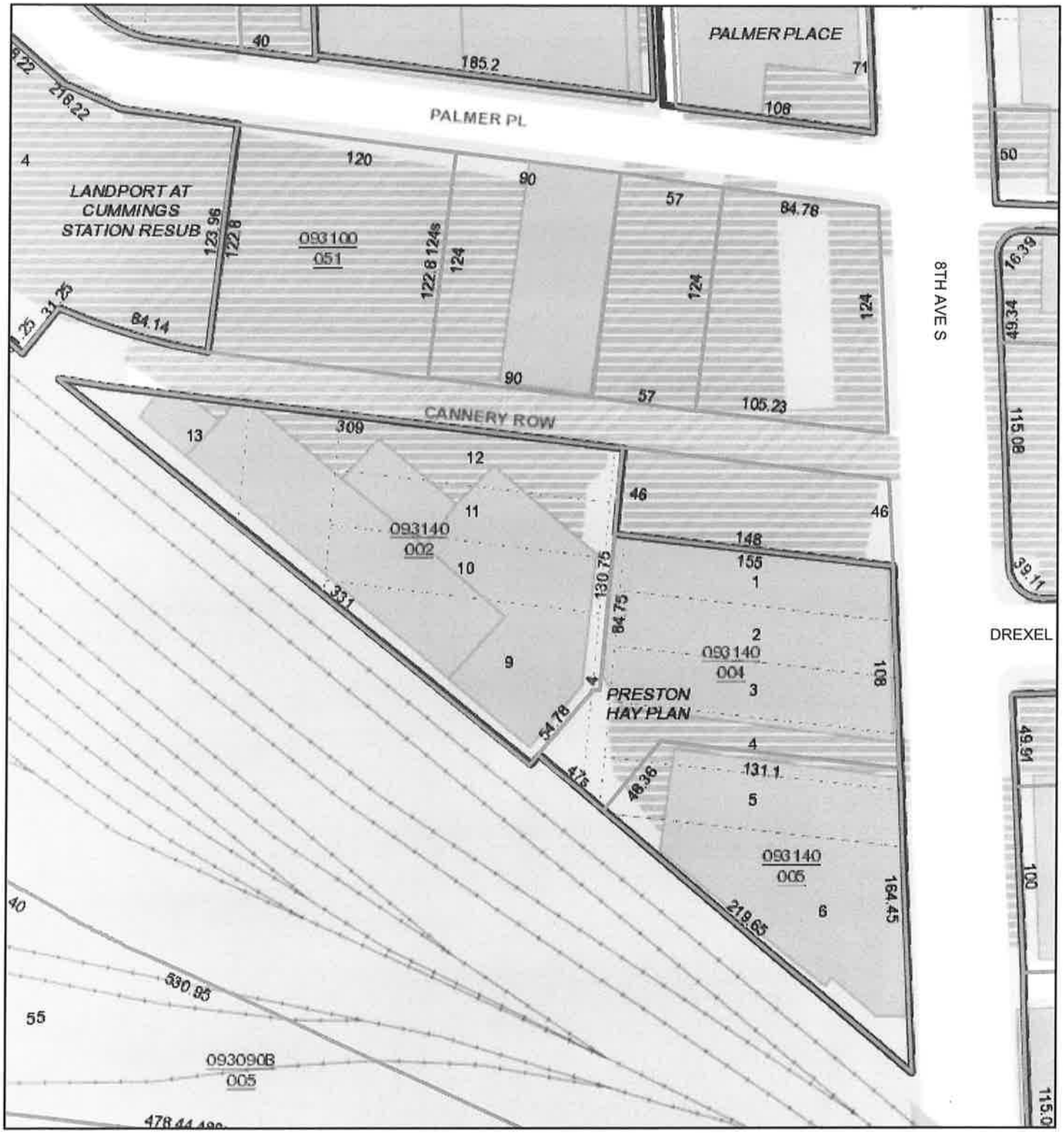


CANNERY ROW
PROPOSED PUBLIC ENCROACHMENT EXHIBIT

FOR: DZL MANAGEMENT COMPANY, LLC	DATE: 2/14/2023
PARCEL: 09314000200	ZONING: DTC
PROJECT #: 1080220050	SHEET 1 OF 1
ADDRESS: 1 CANNERY ROW - NASHVILLE,TN 37203	

OHM ®
OHM ADVISORS
209 10th AVENUE SOUTH
SUITE 154
NASHVILLE, TN 37203
615-649-5264

Nashville / Davidson County Parcel Viewer



February 17, 2023

1:1,128

graphicsLayer2

0 0.01 0.01 0.03 mi

0 0.01 0.02 0.04 km

NDOT, Metro GIS

Made by: Metro GIS