



March 5, 2024

To: Ronald Colter Metro Department of Finance

Re: **Whites Creek Acquisition**
Planning Commission Mandatory Referral 2024M-011AG-001
Council District #02 Kyonzte Toombs, 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:

An ordinance approving an option agreement between the Metropolitan Government of Nashville and Davidson County and Jason Oggs and James Brown, authorizing the purchase of certain properties owned by Jason Oggs and James Brown (Parcel Nos. 07004018900, 07004018800, 07004010400) (Proposal No.2024M-011AG-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 or 615-862-7208

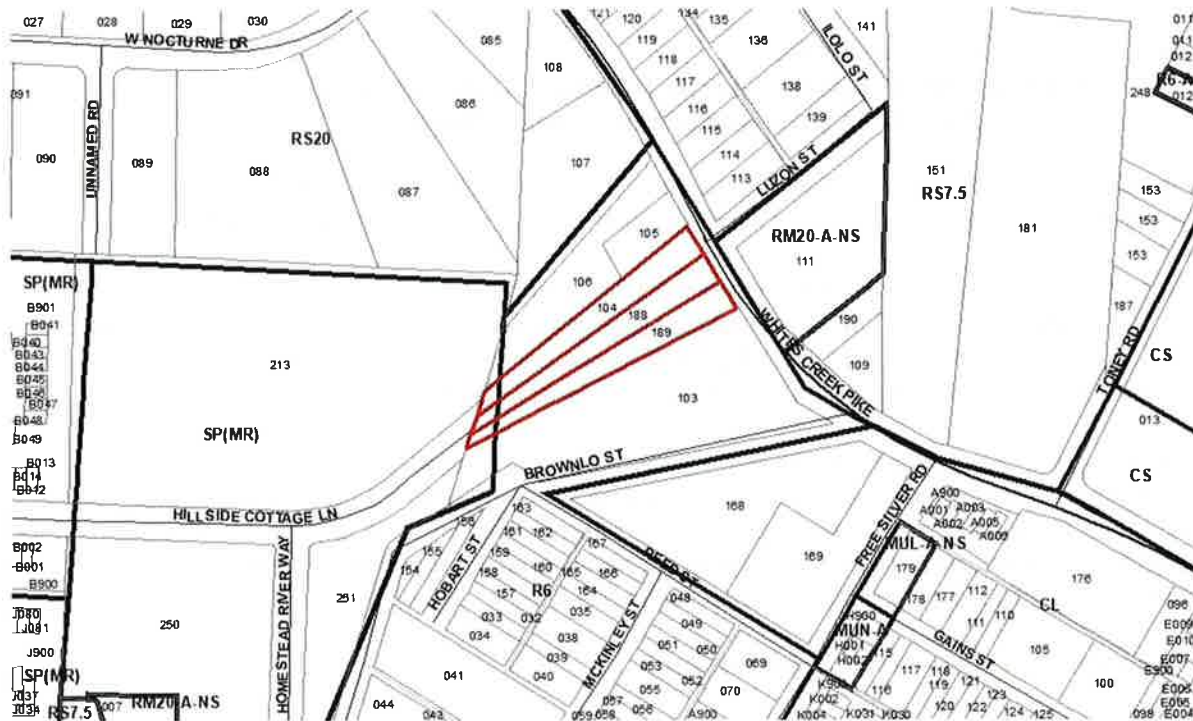
Sincerely,

A handwritten signature in blue ink, appearing to read "Lisa Milligan". The signature is fluid and cursive, with the first name "Lisa" and last name "Milligan" clearly distinguishable.

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

**Re: Whites Creek Acquisition
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Council District #02 Kyonzte Toombs, Council Member**

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FEE SIMPLE ACQUISITION OPTION

PROJECT: Acquisition for Metropolitan Nashville Department of Transportation

Property Location : 2312 Whites Creek Pike
Nashville, TN 37207
2314 Whites Creek Pike
Nashville, TN 37207
2316 Whites Creek Pike
Nashville, TN 37207

Map Number: 070-04-0
Parcel: 189.00
Map Number: 070-04-0
Parcel: 188.00
Map Number: 070-04-0
Parcel: 104.00

KNOW ALL MEN BY THESE PRESENTS that, for and in consideration of the mutual benefits that will accrue by reason of the hereinafter described acquisition, we/I hereby grant and give to the Metropolitan Government of Nashville and Davidson County, Tennessee (“Metropolitan Government”), its agents or assigns, the right and option to purchase at any time within 90 days from the date hereof or within a reasonable period of time thereafter necessary to obtain the required documents to conclude the closing, upon the terms set forth, the fee simple interest in the herein described property located in Metropolitan Nashville and Davidson County, Tennessee:

Being Parcels 189.00, 188.00, and 104.00 consisting of 1.33 acres

And Grantor(s) hereby agree(s) upon written notice of the desire of the Metropolitan Government to exercise said right or option, within the time set out above (the Notice), to convey to said Metropolitan Government, its agents or assigns, by good and sufficient warranty deed, the stated interest in the described tract of land. In the event the Metropolitan Government does not give notice of exercise of this option within the time set out above, this instrument is to become null and void. Closing shall take place not later than 30 days after delivery of the Notice.

It is agreed that consideration paid to Grantor(s) by the Metropolitan Government will be applied consistent with applicable lien-holder agreements, if applicable, unless waived by said lien holders. The Metropolitan Government will pay all normal closing costs, including title insurance.

It is agreed that when this option is executed, Grantor(s) shall vacate and give complete possession of above-described property by date of deed.


It is agreed should the Metropolitan Government exercise said right or option within the time set out above, that Grantor(s) will be paid the fair market value of Five Hundred Ninety Nine Thousand Dollars (\$599.000) upon execution of the aforesaid deed to the Metropolitan Government. Grantor(s) will pay taxes for the current year (pro-rated) and all back taxes, if any, assessed on above-described property.

It is agreed that within ten (10) days from this agreement, the Metropolitan Government will be granted access to the property for the purpose of performing a Site Survey, Phase I Environmental Site Assessment and any and all other inspections deemed necessary. It is agreed Seller does not waive any claim for damage in any manner for the negligence of any agent, representative or contractor for the Metropolitan Government during the times granted access to the property.


The purchase of this property is contingent upon the approval of the Metropolitan Council.

IN WITNESS WHEREOF, we/I hereunto set our/my hand(s), and obligate ourselves/myself and our/my heirs, executors and assigns to faithfully perform this agreement, in its entirety, on this, the 4 day of March, 2024.

Grantor(S) Signature Required:



Jason Oggs



James Brown

For the Metropolitan Government:



Abraham Wescott
Director, Public Property Administration

Certificate Of Completion

Envelope Id: DC50A7D4B67B48EEA4527A99BEF7B0DA

Status: Completed

Subject: Complete with DocuSign: Legislative Tracking Form - Whites Creek Option Agreement (N0596088xD71...

Source Envelope:

Document Pages: 7

Signatures: 4

Envelope Originator:

Certificate Pages: 15

Initials: 2

Ronald Colter

AutoNav: Enabled

730 2nd Ave. South 1st Floor

Nashville, TN 37219

Envelopeld Stamping: Enabled

Ronald.colter@nashville.gov

Time Zone: (UTC-06:00) Central Time (US & Canada)

IP Address: 170.190.198.185

Record Tracking

Status: Original

Holder: Ronald Colter

Location: DocuSign

3/13/2024 9:20:54 AM

Ronald.colter@nashville.gov

Security Appliance Status: Connected

Pool: StateLocal

Storage Appliance Status: Connected

Pool: Metropolitan Government of Nashville and Davidson County

Location: DocuSign


Signer Events

Abraham Wescott

Signature

Timestamp

abraham.wescott@nashville.gov



Sent: 3/13/2024 9:33:24 AM

Security Level: Email, Account Authentication (None)

Signed: 3/13/2024 9:39:55 AM

Signature Adoption: Pre-selected Style

Using IP Address: 170.190.198.185

Electronic Record and Signature Disclosure:

Accepted: 3/13/2024 9:39:16 AM


ID: 34146018-d4b0-4346-96ec-f74197130aff

Diana Alarcon

Signature

Sent: 3/13/2024 9:39:57 AM

diana.alarcon@nashville.gov



Viewed: 3/13/2024 1:57:13 PM

Security Level: Email, Account Authentication (None)

Signed: 3/14/2024 9:48:53 AM

Signature Adoption: Pre-selected Style

Using IP Address: 170.190.198.185

Electronic Record and Signature Disclosure:

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ID: 4f25ba4f-cc26-4592-b8c8-49ece5d6406c

Greg McClarin

Signature

Sent: 3/14/2024 3:28:08 PM

greg.mcclarin@nashville.gov



Viewed: 3/14/2024 3:36:20 PM

Security Level: Email, Account Authentication (None)

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Signature Adoption: Pre-selected Style

Using IP Address: 170.190.198.185

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
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Aaron Pratt

Signature

Sent: 3/14/2024 3:36:26 PM

aaron.pratt@nashville.gov



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Security Level: Email, Account Authentication (None)

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Signature Adoption: Pre-selected Style

Using IP Address: 170.190.198.185

Electronic Record and Signature Disclosure:

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Tessa V. Ortiz-Marsh tessa.ortiz-marsh@nashville.gov Security Level: Email, Account Authentication (None)	 Signature Adoption: Pre-selected Style Using IP Address: 170.190.198.144	Sent: 3/20/2024 10:46:22 AM Viewed: 3/20/2024 12:41:41 PM Signed: 3/21/2024 2:30:37 PM
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Intermediary Delivery Events	Status	Timestamp
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Notary Events	Signature	Timestamp
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Payment Events	Status	Timestamps
Electronic Record and Signature Disclosure		