



**METROPOLITAN GOVERNMENT
OF NASHVILLE AND DAVIDSON COUNTY**

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

October 20, 2021

To: Trael Webb, Metro Finance

Re: 1354 Brick Church Pike Acquisition
Planning Commission Mandatory Referral #2021M-020PR-001
Council District #02 – Kyonzté 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:

A request for a resolution authorizing the Director of Public Property Administration, or his designee, to exercise an option to purchase a certain parcel of property located at 1354 Brick Church Pike and 0 Brick Church Pike (Parcel Nos. 07106005300 and 07110001800) (Proposal No. 2021M-020PR-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 Sharon O’Conner at Sharon.oconner@nashville.gov or [615-862-7208](tel:615-862-7208).

Sincerely,

A handwritten signature in black ink that reads 'Bob Leeman'.

Bob Leeman, AICP
Deputy Director
Metro Planning Department
cc: Metro Clerk, Elizabeth Waites

Re: 1354 Brick Church Pike Acquisition
Planning Commission Mandatory Referral #2021M-020PR-001
Council District #02 – Kyonzté Toombs, Council Member

A request for a resolution authorizing the Director of Public Property Administration, or his designee, to exercise an option to purchase a certain parcel of property located at 1354 Brick Church Pike and 0 Brick Church Pike (Parcel Nos. 07106005300 and 07110001800) (Proposal No. 2021M-020PR-001).



Addendum to Fee Simple Acquisition Option

This Addendum to Fee Simple Acquisition Option ("Addendum") is entered into as of the 12th day of October, 2021, by and between **Al Menah Temple**, ("Seller"), and **the Metropolitan Government of Nashville and Davidson County** ("Purchaser").

The Purchaser and the Seller enter into this Addendum for the purpose of modifying and amending the Fee Simple Acquisition Option for the purchase and sale of Parcels 07106005300 and 07110001800 between Purchaser and Seller dated October 14, 2021 (the "Option").

The second paragraph of the Option is amended by deleting the phrase "good and sufficient warranty deed" and substituting with the phrase "special warranty deed".

The second paragraph of the Option is amended by adding the following new sentence at the end thereof:

"Notwithstanding the foregoing to the contrary, the Purchaser will provide the Notice to Seller within one business day of the date of approval of the purchase of the property by the Metropolitan Council and will close on the purchase within five business days of the date of the Notice. The closing date may be extended in the event of a title insurance delay beyond the control of Seller or Purchaser, but such delay shall not exceed thirty (30) days beyond the scheduled date of closing pursuant to this paragraph."

The third paragraph of the Option is amended by adding the following new sentence at the end thereof:

"At the Seller's election, title insurance may be provided through Seller's counsel's title insurance agency, and Seller and Purchaser agree to waive any conflict that may exist upon such election."

The seventh paragraph of this Option is amended by adding the following sentence at the end thereof:

"The Purchaser shall make every reasonable effort to file the resolution approving the purchase of the property and the corresponding general obligation bond resolution authorizing the funding for the purchase with the Metropolitan Council Office not later than noon on Friday, October 22, 2021, for consideration at the November 2, 2021, Council meeting."

All provisions of the Option not specifically amended herein shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Addendum, in duplicate, on the day and year first above written.

SELLER:

Al Menah Temple

AL MENAH TEMPLE

By: [Signature]

Date: 10-14-21

PURCHASER:

**METROPOLITAN GOVERNMENT OF
NASHVILLE AND DAVIDSON COUNTY**

Trael Webb

**Trael Webb, Director
Public Property Administration**

Date: 10/20/2021 | 4:48 PM CDT

FEE SIMPLE ACQUISITION OPTION

PROJECT: **Acquisition for Metropolitan Nashville's Youth Campus for Empowerment**

Property Location: **1354 & 0 Brick Church Pike
Nashville, TN 37207**

Map Number:
Parcels: **07106005300 and
07110001800**

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 **60** days from the date hereof or within a reasonable period of time thereafter necessary to obtain the required documents and approvals 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 **07106005300 and 07110001800 consisting of a combined 13.94 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 holders 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 within one (1) year or at a later date that is mutually agreeable.

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 **\$9 Million Dollars and 00/00 (\$9,000,000.00)** 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 (7) days from this agreement, the Metropolitan Government will be granted access to the property at all times 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 14 day of October, 2021.

Grantor(S) Signature Required:

Al Menash Temple

Seller

[Signature]

[Signature]

For the Metropolitan Government:

Trael Webb

**Trael Webb, Director
Public Property Administration**

Certificate Of Completion

Envelope Id: CD7797AB6FDC4F959D14F58C0DA63E38	Status: Completed
Subject: Please DocuSign: Legislative Tracking Form - Brick Church Pike Option (N0434873xD719A).pdf, 135...	
Source Envelope:	
Document Pages: 10	Signatures: 7
Certificate Pages: 15	Initials: 0
AutoNav: Enabled	Envelope Originator:
Envelope Stamping: Enabled	Flake Hudson
Time Zone: (UTC-06:00) Central Time (US & Canada)	730 2nd Ave. South 1st Floor
	Nashville, TN 37219
	Flake.Hudson@nashville.gov
	IP Address: 69.247.157.79

Record Tracking

Status: Original	Holder: Flake Hudson	Location: DocuSign
10/20/2021 4:09:03 PM	Flake.Hudson@nashville.gov	
Security Appliance Status: Connected	Pool: StateLocal	
Storage Appliance Status: Connected	Pool: Metropolitan Government of Nashville and Davidson County	Location: DocuSign

Signer Events

Signer Events	Signature	Timestamp
Trael Webb		Sent: 10/20/2021 4:47:13 PM
trael.webb@nashville.gov		Viewed: 10/20/2021 4:48:08 PM
Real Property Manager		Signed: 10/20/2021 4:48:41 PM
Metro Finance		
Security Level: Email, Account Authentication (None)	Signature Adoption: Pre-selected Style	
	Using IP Address: 170.190.198.185	

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

Ken Hartlage		Sent: 10/20/2021 4:48:47 PM
kenneth.hartlage@nashville.gov		Viewed: 10/20/2021 4:50:28 PM
Security Level: Email, Account Authentication (None)		Signed: 10/21/2021 8:57:41 AM
	Signature Adoption: Pre-selected Style	
	Using IP Address: 170.190.198.185	

Electronic Record and Signature Disclosure:

Accepted: 10/20/2021 4:50:28 PM
ID: 129b2e16-0386-4985-9204-92eb76a852c7

Tom Eddlemon		Sent: 10/21/2021 8:57:46 AM
tom.eddlemon@nashville.gov		Viewed: 10/21/2021 9:05:59 AM
Director of Finance		Signed: 10/21/2021 1:08:28 PM
Security Level: Email, Account Authentication (None)	Signature Adoption: Pre-selected Style	
	Using IP Address: 170.190.198.185	

Electronic Record and Signature Disclosure:

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ID: d4ce8755-3e99-4f49-92c7-2a60c4f00f88

Kelly Flannery/mjw		Sent: 10/21/2021 1:08:34 PM
MaryJo.Wiggins@nashville.gov		Viewed: 10/21/2021 1:40:07 PM
Security Level: Email, Account Authentication (None)		Signed: 10/21/2021 1:40:53 PM
	Signature Adoption: Pre-selected Style	
	Using IP Address: 170.190.198.100	

Electronic Record and Signature Disclosure:

Signer Events	Signature	Timestamp
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Accepted: 10/21/2021 1:40:07 PM
ID: e32a4806-f4ca-46a4-a728-b3e2b158c1f5

Macy Amos
macy.amos@nashville.gov
Security Level: Email, Account Authentication
(None)

Macy Amos

Sent: 10/21/2021 1:40:59 PM
Viewed: 10/21/2021 1:42:20 PM
Signed: 10/21/2021 1:43:02 PM

Signature Adoption: Pre-selected Style
Using IP Address: 170.190.198.185

Electronic Record and Signature Disclosure:

Accepted: 10/21/2021 1:42:20 PM
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In Person Signer Events	Signature	Timestamp
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Editor Delivery Events	Status	Timestamp
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Agent Delivery Events	Status	Timestamp
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Intermediary Delivery Events	Status	Timestamp
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Certified Delivery Events	Status	Timestamp
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Carbon Copy Events	Status	Timestamp
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Sally Palmer
sally.palmer@nashville.gov
Security Level: Email, Account Authentication
(None)

COPIED

Sent: 10/21/2021 1:43:08 PM
Viewed: 10/21/2021 3:32:44 PM

Electronic Record and Signature Disclosure:

Accepted: 10/21/2021 2:26:27 PM
ID: d39857cf-aaf9-4a80-bed4-fd1c88b109f9

Witness Events	Signature	Timestamp
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Notary Events	Signature	Timestamp
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Envelope Summary Events	Status	Timestamps
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Envelope Sent	Hashed/Encrypted	10/20/2021 4:47:13 PM
Certified Delivered	Security Checked	10/21/2021 1:42:20 PM
Signing Complete	Security Checked	10/21/2021 1:43:02 PM
Completed	Security Checked	10/21/2021 1:43:08 PM

Payment Events	Status	Timestamps
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Electronic Record and Signature Disclosure