



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

**File #:** BL2022-1376      **Name:**

**Type:** Bill (Ordinance)      **Status:** Passed

**File created:** 7/6/2022      **In control:** Metropolitan Council

**On agenda:** 8/16/2022      **Final action:** 8/16/2022

**Title:** An ordinance authorizing the acquisition and conveyance of certain right-of-way easements, drainage easements, temporary construction easements and property rights by negotiation or condemnation for use in public projects of the Metropolitan Government, acting by and through the Nashville Department of Transportation and Multimodal Infrastructure (NDOT), for Dickerson Pike Sidewalk Improvements, Federal Project No. STP-M-11(84), State Project No. 19LPLM-F3-132, PIN 121730.00 (Proposal No. 2022M-101ES-001).

**Sponsors:** Sean Parker, Burkley Allen, Brett Withers, Zach Young

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit

Date	Ver.	Action By	Action	Result
8/17/2022	1	Mayor	approved	
8/16/2022	1	Metropolitan Council	passed on third reading	
8/2/2022	1	Metropolitan Council	passed on second reading	
8/2/2022	1	Transportation and Infrastructure Committee	approved	
8/1/2022	1	Planning and Zoning Committee	approved	
8/1/2022	1	Budget and Finance Committee	approved	
7/19/2022	1	Metropolitan Council	passed on first reading	
7/12/2022	1	Planning Commission	approved	
7/12/2022	1	Metropolitan Council	filed	

An ordinance authorizing the acquisition and conveyance of certain right-of-way easements, drainage easements, temporary construction easements and property rights by negotiation or condemnation for use in public projects of the Metropolitan Government, acting by and through the Nashville Department of Transportation and Multimodal Infrastructure (NDOT), for Dickerson Pike Sidewalk Improvements, Federal Project No. STP-M-11(84), State Project No. 19LPLM-F3-132, PIN 121730.00 (Proposal No. 2022M-101ES-001).

WHEREAS, it is in the public interest that right-of-way easements, drainage easements, temporary construction easements, and property rights (hereto referred to as “easements and property rights”) be acquired by the Metropolitan Government, for use in public projects of the Metropolitan Government, initially for the purposes of PIN 121730.00, Proposal No. 2022M-101ES-001, Dickerson Pike Sidewalk Improvements; and,

WHEREAS, that said easements and property rights are located on the properties described in Exhibit A, attached hereto, and further described in NDOT’s plans on file for PIN 121730.00, Proposal No. 2022M-101ES-001, Dickerson Pike Sidewalk Improvements; and,

WHEREAS, upon acquisition, Metro will convey to the State of Tennessee, Tennessee Department of Transportation (TDOT), said easements and property rights acquired for PIN 121730.00.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. The Metropolitan Government of Nashville and Davidson County, by and through the Director of Public Property Administration, is hereby authorized to acquire by negotiation or condemnation the easements and property rights for use in public projects of the Metropolitan Government initially for purposes of PIN 121730.00, Proposal No. 2022M-101ES-001, Dickerson Pike Sidewalk Improvements, the same being for a public purpose and the public convenience requiring it.

Section 2. The easements and property rights to be acquired are described in the NDOT plans on file for PIN 121730.00, Proposal No. 2022M-101ES-001, Dickerson Pike Sidewalk Improvements, and located on the property described in Exhibit A, attached hereto, which plans, and Exhibit are incorporated herein.

Section 3. The Director of Public Property Administration or his/her designee, upon acquisition of said easements and property rights, is authorized to convey such interest as the Metropolitan Government may have in said easements acquired for PIN 121730.00, to the State of Tennessee, and to execute such other documents necessary to carry out the conveyances contemplated herein on behalf of the Metropolitan Government of Nashville and Davidson County.

Section 4. The Director of Public Property Administration or his/her designee, when it is deemed necessary to acquire easements on a state route by eminent domain, is hereby authorized to request that the State Attorney General's Office initiate condemnation proceedings.

Section 5. All necessary and incidental costs of the easements and property rights herein authorized to be acquired shall be paid from funds authorized from Fund No. 40016 and Business Unit No. 42404016.

Section 6. That amendments to this ordinance may be approved by resolution of the Metropolitan Council.

Section 7. This ordinance shall take effect from and after its final passage, the welfare of the Metropolitan Government of Nashville and Davidson County, Tennessee, requiring it.

### Analysis

This ordinance authorizes the acquisition of easements on Dickerson Pike from Douglas Avenue to Trinity Lane for the purposes of constructing a sidewalk project. The estimated cost for the right-of-way easements is \$1,550,000.

*Fiscal Note: Metro will pay \$310,000, 20% of \$1,550,000 the total estimated cost of to acquire the right of way, towards the Dickerson Pike Sidewalk Improvements project. The rest of the project cost will be paid for by the federal government.*