



Metropolitan Nashville and Davidson County, TN

Legislation Details (With Text)

File #: BL2022-1131 **Name:**

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

File created: 2/16/2022 **In control:** Planning and Zoning Committee

On agenda: 8/2/2022 **Final action:** 8/2/2022

Title: An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon easement rights located at 410 42nd Avenue North and 410 B 42nd Avenue North, formerly a portion of Alabama Avenue, except for those retained by Nashville Electric Service (Proposal No. 2022M-022ES-001).

Sponsors: Kathleen Murphy, Brett Withers, Zach Young

Indexes:

Code sections:

Attachments: 1. Exhibit

Date	Ver.	Action By	Action	Result
8/2/2022	1	Metropolitan Council	passed on third reading	
7/20/2022	1	Metropolitan Council	reinstated	
7/19/2022	1	Metropolitan Council	deferred indefinitely	
7/5/2022	1	Metropolitan Council	passed on second reading	
4/5/2022	1	Metropolitan Council	deferred	
4/4/2022	1	Planning and Zoning Committee	approved	
3/15/2022	1	Metropolitan Council	deferred	
3/15/2022	1	Transportation and Infrastructure Committee	approved	
3/1/2022	1	Metropolitan Council	passed on first reading	
2/22/2022	1	Metropolitan Council	filed	
2/11/2022	1	Planning Commission	approved	

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon easement rights located at 410 42nd Avenue North and 410 B 42nd Avenue North, formerly a portion of Alabama Avenue, except for those retained by Nashville Electric Service (Proposal No. 2022M-022ES-001).

WHEREAS, easement rights that were retained by Council Bill O68-652, for existing utilities located at 410 42nd Avenue North and 410 B 42nd Avenue North, formerly a portion of Alabama Avenue, are no longer needed, except for those retained by Nashville Electric Service in the northeast corner of the site; and,

WHEREAS, the abandonment has been requested by Ragan Smith on behalf of the owner; and,

WHEREAS, the Metropolitan Planning Commission approved mandatory referral No. 2022M-022ES-001 on February 11, 2022, for the abandonment of said easements rights.

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 is authorized to abandon easement rights that were retained by Council Bill No. 68-652, for existing utilities located at 410 42nd Avenue North and 410 B 42nd Avenue North, formerly a portion of Alabama Avenue, except for those retained by Nashville Electric Service in the northeast corner of the site, as shown below and on Exhibit 1, which is attached hereto and incorporated by reference:

Map & Parcel:	Address:
091124B00200CO	410 42nd Avenue North
091124B90000CO	410 B 42nd Avenue North

Section 2. The Directors of Water and Sewerage Services and Public Property Administration are authorized to execute such documents as may be necessary and appropriate to carry out the abandonment authorized by this ordinance.

Section 3. Amendments to this legislation shall be approved by resolution.

Section 4. This ordinance shall take effect from and after its final passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Analysis

This ordinance abandons easement rights located at 410 42nd Avenue North and 410 B 42nd Avenue North, formerly a portion of Alabama Avenue, except for those retained by Nashville Electric Service. Existing utility easement rights had originally been retained by Council Bill O68-652. The Metropolitan Government has determined that utility easement, except for those retained by Nashville Electric Service, are no longer needed. The abandonment has been requested by Ragan Smith on behalf of the owner.

This has been approved by the Planning Commission. Future amendments to this legislation may be approved by resolution.

Fiscal Note: This ordinance has no cost to Metro. Abandoned easements have no market value according to the Department of Water Services.