



WHEREAS, approval of this agreement will benefit the citizens of The Metropolitan Government of Nashville and Davidson County.

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

Section 1. The Facility Encroachment Agreement, attached hereto in substantial form as Exhibit 1 and incorporated herein by reference, is hereby approved, and that the Metropolitan Mayor is authorized to execute the same.

Section 2. Any amendments, renewals, or extension of the terms of the agreement may be approved by resolution of the Metropolitan Council.

Section 3. That this resolution shall take effect from and after its adoption, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

#### Analysis

This resolution approves a facility encroachment agreement between Metro Water Services (MWS) and CSX Transportation, Inc. (CSX) to abandon an existing water main, and to construct, use and maintain water main in the railroad right-of-way at 2nd Avenue North, north of Jo Johnston Avenue. This is part of MWS's 2<sup>nd</sup> Avenue North 16-inch water main replacement project. MWS will be required to pay a one time encroachment fee of \$1,000.

Ordinance No. O98-1393 authorized Metro to enter agreements such as this with CSX for water and sewer line construction by resolution.

*Fiscal Note: Metro will pay \$4,500 to CSX Transportation, Inc., which includes the review fee of \$3,500 and license fee of \$1,000, according to Metro Water Services.*