



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

**File #:** BL2023-2115      **Name:**

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

**File created:** 7/6/2023      **In control:** Metropolitan Council

**On agenda:** 8/15/2023      **Final action:** 8/15/2023

**Title:** An ordinance approving the conditional abandonment of the public right of way of Jess Neely Drive between Natchez Trace and 25th Avenue South. (Proposal No. 2023M-004AB-002).

**Sponsors:** Tom Cash, Kevin Rhoten, Brett Withers, Russ Pulley

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit

Date	Ver.	Action By	Action	Result
8/28/2023	1	Mayor	approved	
8/15/2023	1	Metropolitan Council	passed on third reading	
8/1/2023	1	Metropolitan Council	passed on second reading	
8/1/2023	1	Transportation and Infrastructure Committee	approved	
7/31/2023	1	Planning and Zoning Committee	approved	
7/31/2023	1	Budget and Finance Committee	approved	
7/18/2023	1	Metropolitan Council	passed on first reading	
7/11/2023	1	Metropolitan Council	filed	
5/17/2023	1	Planning Commission	approved with conditions	

An ordinance approving the conditional abandonment of the public right of way of Jess Neely Drive between Natchez Trace and 25<sup>th</sup> Avenue South. (Proposal No. 2023M-004AB-002).

WHEREAS, the Metropolitan Government holds an easement for the public right of way of Jess Neely Drive between Natchez Trace and 25<sup>th</sup> Avenue South (the “Easement Area”), located on the campus of Vanderbilt University; and,

WHEREAS, Vanderbilt University has proposed that the public right of way of Jess Neely Drive be abandoned and closed; and,

WHEREAS, pursuant to the terms of the easement agreement attached as Exhibit 1 to this ordinance, Vanderbilt University proposes to convey a new permanent easement to the Metropolitan Government to preserve bicycle, pedestrian, and emergency vehicle access to the Easement Area and rights for installation, utilization, repair, and maintenance of public utilities therein; and,

WHEREAS, as further detailed in the Easement Agreement, Vanderbilt University proposes to construct certain improvements to the public water and sewerage systems and traffic signals in the Easement Area and surrounding neighborhood.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF

NASHVILLE AND DAVIDSON COUNTY:

Section 1. Conditioned upon the execution and recording of the Easement Agreement by Vanderbilt University, the abandonment of the public right of way for Jess Neely Drive between Natchez Trace and 25<sup>th</sup> Avenue South is hereby approved.

Section 2. Amendments to this ordinance may be made by resolution.

Section 3. This ordinance shall take effect from and after its passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Analysis

This resolution approves the conditional abandonment of the public right-of-way of Jess Neely Drive between Natchez Trace and 25<sup>th</sup> Avenue South, located on the campus of Vanderbilt University. Vanderbilt has proposed that the public right-of-way at Jess Neely Drive be abandoned and closed. In exchange for the abandonment, Vanderbilt will grant a non-exclusive, perpetual public utility easement for the purpose of maintaining, utilizing, repairing and replacing existing and future public utilities and a non-exclusive public access easement for emergency vehicles, pedestrians, and bicycles over Jess Neely Drive. In addition, Vanderbilt will make the following commitments:

- Complete and submit an updated “Jess Neely Drive Activities Policy”;
- Make upgrades related to the Kerrigan Basin, including separation of the combined sewer and upgrades to aged public water lines at a total approximate cost to Vanderbilt of \$19.6 million;
- Make upgrades associated with Kensington Drive at a total approximate cost of \$2.5 million;
- Modify traffic signals at Jess Neely Drive and 25<sup>th</sup> Avenue and Jess Neely Drive and Natchez Trace; and
- Transform Jess Neely Drive into a permanent pedestrian corridor including permeable pavers, site walls, seating opportunities, enhanced tree canopy and landscape, bicycle and scooter parking, and/or moon lighting of tree canopy.