



Metropolitan Nashville and Davidson County, TN

Legislation Text

File #: BL2024-350, **Version:** 1

An ordinance authorizing the abandonment of Alley #896 right-of-way and utility easements between Reidhurst Avenue and 24th Avenue North, and the conditional abandonment of Alley #924 right-of-way and partial utility easements between Brandau Place and Alley #896. (Proposal Number 2024M-001AB-001).

WHEREAS, the abandonments have been requested by Jeffery Heinze with Catalyst Design Group, PC, applicant; and

WHEREAS, it is the desire of all the abutting property owners that said abandonments of right-of-way be accomplished; and,

WHEREAS, there is no future need for said right-of-way for Metropolitan Government of Nashville and Davidson County purposes.

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

Section 1. Abandonment of Alley #896 right-of-way, between Reidhurst Avenue and 24th Avenue North, as depicted on the maps attached to this ordinance, including all utility easements within it, is hereby approved.

Section 2. Abandonment of #924 right-of-way, from Alley #896 to the northeast point of parcel 0921500680, including all but 10 feet of utility easements at the northeast point of parcel 0921500680 within it, as depicted on the maps attached to this ordinance, is hereby approved subject to the following condition:

- a. The relocation of Alley #924 right-of-way is either dedicated, constructed, and accepted for maintenance by NDOT or dedicated by plat and bonded.

Section 3. That 10 feet of utility easements located within Alley #924 right-of-way, at the northeast point of parcel 0921500680, are herein retained by the Metropolitan Government of Nashville and Davidson County, its agents, servants, and/or contractors and utility companies operating under franchise(s) from the Metropolitan Government for the right to enter, construct, operate, maintain, repair, rebuild, enlarge, and patrol its now existing or future utilities, including drainage facilities, together with their appurtenances, and to do any and all things necessary and incidental thereto.

Section 4. In the event there is proposed any construction over, above, or under said existing utilities, that said construction shall have the approval of the Director of Nashville Department of Transportation and Multimodal Infrastructure ("NDOT") and/or the Director of Water and Sewerage Services, together with the approval of any other pertinent departments of the Metropolitan Government or other governmental agency, including the Nashville Electric Service.

Section 5. That the Director of NDOT be and hereby is authorized and directed, upon the enactment and approval of this ordinance, to cause said change to be made on the Geographic Information Systems (GIS) Street and Alley Centerline Layer Record, and to make notation thereon of reference to the date of passage and approval of this amendatory ordinance.

Section 6. This ordinance may be amended by resolution.

Section 7. 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 ordinance abandons Alley Number 896 right-of-way and utility easements between Reidhurst Avenue and 24th Avenue North. This ordinance also conditionally abandons Alley Number 924 right of way from Alley Number 896 to the northeast point of parcel 0921500680, if the relocation of Alley Number 924 right-of-way is either dedicated, constructed, and accepted for maintenance by the Nashville Department of Transportation or dedicated by plat and bonded.

The conditional abandonment includes all but 10 feet of utility easements at the northeast point of parcel 0921500680 within it. That 10 feet of utility easements would be retained by the Metropolitan Government. The abandonment was requested by applicant Jeffery Heinze with Catalyst Design Group, PC.

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