



# Metropolitan Nashville and Davidson County, TN

## Legislation Text

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**File #:** BL2024-160, **Version:** 1

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An ordinance to amend the Geographic Information Systems Street and Alley Centerline Layer for the Metropolitan Government of Nashville and Davidson County by abandoning Alley # 245 right-of-way between 15<sup>th</sup> Avenue North and 14th Avenue North, Alley # 246 right-of-way between Church Street and Grundy Street, and utility easements between Church Street and Grundy Street (Proposal Number 2023M-007AB-001).

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

WHEREAS, the abandonment has been requested by Jeremy Westmoreland with CSDG, applicant; and,

WHEREAS, the Metropolitan Planning Commission approved Mandatory Referral 2023M-007AB-001, with the condition that there be no disruption in sanitary sewer service to existing sewer customers; 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. That the Geographic Information Systems (GIS) Street and Alley Centerline Layer for the Metropolitan Government of Nashville and Davidson County, as enacted by BL2023-1692 be and hereby is amended as follows:

Alley #246 right-of-way from Grundy Street to Alley #245, and Alley #245 right-of-way from 15th Ave N to Alley #246, all of which is more particularly described by lines, words and figures on the sketch which is attached to and made a part of this ordinance as though copied herein, are hereby abandoned.

Section 2. That said Alley #246 right-of-way, including all utility easements within it, except for the sanitary sewer easement, is hereby abandoned.

Section 3. That the sanitary sewer main inside Alley #246 shall remain fully functional and provide all existing sewer customers with sewer service lines until the new project is built and brought online into service, so that there is no disruption to existing sewer customers during the course of the project.

Section 4. That the sanitary sewer main inside Alley #246 shall not be abandoned until an equivalent alternative sanitary sewer line, and an easement therefor, are constructed as part of the new project, are dedicated to and accepted by the Metropolitan Government, and are brought online into service.

Section 5. That said Alley #245 right-of-way is hereby abandoned.

Section 6. That Alley #245 utility easements are hereby 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 7. 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 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 8. That the Director of the Nashville Department of Transportation and Multimodal Infrastructure be and hereby is authorized and directed, upon the enactment and approval of this ordinance, to cause said change to be made on said GIS Centerline Record as set out in Section 1 of this ordinance, and to make notation thereon of reference to the date of passage and approval of this amendatory ordinance.

Section 9. Amendments to this legislation may be approved by resolution.

Section 10. 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 #245 right-of-way between 14th Avenue North and 15th Avenue North, Alley #246 right-of-way between Church Street and Grundy Street, and Alley #246 utility easements between Church Street and Grundy Street. The abandonments were requested by Jeremy Westmoreland with CSDG, applicant.

The Metropolitan Government does not foresee a future need for the rights-of-way. Utility easements for Alley #245 would be retained by the Metropolitan Government.

Future amendments to this ordinance may be approved by resolution. This ordinance has been approved by the Planning Commission under the condition that no sanitary sewer service disruption occurs with existing sewer customers.

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