



Metropolitan Nashville and Davidson County, TN

Legislation Text

File #: RS2021-977, **Version:** 1

A resolution to amend Ordinance No. BL2020-241 to authorize The Metropolitan Government of Nashville and Davidson County to acquire permanent and temporary easements by condemnation for six properties located on Ackerman Court and Graybar Lane to complete the Ackerman Court Stormwater Improvement Project (Project No. 20-SWC-215 and Proposal No. 2020M-021ES-002).

WHEREAS, Ordinance No. BL2020-241, approved May 6, 2020, authorized The Metropolitan Government of Nashville and Davidson County to negotiate and accept permanent and temporary easements for 37 properties located along Ackerman Court, Dodge Court, Grandview Drive, Granny White Pike, Graybar Lane and Lealand Lane for the Ackerman Court Stormwater Improvement Project; and,

WHEREAS, acquisition by condemnation may be needed to acquire certain permanent and temporary easements for six properties on Ackerman Court and Graybar Lane identified in BL2020-241, as shown on Exhibits 1 and 2, for the completion of project number 20-SWC-215; and,

WHEREAS, the Metropolitan Planning Commission approved mandatory referral No. 2020M-021ES-002 on May 12, 2021, for acquisition by condemnation; and,

WHEREAS, Ordinance No. BL2020-241 provides that amendments to the legislation shall be approved by resolution.

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

Section 1. That Ordinance No. BL2020-241 is hereby amended to authorize acquisition by condemnation to acquire certain permanent and temporary easements for six properties on Ackerman Court and Graybar Lane, as shown on Exhibits 1 and 2, which are attached hereto and incorporated by reference.

Section 2. The Directors of Water and Sewerage Services and Public Property Administration are authorized and directed, if necessary, to take and appropriate by condemnation proceedings the interest in real property described herein in the name of the Metropolitan Government of Nashville and Davidson County for use in public projects for the Metropolitan Government.

Section 3. This resolution shall take effect upon passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Analysis

This resolution approves an amendment to Ordinance No. BL2020-241, which authorized the Metro Government to negotiate and accept permanent and temporary easements for 37 projects for the Ackerman Court Stormwater Improvement Project. This resolution authorizes the Metro Government to acquire permanent and temporary easements by condemnation for six additional properties located on Ackerman Court and Graybar Lane to complete the project.

The Directors of Metro Waters and Public Property Administration would have the authority to resort to condemnation proceedings if needed.

This resolution was approved by the Planning Commission on May 12, 2021.

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