



# Metropolitan Nashville and Davidson County, TN

## Legislation Text

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**File #:** BL2020-536, **Version:** 1

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An ordinance authorizing the acquisition of certain right-of-way easements, drainage easements, temporary construction easements and property rights by negotiation or condemnation for use in public projects of the Metropolitan Government, initially for purposes of Public Works Department Project Number 2016-R-048, Dickerson Pike Sidewalk Improvements (Proposal No. 2018M-018ES-001).

WHEREAS, it is in the public interest that right-of-way easements, drainage easements, temporary construction easements and property rights be acquired by the Metropolitan Government, for use in public projects of the Metropolitan Government, initially for purposes of Public Works Department Project No. 2016-R-048, Proposal No. 2018M-018ES-001, Dickerson Pike Sidewalk Improvements, between Donald Street and Dellway Drive; and,

WHEREAS, the right-of-way easements, temporary construction easements and property rights are located on the property described in Exhibit 1 attached hereto; and,

WHEREAS, the easements and property rights, are further described in the Metropolitan Public Works Department's plans on file for Project No. 2016-R-048, Proposal No. 2018M-018ES-001, Dickerson Pike Sidewalk Improvements, between Donald Street and Dellway Drive.

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

Section 1. The Metropolitan Government of Nashville and Davidson County, by and through the Director of Public Property Administration, is hereby authorized to acquire by negotiation or condemnation the following described easements for use in public projects of the Metropolitan Government, initially for purposes of Public Works Department Project No. 2016-R-048, Proposal No. 2018M-018ES-001, Dickerson Pike Sidewalk Improvements, between Donald Street and Dellway Drive, the same being for a public purpose and the public convenience requiring it.

Section 2. The easements and property rights to be acquired are described in the Metropolitan Public Works Department's plans on file for Project No. 2016-R-048, Proposal No. 2018M-018ES-001, Dickerson Pike Sidewalk Improvements, between Donald Street and Dellway Drive, and located on the property described in Exhibit 1 attached hereto, which plans and Exhibit are incorporated herein.

Section 3. The Director of Public Property Administration is hereby authorized and directed, if necessary, to take and appropriate by condemnation proceedings the interests in real property described herein in the name of The Metropolitan Government of Nashville and Davidson County for use in public projects of the Metropolitan Government.

Section 4. All necessary and incidental costs of the right-of-way easements and property rights herein authorized to be acquired shall be paid from funds authorized from Fund No. 40018 and Business Unit No. 42402018.

Section 5. This ordinance shall take effect from and after its final passage, the welfare of the Metropolitan Government of Nashville and Davidson County, Tennessee, requiring it.

Analysis

This ordinance authorizes the Director of Public Property Administration to acquire drainage and/or temporary construction easements from 11 property owners necessary for a Dickerson Pike sidewalk improvement project between Donald Street and Dellway Drive. The length of the sidewalk project is approximately 1,500 feet. The ordinance includes the standard language authorize condemnation action if negotiations for any of the easements are not successful.

*Fiscal Note: According to the Department of Public Works, the estimated cost of the right of way acquisition is \$54,480 for this legislation.*