



Metropolitan Nashville and Davidson County, TN

Legislation Text

File #: RS2023-2094, **Version:** 1

A resolution authorizing the Director of Public Property, or his designee, to transfer to the State of Tennessee, via the attached easement agreement, a temporary construction easement over a portion of property owned by the Metropolitan Government of Nashville and Davidson County located within or adjacent to Broadway Avenue (Highway 70).

WHEREAS, the State of Tennessee has requested that the Metropolitan Government of Nashville and Davidson County (Metro) execute an Easement Agreement for the purpose of granting a temporary construction easement (Exhibit A, hereto) over a portion of the right of way of Broadway Avenue (Highway 70) and/or property adjacent thereto, that the state has determined is owned by Metro, as described and depicted in Exhibits A-1 and A-2 attached to the attached Easement Agreement (Exhibit A); and,

WHEREAS, since Broadway is state right of way, and Metro shall retain an easement for right of way thereupon, there is no reason, for Metro's purposes, not to grant the temporary construction easement described and depicted in Exhibits A-1 and A-2 to the attached Easement Agreement (the Easement); and,

WHEREAS, the State of Tennessee Department of Transportation has represented that it needs the Easement to complete renovation and improvement work upon the Broadway Avenue (Highway 70) right of way; and,

WHEREAS, Section 12-9-101 *et seq.* of the Tennessee Code allows subdivisions of the state, such as Metro, to enter into intergovernmental agreements with the state of Tennessee, and further allows Metro's governing body to approve such intergovernmental agreements by resolution.

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

Section 1. That the Director of Public Property, or his designee, is authorized to execute the Easement Agreement attached hereto as Exhibit A, granting to the State of Tennessee a temporary construction easement over a portion of the right of way of Broadway Avenue (Highway 70), and/or property adjacent thereto that the state has determined is owned by Metro, as described and depicted in Exhibits A-1 and A-2 to Exhibit A hereto, all of which are attached hereto and incorporated herein.

Section 2. That amendments to this legislation be approved by resolution.

Section 3. This resolution 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 resolution authorizes the Director of Public Property to execute an easement agreement granting a temporary construction easement to the State of Tennessee over a portion of property owned by the Metropolitan Government located within or adjacent to Broadway Avenue. The Tennessee Department of Transportation requires use of this temporary construction easement to complete renovation and improvement work upon the Broadway Avenue (Highway 70) right-of-way.

Future amendments to this legislation may be approved by resolution.