



Metropolitan Nashville and Davidson County, TN

Legislation Text

File #: RS2020-650, **Version:** 1

A resolution to amend Ordinance No. BL2020-427 to authorize The Metropolitan Government of Nashville and Davidson County to abandon additional easement rights for five properties located at 4427 Michigan Avenue, formerly a portion of an unnumbered Alley (Proposal No. 2020M-069ES-002).

WHEREAS, Ordinance No. BL2020-427, approved October 6, 2020, authorized the abandonment of easement rights that were retained by Council Bill O56-72 for any existing utilities for five properties located at 4427 Michigan Avenue, formerly a portion of an unnumbered Alley right-of way; and,

WHEREAS, a 20-foot Public Utility Easement dedicated unto the Metropolitan Government of Nashville and Davidson County by Subdivision Plat 99S-304U in Book 9700, Page 993, (Davidson County Register of Deeds) for five properties located at 4427 Michigan Avenue, is no longer needed; and,

WHEREAS, the abandonment has been requested by O.I.C. 4461-4491 Michigan Avenue Commons and L & S Development, LLC & 114 Property, LLC, owners; and,

WHEREAS, the Metropolitan Planning Commission approved mandatory referral No. 2020M-069ES-002 on October 20, 2020, for the abandonment of said easement; and,

WHEREAS, Ordinance No. BL2020-427 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. BL2020-427 is hereby amended by deleting section 1 in its entirety and replacing it with the following:

The Metropolitan Government of Nashville and Davidson County is authorized to abandon a 20 foot Public Utility Easement dedicated unto the Metropolitan Government of Nashville and Davidson County by Subdivision Plat 99S-304U in Book 9700, Page 993, (Davidson County Register of Deeds) and easement rights that were retained by Council Bill O56-72 for any existing utilities for five properties located at 4427 Michigan Avenue, formerly a portion of an unnumbered Alley right-of way, 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 to execute such documents as may be necessary and appropriate to carry out the abandonment authorized by this resolution.

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 amends Ordinance No. BL2020-427 to abandon additional easement rights for five properties located at 4427 Michigan Avenue, former a portion of an unnumbered Alley. BL2020-427 abandoned easement rights that were retained by Council Bill O56-72 for any existing utilities for five properties located at 4427 Michigan Avenue, formerly a portion of an unnumbered Alley right-of way. That ordinance provided amendments to the legislation can be approved by resolution. This resolution would abandon an additional 20-foot public utility easement, which is no longer needed by Metro. This abandonment has been requested by O.I.C. 4461-4491 Michigan Avenue Commons and L&S Development, LLC & 114 Property, LLC, owners.

This proposal has been approved by the Planning Commission.

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