



Metropolitan Nashville and Davidson County, TN

Legislation Details (With Text)

File #: RS2020-555 **Name:**

Type: Resolution **Status:** Passed

File created: 9/28/2020 **In control:** Metropolitan Council

On agenda: 10/6/2020 **Final action:** 10/6/2020

Title: A resolution approving an option agreement between the Metropolitan Government of Nashville and Davidson County and Jay Patel, authorizing the purchase of certain property owned by Jay Patel located at 0 Old Hickory Blvd., Nashville (Parcel No. 12800007100) (Proposal No. 2020M-013PR-001).

Sponsors: Gloria Hausser, Kyonzte Toombs, Kathleen Murphy, Bob Nash

Indexes:

Code sections:

Attachments: 1. RS2020-555_D-20-09486 with exhibit, 2. 09486-Resolution-Agreement-Option to Purchase-Buzzard Hollow

Date	Ver.	Action By	Action	Result
10/7/2020	1	Mayor	approved	
10/6/2020	1	Public Works Committee	approved	
10/6/2020	1	Budget and Finance Committee	approved	
10/6/2020	1	Planning and Zoning Committee	approved	
10/6/2020	1	Metropolitan Council	adopted	Pass
8/26/2020	1	Planning Commission	approved	

A resolution approving an option agreement between the Metropolitan Government of Nashville and Davidson County and Jay Patel, authorizing the purchase of certain property owned by Jay Patel located at 0 Old Hickory Blvd., Nashville (Parcel No. 12800007100) (Proposal No. 2020M-013PR-001).

WHEREAS, the Metropolitan Government of Nashville and Davidson County (“Metropolitan Government”) and Jay Patel desire to enter into an Option Agreement, attached hereto and incorporated herein, pertaining to certain property (“Property”) owned by Jay Patel, located at 0 Old Hickory Blvd., Nashville (Parcel No. 12800007100); and,

WHEREAS, the Property was previously used by the Metropolitan Government as a landfill; and,

WHEREAS, the Tennessee Department of Environment and Conservation (“TDEC”) is requiring the cleanup of the Property to remediate solid waste existing on the Property; and,

WHEREAS, the Property was sold as a delinquent tax property to Jay Patel in 2010 for \$5,000; and,

WHEREAS, the Metropolitan Department of Public Works desires to repurchase the Property to remediate the solid waste on the Property as required by TDEC; and,

WHEREAS, the Metropolitan Government proposes to purchase the Property from Jay Patel for \$12,000; and,

WHEREAS, Section 2.24.250(F) of the Metropolitan Code of Laws provides:

Where land in fee simple is being purchased for purposes other than for rights-of-way for highways, streets, roads, alleys and other places for vehicular traffic, the director of public property administration shall negotiate for the purchase of such property and seek to obtain from the owner an option to sell to the Metropolitan government at a fixed price, subject to the approval of the Metropolitan Council by resolution, and no purchase shall be consummated until it has been so approved by the Metropolitan Council; and,

WHEREAS, pursuant to section 2.24.250(F) of the Metropolitan Code of Laws, the Director of Public Property Administration has negotiated the attached Option Agreement; and,

WHEREAS, the Director of Finance has determined that an appraisal is not needed for the Property, as reflected in the Appraisal Waiver Form attached hereto, because due to the TDEC requirement that the deed be amended to reflect the location of solid waste on the Property, comparables would be difficult to obtain; and,

WHEREAS, approval of the Option Agreement and authorizing the Director of Public Property to purchase said Property is in the best interest of the citizens of the Metropolitan Government.

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

Section 1. The Option Agreement attached hereto, between the Metropolitan Government of Nashville and Davidson County and Jay Patel, granting the Metropolitan Government an option to purchase the Property located at 0 Old Hickory Blvd., Nashville (Parcel No. 12800007100), is hereby approved.

Section 2. The Director of Public Property Administration, or designee, is hereby authorized to execute and record such documents as may be necessary to carry out the purchase of said Property in substantially the form of the Option Agreement attached hereto.

Section 3. This resolution shall take effect from and after its adoption, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

This resolution approves an option for Metro to purchase a 7.47 acre parcel of property on Old Hickory Boulevard, unnumbered. This property was previously owned by Metro and used as a landfill back in the 1970's and then sold to a private individual. The property was subsequently sold as a back-tax property and purchased by Mr. Jay Patel for \$5,000 in 2010. Since then, Mr. Patel has paid approximately \$5,000 in attorney fees and incurred roughly \$2,000 in legal fees and miscellaneous expenses.

The Tennessee Department of Environment and Conservation has determined that remediation of this property is necessary due to solid waste existing on the property, likely from when it was used by Metro as a landfill. In order to ensure proper remediation of the site, Metro Public Works desires to repurchase the property from Mr. Patel for \$12,000, which would cover the initial purchase price, taxes paid, legal fees, and other miscellaneous expenses.

This resolution has been approved by the Planning Commission.

Fiscal Note: Metro would pay \$12,000 to repurchase the property. The Finance Director determined that the appraisal is not needed due to the location of the solid waste on the property and comparables would be difficult to obtain.