



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

<b>File #:</b>	BL2021-979	<b>Name:</b>	
<b>Type:</b>	Bill (Ordinance)	<b>Status:</b>	Passed
<b>File created:</b>	10/21/2021	<b>In control:</b>	Metropolitan Council
<b>On agenda:</b>	12/7/2021	<b>Final action:</b>	12/7/2021
<b>Title:</b>	An ordinance to amend the Geographic Information Systems Street and Alley Centerline Layer for the Metropolitan Government of Nashville and Davidson County by abandoning a portion of Alley Number 1883 right-of-way east of Foster Avenue, (Proposal Number 2021M-015AB-001).		
<b>Sponsors:</b>	Ginny Welsch, Brett Withers, Zach Young		
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. BL2021-979_Exhibit		

Date	Ver.	Action By	Action	Result
12/8/2021	1	Mayor	approved	
12/7/2021	1	Metropolitan Council	passed on third reading	
11/16/2021	1	Transportation and Infrastructure Committee	approved	
11/16/2021	1	Metropolitan Council	passed on second reading	
11/15/2021	1	Planning and Zoning Committee	approved	
11/2/2021	1	Metropolitan Council	passed on first reading	
10/11/2021	1	Traffic and Parking Commission	approved	
9/13/2021	1	Planning Commission	approved	

An ordinance to amend the Geographic Information Systems Street and Alley Centerline Layer for the Metropolitan Government of Nashville and Davidson County by abandoning a portion of Alley Number 1883 right-of-way east of Foster Avenue, (Proposal Number 2021M-015AB-001).

WHEREAS, it is the desire of all the abutting property owners that said abandonment of right-of-way be accomplished; and,

WHEREAS, the abandonment has been requested by The Comfort Group, applicant; and,

WHEREAS, there is no future need for said right-of-way for Metropolitan Government of Nashville and Davidson County purposes.

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

Section 1. That the Geographic Information Systems (GIS) Street and Alley Centerline Layer for The Metropolitan Government of Nashville and Davidson County, as enacted by Ordinance No. 2020-555 be and hereby is amended as follows:

Alley #1883 east of Foster Avenue to Foster Court between Whitsett Avenue and Foster Avenue, all of which is more particularly described by lines, words and figures on the sketch which is attached to and made a

part of this ordinance as though copied herein, are hereby abandoned.

Section 2. That easements are herein retained by The Metropolitan Government of Nashville and Davidson County, its agents, servants, and/or contractors and utility companies operating under franchise(s) from the Metropolitan Government for the right to enter, construct, operate, maintain, repair, rebuild, enlarge, and patrol its now existing or future utilities, including drainage facilities, together with their appurtenances, and to do any and all things necessary and incidental thereto.

Section 3. In the event there is proposed any construction over, above, or under said existing utilities, that said construction shall have the approval of the Director of Nashville Department of Transportation and Multi-modal Infrastructure (formerly the Department of Public Works, as re-designated in the Memorandum of Understanding approved by RS2021-794) and/or the Director of Water and Sewerage Services, together with the approval of any other pertinent departments of the Metropolitan Government or other governmental agency, including the Nashville Electric Service.

Section 4. That the Director of the Department of Transportation and Multi-modal Infrastructure be and hereby is authorized and directed, upon the enactment and approval of this ordinance, to cause said change to be made on said GIS Centerline Record as set out in Section 1 of this ordinance, and to make notation thereon of reference to the date of passage and approval of this amendatory ordinance.

Section 5. Amendments to this legislation may be approved by resolution.

Section 6. This ordinance shall take effect from and after its passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

### Analysis

This ordinance abandons a portion of Alley Number 1883 right-of-way east of Foster Avenue. The easements would be retained by Metro. This has been requested by The Comfort Group.

Future amendments to this legislation may be approved by resolution. This ordinance has been approved by the Planning Commission.

*Fiscal Note: This ordinance has no cost to Metro. In the opinion of the Transportation and Multi-modal Infrastructure department, abandoned right-of-way has no market value when the Department has agreed that the abandoning of said right-of-way is considered acceptable. Additionally, the abandonment of rights-of-way that are unimproved, unmaintained, and serve no current or future purpose for Metro allows the abandoned area to be assessed for property tax purposes.*