



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

**File #:** BL2023-2116      **Name:**

**Type:** Bill (Ordinance)      **Status:** Passed

**File created:** 7/6/2023      **In control:** Planning Commission

**On agenda:** 8/15/2023      **Final action:** 8/15/2023

**Title:** An ordinance authorizing the abandonment of an easement and the acquisition of another easement on the same parcel of property bounded by Hermitage Avenue, First Avenue South, and Peabody Street. (Proposal No. 2023M-010AB-001).

**Sponsors:** Kevin Rhoten, Brett Withers, Russ Pulley

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibits

Date	Ver.	Action By	Action	Result
8/28/2023	1	Mayor	approved	
8/15/2023	1	Metropolitan Council	passed on third reading	
8/1/2023	1	Metropolitan Council	passed on second reading	
8/1/2023	1	Transportation and Infrastructure Committee	approved	
7/31/2023	1	Planning and Zoning Committee	approved	
7/31/2023	1	Budget and Finance Committee	approved	
7/18/2023	1	Metropolitan Council	passed on first reading	
7/12/2023	1	Planning Commission	approved	
7/11/2023	1	Metropolitan Council	filed	

An ordinance authorizing the abandonment of an easement and the acquisition of another easement on the same parcel of property bounded by Hermitage Avenue, First Avenue South, and Peabody Street. (Proposal No. 2023M-010AB-001).

WHEREAS, the Metropolitan Government holds a 495-square-foot easement (the “Existing Easement”) on a parcel of property (Metro Parcel ID 09311002100; the “Property”) bounded by Hermitage Avenue, First Avenue South, and Peabody Street; and,

WHEREAS, the Existing Easement, described and depicted on Exhibit 1, is not useful to the Metropolitan Government for any purpose and has no commercial value; and,

WHEREAS, the owner of the Property, Warren G. Farms, L.L.C., has proposed to provide a 1,319-square-foot easement (the “New Easement”) to the Metropolitan Government on a different part of the Property in exchange for the abandonment of the Existing Easement; and,

WHEREAS, the New Easement, described and depicted on Exhibit 2, would be useful to the Metropolitan Government for right of way purposes; and,

WHEREAS, abandonment of the Existing Easement and acquisition of the New Easement are in the best

interest of the citizens of Nashville and Davidson County.

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

Section 1. The abandonment of the Existing Easement is hereby approved.

Section 2. Acquisition and acceptance of the New Easement by instrument materially in the form of Exhibit 3 is approved.

Section 3. The Director of Public Property or designee is authorized to execute such other documents as are necessary to carry out the intent of this ordinance.

Section 4. Amendments to this ordinance may be authorized by resolution of the Metropolitan Council.

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

### Analysis

This ordinance abandons an existing 495-square-foot easement held by the Metropolitan Government on a parcel of property bounded by Hermitage Avenue, First Avenue South, and Peabody Street owned by Warren G. Farms, LLC. This easement is not useful to Metro for any purpose and has no commercial value. The owners of the property, Warren G. Farms, LLC, have proposed to provide a 1,319-square-foot easement to the Metropolitan Government on a different part of this property in exchange for the abandonment of the existing easement. This ordinance abandons the existing easement, approves the acquisition and acceptance of the new easement, and authorizes the Director of Public Property to execute any documents necessary to carry out this ordinance.

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