



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

<b>File #:</b>	RS2024-348	<b>Name:</b>	
<b>Type:</b>	Resolution	<b>Status:</b>	Passed
<b>File created:</b>	3/21/2024	<b>In control:</b>	Metropolitan Council
<b>On agenda:</b>	4/2/2024	<b>Final action:</b>	4/2/2024
<b>Title:</b>	A resolution to amend Ordinance BL2022-1514 of The Metropolitan Government of Nashville and Davidson County to acquire permanent and temporary easements through negotiation, condemnation, and acceptance for the Radnor Street Stormwater Improvement Project for nine properties located on Radnor Street, Morton Avenue and Timmons Street, (Project No. 22-SWC-238 and Proposal No. 2022M-141ES-002).		
<b>Sponsors:</b>	Ginny Welsch, Jennifer Gamble, Sean Parker		
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. Exhibit		

Date	Ver.	Action By	Action	Result
4/4/2024	1	Mayor	approved	
4/2/2024	1	Metropolitan Council	adopted	
4/1/2024	1	Transportation and Infrastructure Committee	approved	
4/1/2024	1	Planning and Zoning Committee	approved	
3/26/2024	1	Metropolitan Council	filed	
2/29/2024	1	Planning Commission	approved	

A resolution to amend Ordinance BL2022-1514 of The Metropolitan Government of Nashville and Davidson County to acquire permanent and temporary easements through negotiation, condemnation, and acceptance for the Radnor Street Stormwater Improvement Project for nine properties located on Radnor Street, Morton Avenue and Timmons Street, (Project No. 22-SWC-238 and Proposal No. 2022M-141ES-002).

WHEREAS, Ordinance BL2022-1514, approved on November 22, 2022, authorized the negotiation and acceptance of permanent and temporary easements for nine properties located on Radnor Street, Morton Avenue and Timmons Street, to construct MWS Project 22-SWC-238; and,

WHEREAS, acquisition by condemnation may be needed to acquire easement rights for property located at 470 Morton Avenue; and,

WHEREAS, the Metropolitan Planning Commission approved mandatory referral No. 2022M-141ES-002 on February 29, 2024, for the addition of use of condemnation for permanent and temporary easements to the original mandatory referral; and,

WHEREAS, Ordinance No. BL2022-1514 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. BL2022-1514 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 negotiate, condemn and accept permanent and temporary easements for nine properties located on Radnor Street, Morton Avenue and Timmons Street, 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 negotiations, condemnation, and acceptance authorized by this 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 requiring it.

#### Analysis

Ordinance No. BL2022-1514 was approved on November 22, 2022, and authorized the negotiation and acceptance of permanent and temporary easements for nine properties located on Radnor Street, Morton Avenue, and Timmons Street for the Radnor Street Stormwater Improvement Project. Ordinance No. BL2022-1514 provides that future amendments may be approved by resolution.

It has been determined that condemnation may be needed to acquire easement rights for property located at 470 Morton Avenue. The amendment under consideration would authorize the negotiation, condemnation, and acceptance of permanent and temporary easements for the nine properties located on Radnor Street, Morton Avenue, and Timmons Street.

These changes have been approved by the Planning Commission.