



Metropolitan Nashville and Davidson County, TN

Legislation Text

File #: RS2021-770, **Version:** 1

A resolution authorizing The Metropolitan Government of Nashville and Davidson County, acting by and through the Department of Water and Sewerage Services, to enter into a Facility Encroachment Agreement with CSX TRANSPORTATION, INC. to abandon an existing water main, and to construct, use and maintain water main in the railroad right-of-way at 2nd Avenue North, north of Jo Johnston Avenue in Davidson County, (Project No. 19-WG-122 and Proposal No. 2021M-006AG-001).

WHEREAS, The Metropolitan Government of Nashville and Davidson County, through the Department of Water and Sewerage Services ("Licensee") desires to abandon in place one existing 12 inch diameter sub-grade pipeline crossing solely for the conveyance of potable water, and to construct, or cause to be constructed, use and maintain, one 16 inch diameter sub-grade pipeline solely for the conveyance of potable water over, under, or across property owned or controlled by CSX TRANSPORTATION, INC. ("Licensor"), pursuant to the terms of the Facility Encroachment Agreement (CSX919044), attached hereto in substantial form as Exhibit 1, and,

WHEREAS, Ordinance No. O98-1393 authorized The Metropolitan Government of Nashville and Davidson County to enter these types of agreements with CSX for water and sewer line construction by resolution; and,

WHEREAS, Licensee shall pay Licensor a one-time nonrefundable License and Insurance Fee of Four Thousand Five Hundred and 00/100 Dollars (\$4,500.00) upon execution of this contract; and,

WHEREAS, approval of this agreement will benefit the citizens of The Metropolitan Government of Nashville and Davidson County.

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

Section 1. The Facility Encroachment Agreement, attached hereto in substantial form as Exhibit 1 and incorporated herein by reference, is hereby approved, and that the Metropolitan Mayor is authorized to execute the same.

Section 2. Any amendments, renewals, or extension of the terms of the agreement may be approved by resolution of the Metropolitan Council.

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

Analysis

This resolution approves a facility encroachment agreement between Metro Water Services (MWS) and CSX Transportation, Inc. (CSX) to abandon an existing water main, and to construct, use and maintain water main in the railroad right-of-way at 2nd Avenue North, north of Jo Johnston Avenue. This is part of MWS's 2nd Avenue North 16-inch water main replacement project. MWS will be required to pay a one time encroachment

fee of \$1,000.

Ordinance No. O98-1393 authorized Metro to enter agreements such as this with CSX for water and sewer line construction by resolution.

Fiscal Note: Metro will pay \$4,500 to CSX Transportation, Inc., which includes the review fee of \$3,500 and license fee of \$1,000, according to Metro Water Services.