



Metropolitan Nashville and Davidson County, TN

Legislation Text

File #: BL2021-1024, **Version:** 1

An ordinance declaring a certain planned road on the Orchard Bend Park property to be a public right of way and granting a temporary access easement. (Proposal No. 2021M-016PR-001).

WHEREAS, the Nashville Department of Transportation and Multimodal Infrastructure ("NDOT") plans to construct Project 2018-R-7, a roundabout at the intersection of Blue Hole Road and Pettus Road, where a portion of the road south of the roundabout will make up the entrance ("Park Entrance") into Orchard Bend Park near Pettus Road, as described and depicted in the document attached to this ordinance as Exhibit A; and,

WHEREAS, declaration of the Park Entrance as a public right of way is necessary to clarify public control, maintenance responsibility, and access to such right of way; and,

WHEREAS, the Board of Parks and Recreation has approved the declaration of the Park Entrance as a public right of way; and,

WHEREAS, the granting of a temporary access easement is necessary to enable the property owner of 5585 Pettus Road ("Grantee") access from his property to the roadway contemplated herein.

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

Section 1. The Park Entrance, as depicted and described in Exhibit A, attached hereto and incorporated herein, is hereby declared to be a public right of way.

Section 2. The temporary access easement, as depicted and described in Exhibit B, attached hereto and incorporated herein, is hereby granted, and the Director of Public Property Administration is hereby authorized to execute and record the easement and such other documents as may be necessary to carry out the objective of this ordinance.

Section 3. 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 declares a certain planned road on the Orchard Bend Park property to be a public right of way and grants a temporary access easement.

The Nashville Department of Transportation and Multimodal Infrastructure ("NDOT") plans to construct a roundabout at the intersection of Blue Hole Road and Pettus Road. A portion of the road will make up the entrance to Orchard Bend Park, and this ordinance would declare that entrance as public right of way. The declaration of the park entrance as public right of way has been approved by the Board of Parks and Recreation.

This ordinance also approves a temporary access easement to Wiley and Joyce Wilkerson, the owners of 5585 Pettus Road, which is adjacent to the Orchard Bend Park property at 5601 Pettus Road.