



# Metropolitan Nashville and Davidson County, TN

## Legislation Text

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**File #:** RS2022-1371, **Version:** 1

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A resolution amending Ordinance No. BL2021-1027 to abandon an obsolete slope easement and temporary construction easement for property located north of and adjacent to the former Fogg Street right-of-way for the Paseo South Gulch project (MWS Project Nos. 21-WL-69, 21-SL-153, and SWGR 2021057006 and Proposal No. 2021M-085ES-001).

WHEREAS, Ordinance No. BL2019-1503 abandoned portions of Fogg Street, Alley Number 140, and Alley Number 159 right-of-way, but retained all utility easements; and,

WHEREAS, Ordinance No. BL2021-1027 authorized the abandonment of existing water, sanitary sewer, and storm sewer mains, a sanitary manhole, storm catch basins and easements, authorized the relocation of a fire hydrant assembly, and accepted new water and storm sewer mains, storm catch basins, water quality unit, and easements for five properties located on 7<sup>th</sup> Avenue South, 8<sup>th</sup> Avenue South, and Fogg Street, also known as Paseo South Gulch (the "Development"); and,

WHEREAS, a slope easement and temporary construction easement, attached hereto and incorporated herein as Exhibit A, were dedicated to the Metropolitan Government of Nashville and Davidson County on July 24, 2015, for a portion of the Development property located north of and adjacent to the former Fogg Street right-of-way abandoned pursuant Ordinance No. BL2019-1503; and,

WHEREAS, the Metropolitan Government has determined there is no longer any governmental need for the temporary construction and slope easement shown on Exhibit A and has determined that it is appropriate that said easements be abandoned; and,

WHEREAS, Section 3 of Ordinance No. BL2021-1027 provides that amendments to the legislation may be approved by resolution.

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

Section 1. Ordinance No. BL2021-1027 is hereby amended by adding the following new paragraph at the end of Section 1:

The Metropolitan Government of Nashville and Davidson County further abandons the slope easement and temporary construction easement as described and identified on Exhibit A to this resolution.

Section 2. 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 amends Ordinance No. BL2021-1027 to abandon an obsolete slope easement and temporary construction easement for property located north of and adjacent to the former Fogg Street right-of-way for the Paseo South Gulch project.

Ordinance No. BL2019-1503 abandoned portions of Fogg Street, Alley Number 140, and Alley Number 159 right-of-way, but retained all utility easements. Ordinance No. BL2021-1027 authorized the abandonment of existing water, sanitary sewer mains, a sanitary manhole, storm catch basins and easements, authorized the relocation of a fire hydrant assembly, and accepted new water and storm sewer mains, storm catch basins, water quality unit, and easements for five properties located on 7<sup>th</sup> Avenue South, 8<sup>th</sup> Avenue South, and Fogg Street, also known as Paseo South Gulch.

This resolution would furth abandon the slope easement and temporary construction easements at the corner of Fogg Street and Alley Number 160.

*Fiscal Note: This ordinance has no cost to Metro. Abandoned and donated easements have no market value according to the Department of Water Services.*