



# Metropolitan Nashville and Davidson County, TN

## Legislation Text

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**File #:** RS2024-472, **Version:** 1

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A resolution to amend Ordinance BL2021-758 of The Metropolitan Government of Nashville and Davidson County to negotiate, condemn, and accept permanent easements for the McGavock Pike Stormwater Improvement Project for five properties located on McGavock Pike and Gallatin Pike, (Project No. 21-SWC-274 and Proposal No. 2021M-043ES-002).

WHEREAS, Ordinance BL2021-758, approved on July 7, 2021, authorized the negotiation and acceptance of permanent easements for four properties located at 1107, 1109, 1111 McGavock Pike and 3104 Gallatin Pike, to construct MWS Project 21-SWC-274; and,

WHEREAS, acquisition by condemnation may be needed to acquire easement rights for property located at 1111 McGavock Pike; and,

WHEREAS, an additional property located at 1113 C McGavock Pike needs to be added to the project; and,

WHEREAS, the Metropolitan Planning Commission approved mandatory referral No. 2021M-043ES-002 on April 29, 2024, adding the property located at 1113 C McGavock Pike and the use of condemnation for permanent easements; and,

WHEREAS, Ordinance No. BL2021-758 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. BL2021-758 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 easements for five properties located on McGavock Pike and Gallatin Pike, 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. BL2021-758 was approved by the Metropolitan Council on July 7, 2021. The legislation authorized the acceptance of permanent easements for four properties located at 1107, 1109, 1111 McGavock Pike and 3104 Gallatin Pike, to construct MWS Project 21-SWC-274. BL2021-758 provided that amendments to the ordinance may be approved by resolution.

The resolution under consideration amends this legislation to authorize the condemnation, in addition to the

negotiation, of easement rights and also authorizes the acquisition of easement rights for property located at 1113 C McGavock Pike.

These changes have been approved by the Planning Commission.