



Metropolitan Nashville and Davidson County, TN

Legislation Text

File #: RS2024-548, **Version:** 1

A resolution to amend Ordinance BL2019-18 of The Metropolitan Government of Nashville and Davidson County to acquire permanent and temporary easements through negotiation, condemnation, and acceptance for the West End Place Stormwater Improvement Project for five properties located on West End Place and Central Avenue, (Project No. 20-SWC-029 and Proposal No. 2019M-060ES-002).

WHEREAS, Ordinance BL2019-18, approved on November 6, 2019, authorized the negotiation and acceptance of permanent and temporary easements for 22 properties located on Bowling Avenue, Central Avenue, Greenway Avenue, and West End Place, to construct MWS Project 20-SWC-029; and,

WHEREAS, acquisition by condemnation may be needed to acquire easement rights for five of the 22 properties; and,

WHEREAS, the Metropolitan Planning Commission approved mandatory referral No. 2019M-060ES-002 on May 22, 2024, for the addition of use of condemnation for permanent and temporary easements for five of the 22 properties in the original mandatory referral; and,

WHEREAS, Ordinance No. BL2019-18 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. BL2019-18 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 and accept permanent and temporary easements for 17 properties located on Bowling Avenue, Central Avenue, and Greenway Avenue, and to negotiate, condemn and accept permanent and temporary easements for five properties located on West End Place and Central Avenue, 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

This resolution amends Ordinance No. BL2019-18, which authorized the Metropolitan Government to negotiate and accept permanent and temporary easements for 22 properties for the West End Place Stormwater Improvement Project.

The Metropolitan Government has determined that acquisition by condemnation may be needed to acquire easement rights for five of the 22 properties.

The amendment under consideration would authorize the condemnation of easement rights for five properties located on West End Place and Central Avenue. The Metropolitan Government would be authorized to negotiate and accept permanent and temporary easements for the remaining 17 properties located on Bowling Avenue, Central Avenue, and Greenway Avenue.

This request has been approved by the Planning Commission.