



# Metropolitan Nashville and Davidson County, TN

## Legislation Text

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**File #:** RS2024-574, **Version:** 1

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A resolution approving a notice of land use restrictions and property assessment and warranty applicable to a portion of Shelby Park in connection with a streambank restoration project. (Proposal No. 2024M-090ES-001)

WHEREAS, the Metropolitan Government, by and through its Department of Water and Sewerage Services, has undertaken certain process improvement projects on the site of the Omohundro Water Treatment Plant (the "Omohundro Project") intended to increase the capacity of the plant to produce potable water; and

WHEREAS, the Omohundro Project will adversely affect a stream on the Omohundro site that requires offsetting stream improvements elsewhere; and

WHEREAS, a stream in Shelby Park has been identified as a candidate for restoration (the "Shelby Restoration Project") as a potential habitat for species of native plants and animals; and

WHEREAS, subject to the execution and recording of the Notice of Land Use Restrictions, attached as Exhibit 1, and execution of the Property Assessment and Warranty attached as Exhibit 2, (Exhibits 1 and 2 being the "Shelby Restoration Documents") the Shelby Restoration Project will qualify for sufficient restoration credits to offset the losses related to the Omohundro Project, permitting the funds required for the restoration work to be invested locally; and

WHEREAS, approval of the Shelby Restoration Documents is in the best interest 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. Execution and recording of the Notice of Land Use Restrictions (Exhibit 1) is hereby approved.

Section 2. Execution of the Property Assessment and Warranty (Exhibit 2) is hereby approved.

Section 3. The Metropolitan Mayor or designee is authorized to execute such additional reasonable and customary documents as necessary to carry out the intent of this resolution.

Section 4. 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 the execution of certain documents in connection with a streambank restoration project for a portion of Shelby Park.

The Metropolitan Government has undertaken certain process improvement projects on the site of the Omohundro Water Treatment Plant intended to increase the capacity of the plant to produce potable water. This project will adversely affect a stream on the Omohundro site, which will be offset with a stream improvement in Shelby Park.

The resolution under consideration approves the execution and recording of a Notice of Land Use

Restrictions. This document outlines the land use restrictions for activities within the protected mitigation area in Shelby Park.

In addition, the resolution approves the execution of a property assessment and warranty. This document provides a summary and explanation of each recorded or unrecorded lien or encumbrance on, or interest in, the property to be protected in Shelby Park for the benefit of the U.S. Army Corps of Engineers.

The resolution further authorizes the Mayor, or a designee, to execute any additional documents that would be necessary to carry out the intent of the resolution.

*Fiscal Note: The Department of Water and Sewerage Services will pay the preliminary construction cost estimate of \$376,835 for the mitigation of the Shelby Park streambank restoration project and will be responsible for the operation, upkeep, and maintenance of the mitigation area.*