

RESOLUTION 99-06

A RESOLUTION AUTHORIZING THE GRANT OF
AN UNDERGROUND UTILITY EASEMENT TO
THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY


BE IT RESOLVED by the City of Belle Meade as follows:

Section 1. That the City of Belle Meade grant to the Metropolitan Government of Nashville and Davidson County, acting by and through the Electric Power Board of said Government, a permanent utility easement for the construction and maintenance of underground conduits upon a strip of land 5 feet in width adjacent and parallel to the southerly right-of-way margin of Gardner Drive, extending from the right-of-way margin of Harding Pike (Highway 70 South) to its termination at Parcel 131 of Davidson County Tax Map 116-03.

Section 2. The form of easement, as presented to this meeting of the Commissioners, a copy of which is on file in the office of the City Recorder, is hereby approved.

Section 3. The Mayor is authorized and empowered to execute the instrument conveying such easement to the Metropolitan Government in the form so approved on behalf of the City.

Section 4. This Resolution shall become effective immediately.



Mayor Peggy Warner



City Recorder Dottie Wheeler

Date of Adoption:

November 17, 1999

This Instrument Prepared by:
Eugene W. Ward, General Counsel
Electric Power Board
1214 Church Street
Nashville, TN 37203

GRANT OF UNDERGROUND UTILITY EASEMENT TO THE
METROPOLITAN GOVERNMENT OF NASHVILLE AND
DAVIDSON COUNTY, ACTING BY AND THROUGH THE
ELECTRIC POWER BOARD OF SAID GOVERNMENT

For and in consideration of the sum of \$ 1.00, cash in hand paid, receipt of which is hereby acknowledged, the undersigned hereinafter referred to as Grantor, have this day granted to the Metropolitan Government of Nashville and Davidson County, acting by and through the Electric Power Board of said Government, hereinafter referred to as Grantee, a permanent utility easement for the following purposes, namely: The perpetual right to enter and to construct, maintain, repair and rebuild, underground conduits, under the following described land, to wit:

Description

A tract of land situated in the Thirty-fourth Councilmanic District of Davidson County, Tennessee; being generally situated within the southerly right-of-way of Gardner Drive, being more particularly described as follows:

Being a 5' wide strip lying adjacent and parallel to the southerly right-of-way margin of Gardner Drive, extending from the right-of-way margin of Harding Pike (Highway 70 South) along Gardner Drive to its termination at Parcel 131 of Davidson County Tax Map 116-03.

To have and to hold the said easement to Grantee, its successors and assigns forever.

We covenant with the said Grantee that we are lawfully seized and possessed of said real estate, have a good and lawful right to convey the same, that the same is free of all encumbrances, except those shown of record, and that we will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.

We do further covenant and agree that the payment of the purchase price above stated is accepted by us as full compensation for all damages incidental to the exercise of any of the rights above described; except that said Grantee shall remain liable for any additional damages which may be caused to the property of the undersigned in the erection and maintenance of said facilities.

IN WITNESS WHEREOF, we have subscribed our names on this the 18th day of November, 1999.

STATE OF TENNESSEE

COUNTY OF DAVIDSON

By Peggy S. Warren
For City of Belle Meade
Title Mayor