

KARL F. DEAN
MAYOR



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

DEPARTMENT OF PUBLIC WORKS
DIVISION OF ENGINEERING
750 SOUTH FIFTH STREET
NASHVILLE, TENNESSEE 37206
615-862-8760

Memorandum

To: Bob Leeman, Planning Department

From: Bonnie Crumby, Public Works *B.C.*

Date: January 20, 2010

REF: Mandatory Referral for abandoning a portion of 43RD Ave N and
a portion of Alley #1203
Map 91-12 / District 20

A Mandatory Referral Application to abandon the right-of-way for a portion of 43rd Ave N and Alley #1203 has been submitted by Councilmember Buddy Baker.

The following portion of right-of-way is proposed to be abandoned:

43rd Ave N: from Georgia Ave northward to the Railroad right-of-way
Alley #1203: from 43rd Ave N to 44th Ave N.

The easement is to be retained.

Attached is a portion of Map 91-12 designating the section of right-of way proposed to be abandoned. Also attached is the Quitclaim Deed recorded on 1-19-2010 combining parcels 55 & 56 on Map 91-12 to prevent a landlocked parcel being created by this proposed abandonment.

Please process this application. If you have any questions, please give me a call.

Metropolitan Government Department of Public Works

750 South 5th Street ♦ Nashville, TN 37206 ♦ (615) 862-8750 ♦ www.nashville.gov/pw

Mandatory Referral Application: *Street / Alley Closure*

*** Before filing this application, please review checklist on the back of this application. ***

Mandatory Referral Project No. _____
(MPW staff assigns project #)

Date Submitted: 1-20-2010

Closure Type:

- Street
 Alley

Easements:

- Retain utilities
 Abandon utilities & relocate at applicant's expense

Street/Alley Location:

① 43RD AVE N
Street Name(s) / Alley Number(s)
FROM GEORGIA AVE N TO R.R. R/W
Street / Alley Located Between?

② Alley # 1203 from 44th Ave N. to 43rd Ave. N.

Reason for Closure:

To eliminate ^{in situ} dumping of
trash, tree limbs & tires

Applicant: All correspondence will be mailed to the applicant.

Buddy Baker

Architect Engineer Property Owner Other:

6357 Alamo Pl. - 37209

Name: Buddy Baker

1-Filing Fee (All application fees are non-refundable)

Business: Councilman Dist 20

Street / Alley Closure \$300.00

Address: 6357 Alamo Pl.

City: Nash. State: TN Zip: 37209

Amount paid: \$ NA.

Phone: 356-0714

Accepted by: BO

Date: 1-20-2010

Fax: _____

business home business mobile

E-mail: _____

Applicant's Signature: Buddy Baker

SIGNATURE(S)

(copy this sheet if needed for additional signatures)

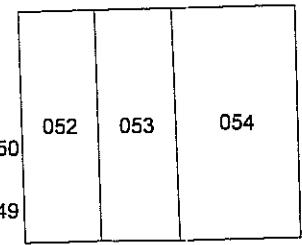
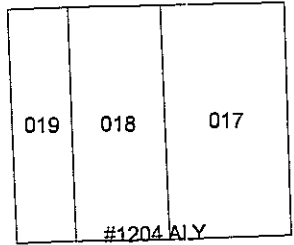
As the owner(s) of property, I/we agree to the submission of this mandatory referral application to the Metropolitan Government Department of Public Works for a street and/or alley closure. We live adjacent to this street/alley and/or we consider ourselves an affected property owner.

Printed Name & Signature (required)	Address	Phone #	Map	Parcel
JAMES R. HUNTER <i>James R. Hunter</i>			91-12	101
RCG GROUP, LLC <i>James R. Hunter</i>			91-12	102 55
<i>Betty D. Jones</i> Betty D. Jones Manager-Closings	CSX Transportation, Inc. c/o CSX Real Property, Inc. 301 West Bay Street Jacksonville, FL 32202	904-633-4517	R. R.	ROW
<i>James R. Hunter</i> JAMES HUNTER	RD. Box 90025 Nash, TN. 37209		91-12	96, 97 98, 99, 100, 101
<i>James R. Hunter</i> JAMES R. HUNTER	21		91-12	55, 56

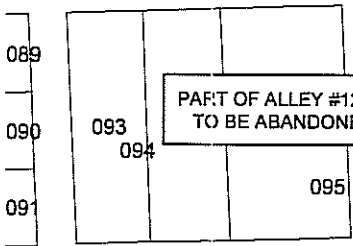
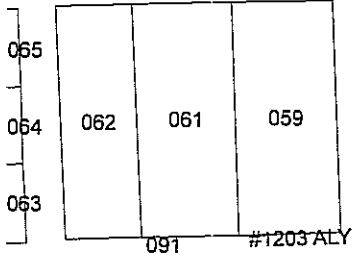
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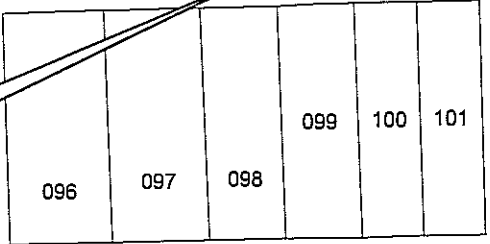
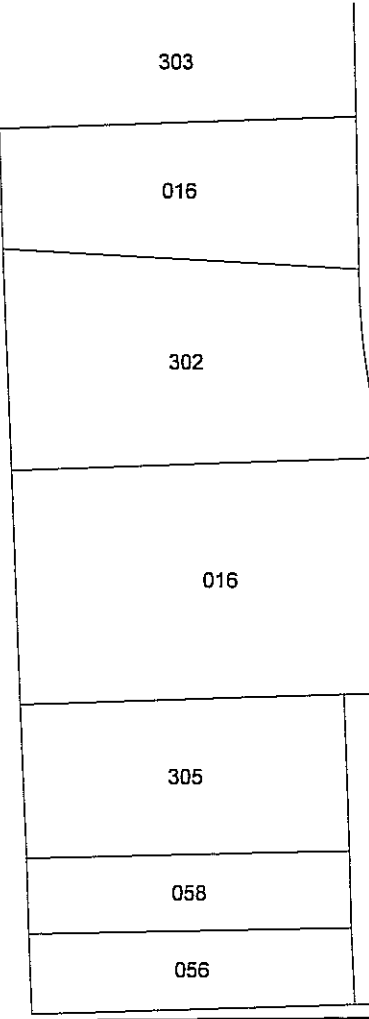
ILLINOIS AVE



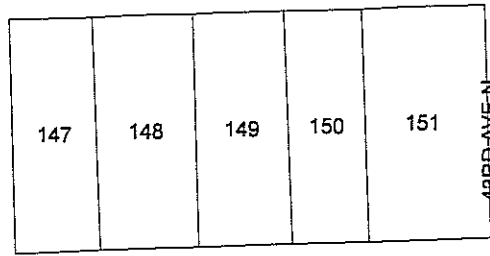
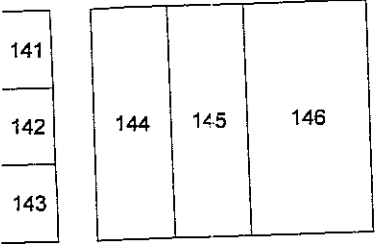
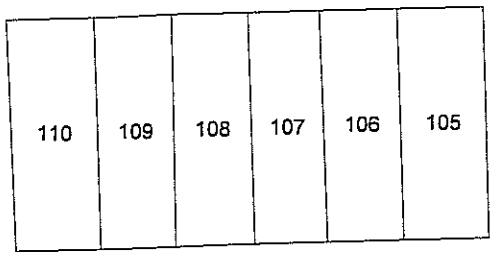
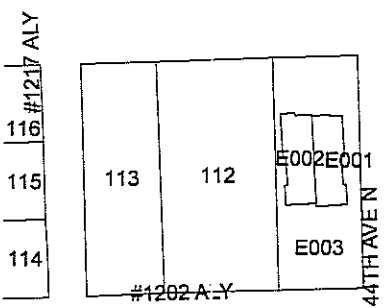
INDIANA AVE



PART OF ALLEY #1203 TO BE ABANDONED

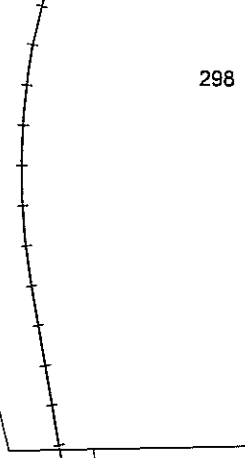
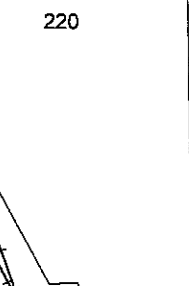
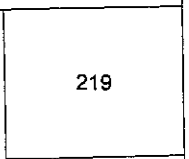
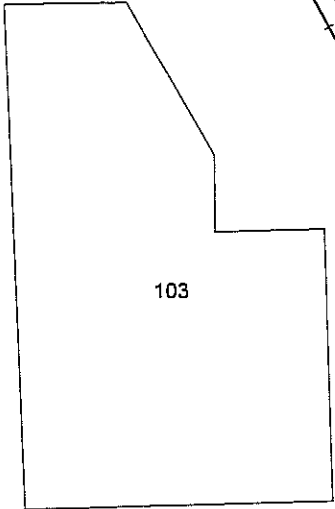


GEORGIA AVE



DELAWARE AVE

PART OF 43RD AVE N TO BE ABANDONED



189


42ND AVE N

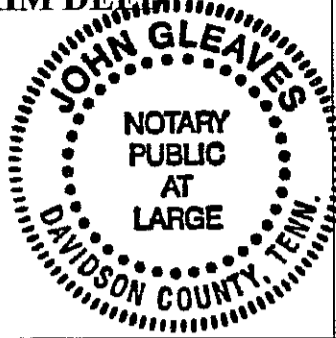
43RD AVE N

140 RAMP

P10 MAP 91-12

QUITCLAIM DEED

BILL GARRETT, Davidson County
 Trans: T2010003338 DEEDQC
 Recvd: 01/19/10 10:52 2 pgs
 Fees: 12.00 Taxes: 0.00

 20100119-0004248



STATE OF TENNESSEE
 COUNTY OF DAVIDSON

THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS \$0.00

Carla White
 Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 14th DAY OF January, 2010.

[Signature]
 Notary Public

MY COMMISSION EXPIRES: 7-24-10
 (AFFIX SEAL)

R-RCG-09-0702

THIS INSTRUMENT WAS PREPARED BY

Rudy Title and Escrow
 2012 21st Ave South
 Nashville, TN 37212

ADDRESS NEW OWNER (S) AS FOLLOWS:	SEND TAX BILLS TO:	MAP / PARCEL NUMBER (S)
RCG Group, LLC (NAME)	RCG Group, LLC (NAME)	
7412 Stacy Drive (ADDRESS)	7412 Stacy Drive (ADDRESS)	91-12-55.00
Nashville, TN 37221 (CITY) (STATE) (ZIP)	Nashville, TN 37221 (CITY) (STATE) (ZIP)	91-12-56.00

FOR AND IN CONSIDERATION OF THE SUM OF NO DOLLARS AND NO CENTS, CASH IN HAND PAID BY THE HERINAFTER NAMED GRANTEE (S) AND FOR OTHER GOOD AND VALUABLE CONSIDERATIONS, THE RECEIPT ALL OF WHICH IS HEREBY ACKNOWLEDGED, **RCG Group, LLC** I/WE HERINAFTER CALLED THE GRANTOR (S), HAVE BARGAINED AND SOLD, AND DO HEREBY QUITCLAIM AND CONVEY UNTO **RCG Group, LLC**, HERINAFTER CALLED THE GRANTEE (S), THEIR HEIRS AND ASSIGNS, ALL OF MY RIGHT TITLE AND INTEREST IN AND TO THE FOLLOWING DESCRIBED TRACT/PARCEL OF LAND IN **DAVIDSON** COUNTY, STATE OF TENNESSEE AS FOLLOWS, TO WIT:

Tract 1: 702 44th Avenue North Nashville, Tennessee 37209

LAND IN DAVIDSON COUNTY, TENNESSEE, BEING THE SOUTHERLY 50 FEET OF LOTS NOS. 210, 212, 214, 216, 218, 220, 222, 224 AND THE SOUTHERLY 50 FEET OF THE WESTERLY 5.5 FEET OF LOT NO. 208 OF BLOCK 32, PLAN NO. 1, WEST NASHVILLE, AS OF RECORD IN BOOK 57, PAGES 74 AND 75, REGISTER'S OFFICE FOR SAID COUNTY. SAID PART OF SAID LOTS FRONTS 50 FEET ON THE EASTERLY SIDE OF 44TH AVENUE NORTH AND RUNS BACK BETWEEN PARALLEL LINES, WITH THE NORTHERLY MARGIN OF AN ALLEY, 211 FEET TO A DEAD LINE.

BEING THE SAME PROPERTY CONVEYED TO RCG GROUP, LLC BY DEED FROM JEFFREY LYNN AND WADE LYNN OF RECORD IN DOCUMENT NUMBER 20091106-0102938, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE.

Tract 2: 707 43rd Avenue North Nashville, Tennessee 37209

BEING LOTS NOS. 202, 204, 206 AND THE EASTERLY 19.5 FEET OF LOT NO. 208 OF BLOCK 32, PLAN NO. 1 OF WEST NASHVILLE AS OF RECORD IN BOOK 57, PAGES 74 AND 75, REGISTER'S OFFICE FOR SAID COUNTY. SAID LOTS NOS. 202, 204, 206, AND PART OF LOT NO. 208 FRONT TOGETHER 100 FEET ON THE SOUTHERLY SIDE OF INDIANA AVENUE AND RUN BACK BETWEEN PARALLEL LINES, WITH THE WESTERLY MARGIN OF 43RD AVENUE NORTH FORMERLY 2ND STREET, 150 FEET TO AN ALLEY.

THIS CONVEYANCE IS MADE SUBJECT TO RESERVATION AS SET OUT IN BOOK 2012, PAGE 221 REGISTER'S OFFICE FOR SAID COUNTY.

BEING THE A PORTION OF THE SAME PROPERTY CONVEYED TO RCG GROUP, LLC BY QUITCLAIM DEED RECORDED ON MAY 11, 2004 IN INSTRUMENT NO. 20040511-0053685, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE.

**THE PURPOSE OF THIS QUITCLAIM DEED IS TO COMBINE
ADJOINING TRACTS OF LAND INTO ONE TRACT WITH ONE
MAP AND PARCEL NUMBER.**

This is

() unimproved

(X) improved

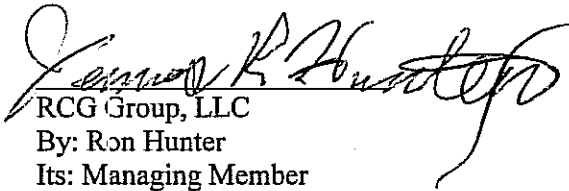
property known as

707 43rd Avenue North Nashville, Tennessee 37209

702 44th Avenue North Nashville, Tennessee 37209

(House Number) (Street) (P.O. Address) (City or Town) (Postal Zip)

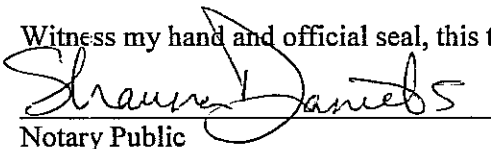
Witness my/our hand (s) this the 14th day of January, 2010.


RCG Group, LLC
By: Ron Hunter
Its: Managing Member

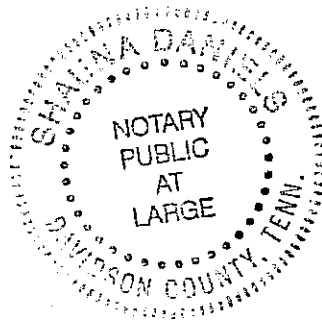
STATE OF Tennessee
COUNTY OF Davidson

On this the 14th day of January, 2010, before me personally appeared Ron Hunter, to me known (or proved to me on the basis of satisfactory evidence) and who, upon oath, acknowledged himself to be the Managing Member of RCG Group, LLC, the within named bargainer, a limited liability company, and that he as such Managing Member executed the foregoing instrument for the purpose therein contained.

Witness my hand and official seal, this the 14th day of January, 2010.


Notary Public

My Commission Expires: 11/7/12



**RETURN TO:
Rudy Title & Escrow
2012 21st Ave. South
Nashville, TN 37212**

Date: 1/25/10

Enclosed are the mandatory referral items currently being processed by the Planning Commission. In accordance with Section 11.504(c) of the Metropolitan Charter, your departments or agency's comments are needed before the date below. Please provide your written comments and recommendations below by Monday, 2/1/10 by noon, for inclusion in the presentation of this item to the Planning Commission.

Mandatory ID# MPCNUMB	Subject (click to open image) NAME	Location	Map/Parcel MAPPAR	Proposal/ Request REQUEST	Project No.	Requested by	Your Name	Your Agency	Sign Off Date	(A)pprove or (D)isapprove	Reason Disappr
2010M-002AB-001	Close Portion of Crestview Ave.	LOCAT1 Crestview Ave. from terminus to SE corner of property at 3713 Crestview Ave.	11716006400	Right-of- way Abandon ment		Public Works					
2010M-002EN-001	ICON in the Gulch	600 12th Ave South	093130c801cc 093130c900cc	Under ground Encroachm ent		Public Works					
2010M-003AB-001	Close Portion of 43rd Ave N. and Alley #1203	43rd Ave N. and Alley #1203	09112005500 09112005600	Right-of- way Abandon ment		Public Works	MANNACY	MPW	1/27/10	A	
2010M-004AB-001	Close Portion of Hill Avenue	Hill Ave.	10606006600	Right-of- way/Ease ment Abandon ment		Public Works					
2010M-013ES-001	Mill Creek Parallel Sewer	Claybrook Lane and Hickory Park Drive, east side of Blue Hole Road	173015A14500 17304018500 90000001245	Easement Acquisi tion	07-SG- 0182	Water Services					
2010M-014ES-001	Whites Creek Main	Whites Creek Pk	04004700000 04018100000	Easement Acquisi tion	08-WG- 0097	Water Services					
2010M-015ES-001	2312 Clifton Avenue	2312 Clifton Ave	9211038600	Easement Abandonm ent	10-AB-0001	Water Services					

T+P approved 7-0
3-8-2010

copy: B. Lynch
D. Himes
B. Crumley

Crumby, Bonnie (Public Works)

From: Crumby, Bonnie (Public Works)
Sent: Thursday, February 11, 2010 7:38 AM
To: Leeman, Bob (Planning); Macy, Mark (Public Works)
Cc: Hasty, Charles (Public Works)
Subject: RE: 43RD AVE N & ALLEY #1203 ABANDONMENT MANDATORY REFERRAL APPLICATION

Councilmember Baker asked to temporarily defer this Mandatory Referral request.

Bonnie Crumby
Engineering Tech III
Enhanced 911 Coordinator
 862-8781

From: Leeman, Bob (Planning)
Sent: Tuesday, February 02, 2010 8:39 AM
To: Macy, Mark (Public Works)
Cc: Hasty, Charles (Public Works); Crumby, Bonnie (Public Works)
Subject: FW: 43RD AVE N & ALLEY #1203 ABANDONMENT MANDATORY REFERRAL APPLICATION

Mark,

I have been talking to Councilman Baker about his request to close a portion of 43rd Avenue N and a portion of Alley #1203 (see attached Mandatory Referral). Planning would not be able to support this request at this time since the properties along Georgia Avenue are undeveloped, zoned residential and have a residential land use policy. Councilman Baker has indicated that the owner of the surrounding properties has a long term plan to rezone the residential properties to industrial and consolidate all of the properties. Since the Community Plan for the area does not support this type of rezoning today, I have been talking with him about possible alternatives, such as gating the alley at 44th Avenue North and and at Georgia Avenue and 43rd Ave N. Councilman Baker indicated that the main goal is to stop people from dumping at the end of the alley and the end of 43rd Ave North. If the owner ever comes in with a rezoning request and a plan for consolidating all of the properties, then the right-of-way closure issue could be considered again at that time.

I know this is not something that Public Works typically does, but since all of the properties are owned by the same individual, would blocking off or gating this area be something Public Works could consider doing in this case? Councilman Baker also suggested that the owner has some concrete barriers (Jersey barriers, I think) he could put up to save Metro the cost of putting in a gate.

Please let me know if this could work so I can let the Councilmember know what the next step will be.

Thanks,
 Bob

From: Crumby, Bonnie (Public Works)
Sent: Wednesday, January 20, 2010 12:48 PM
To: Leeman, Bob (Planning)
Subject: 43RD AVE N & ALLEY #1203 ABANDONMENT MANDATORY REFERRAL APPLICATION

2/11/2010