

PARTICIPATION AGREEMENT FOR WATER SERVICES

THIS AGREEMENT is entered into by and between Eugene H. Nelson hereinafter known as **NELSON**, and The Metropolitan Government of Nashville and Davidson County acting through the Metropolitan Department of Water and Sewerage Services, hereinafter known as "**METRO**".

WHEREAS, both **NELSON** and **METRO** desire to provide improved public water service for both the **NELSON** proposed development as well as the existing properties in this area, hereinafter known as Project No: 15-WL-0153, as further described in the "Scope of Work" below; and

WHEREAS, the provision of such water service will benefit both parties and the general community of Nashville and Davidson County, Tennessee; and

WHEREAS, the parties would like to work together to provide such water service.

NOW, THEREFORE, **NELSON** AND **METRO** AGREE AS FOLLOWS:

I. SCOPE OF WORK

The project consists of the construction of approximately 700 lineal feet of 8-inch water main in Elliott Avenue from Bradford Avenue to the entrance to the proposed development site, complete with all appurtenances.

II. PAYMENT TERMS AND CONDITIONS:

- A. **NELSON** will contract and oversee construction of this proposed project in compliance with all **METRO** requirements and specifications.
- B. **METRO** will inspect the construction and will be responsible for ongoing operation and maintenance.
- C. **METRO** agrees to pay the lesser of 50% of the actual project costs or \$100,000.00 as a contribution toward these improvements.
- D. This Agreement is subject to the approval of the Metropolitan Council of Nashville and Davidson County and will be null and void if the improvements are not operational by December 31, 2017.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed.

THE METROPOLITAN GOVERNMENT
OF NASHVILLE AND DAVIDSON COUNTY:

Eugene H. Nelson
Owner / Developer (TITLE)

Scott A. Potter, Director
Metropolitan Department of Water and
Sewerage Services

APPROVED:

Richard J. O'Neal MK
 Director of Finance

APPROVED AS TO FORM AND LEGALITY:

[Signature]
 Metropolitan Attorney

Sworn to and subscribed to before me, a Notary Public
 this 8 day of April, 2016
 by Eugene Nelson
Developer of Developer
 and duly authorized to execute this instrument on
 Developer's behalf.

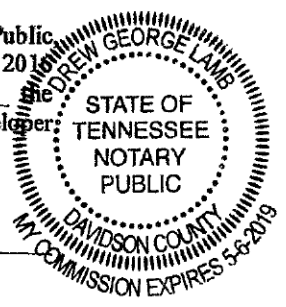
NOTARY PUBLIC

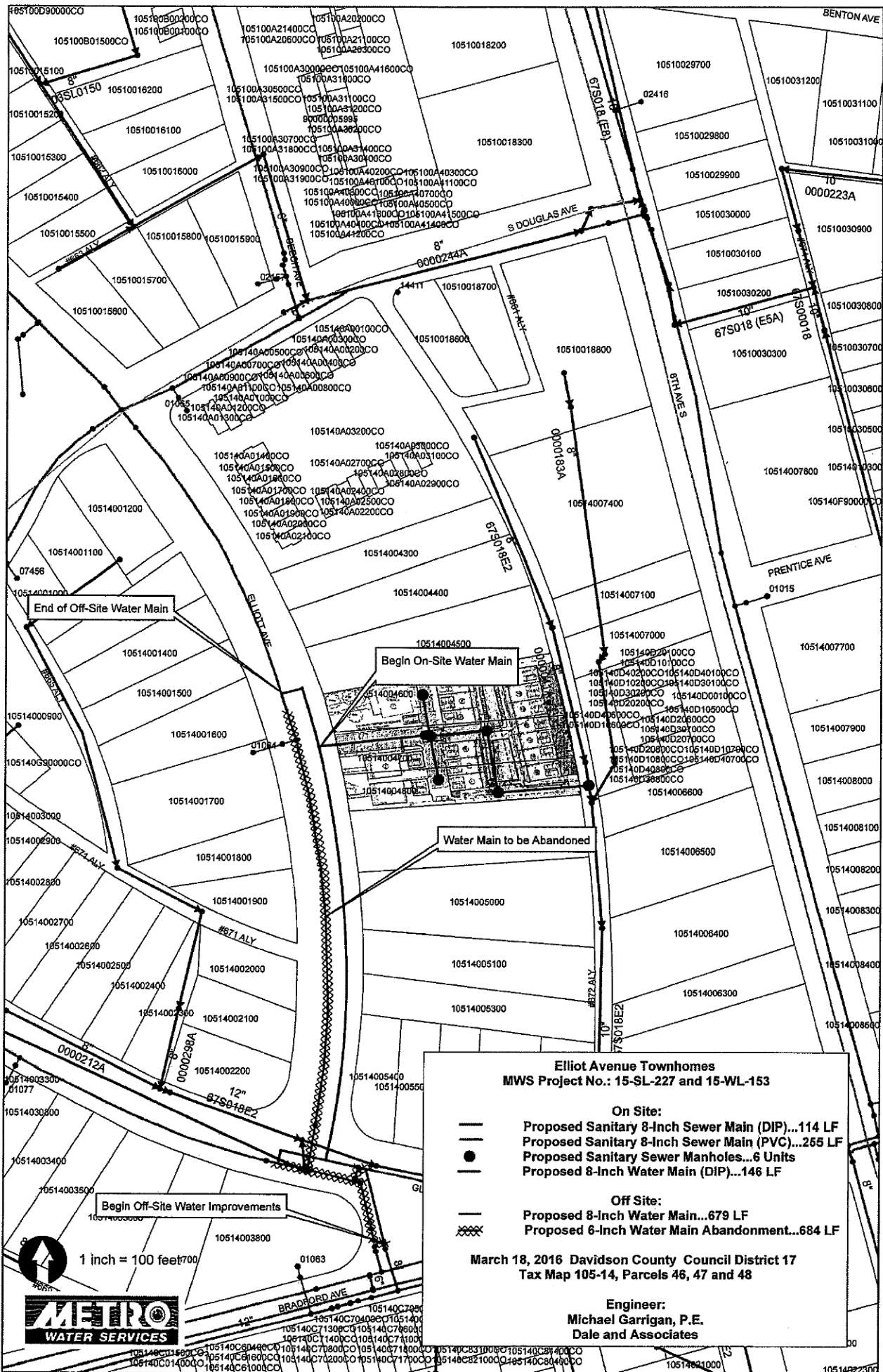
My Commission Expires: 5/6/19

FILED IN THE OFFICE OF THE
METROPOLITAN CLERK:

Metropolitan Clerk

Date: _____





Elliot Avenue Townhomes
MWS Project No.: 15-SL-227 and 15-WL-153

- On Site:**
- Proposed Sanitary 8-Inch Sewer Main (DIP)...114 LF
 - Proposed Sanitary 8-Inch Sewer Main (PVC)...255 LF
 - Proposed Sanitary Sewer Manholes...6 Units
 - Proposed 8-Inch Water Main (DIP)...146 LF

- Off Site:**
- Proposed 8-Inch Water Main...679 LF
 - XXXX Proposed 6-Inch Water Main Abandonment...684 LF

March 18, 2016 Davidson County Council District 17
 Tax Map 105-14, Parcels 46, 47 and 48

Engineer:
 Michael Garrigan, P.E.
 Dale and Associates

