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February 14, 2018

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RE: In the Matter of: Friends of Fort Negley, Inc. Docket No. 04.47-148814J

Enclosed is an order rendered in the above-styled cause of action.

Administrative Procedures Division
Tennessee Department of State

/aem
Enclosure

**BEFORE THE STATE OF TENNESSEE
HISTORICAL COMMISSION**

IN THE MATTER OF:

FRIENDS OF FORT NEGLEY,

Petitioners,

v.

**METROPOLITAN GOVERNMENT
OF NASHVILLE AND DAVIDSON
COUNTY**

Respondent-Intervenors.

APD No. 04.47-148814J

THC No. 17-0003

**PETITION FOR
DECLARATORY ORDER**

ORDER OF DISMISSAL

This matter is before the Tennessee Historical Commission (Commission) by way of a PETITION FOR DECLARATORY ORDER, filed pursuant to TENN. CODE ANN. § 4-5-223, seeking an interpretation of whether the TENNESSEE HERITAGE PROTECTION ACT OF 2016 (the Act), TENN. CODE ANN. § 4-1-412, applies to “the entire acreage” of Fort Negley, located in Nashville, Tennessee.

On November 9, 2017, the Commission voted to convene a contested case and to refer this matter to an Administrative Judge, appointed by the Tennessee Secretary of State, to hear the contested case and enter an initial order to be reviewed by the Commission. On February 12, 2018, an AGREED ORDER REGARDING THE APPLICABILITY OF THE TENNESSEE HERITAGE PROTECTION ACT TO FORT NEGLEY PARK (AGREED ORDER) was submitted by attorneys for the Petitioners and the Respondent-Intervenors, wherein the parties agreed that the sites of Fort Negley and Herschel Greer Stadium, as described in the AGREED ORDER, constitute a “Memorial,” as defined by the Act. A copy of the AGREED ORDER is attached to this ORDER OF

DISMISSAL. Based on the attached AGREED ORDER of the parties, and a contemporaneously submitted proposed AGREED ORDER OF DISMISSAL, in which the parties state that “all issues in dispute” have been resolved, the undersigned Administrative Judge hereby **DISMISSES** the PETITION FOR DECLARATORY ORDER.¹

It is so **ORDERED**, entered and effective this the 14th day of February, 2018.

Phillip R. Hilliard / by jtec
PHILLIP R. HILLIARD
ADMINISTRATIVE JUDGE
ADMINISTRATIVE PROCEDURES DIVISION
OFFICE OF THE SECRETARY OF STATE

¹ By determination of the Commission, and in accordance with TENN. CODE ANN. § 4-5-301, this matter is being conducted by the undersigned administrative judge, sitting alone. The Commission has the authority to review initial orders rendered by an administrative judge, as provided by TENN. CODE ANN. § 4-5-315.

STATE OF TENNESSEE
TENNESSEE HISTORICAL COMMISSION

IN THE MATTER OF :	)	
FRIENDS OF FORT NEGLEY	)	
	)	THC 17-0003
Petitioner	)	
	)	DOCKET NO. 04.47-148814J

**AGREED ORDER REGARDING THE APPLICABILITY OF THE TENNESSEE
HERITAGE PROTECTION ACT TO FORT NEGLEY PARK**

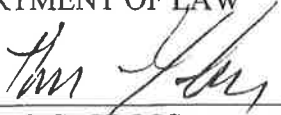
Subject to final approval by the Commission, the parties agree, as shown by the signatures of counsel below, that the Metropolitan Government-owned property that includes the sites of Fort Negley and Herschel Greer Stadium (described in Ordinance No. BL2005-604 as: Vine Street (unnumbered), 609 and 640 Bass Street, 800 Fort Negley Boulevard, 534 Chestnut Street, and 1108 Fall Street, (63.90 acres), being Property Parcel Nos. 239, 447, 446, 434, 398 as designated on Map 105-02 and Property Parcel No. 558 as designated on Map 93-14 of the Official Property Identification Maps of The Metropolitan Government of Nashville and Davidson County) is a Memorial as defined in the Tennessee Heritage Protection Act, Tenn. Code Ann. § 4-1-412. It is so ordered.

Judge Phillip Hilliard



Approved for entry:

METROPOLITAN GOVERNMENT OF
NASHVILLE AND DAVIDSON COUNTY
DEPARTMENT OF LAW



THOMAS G. CROSS # 14810

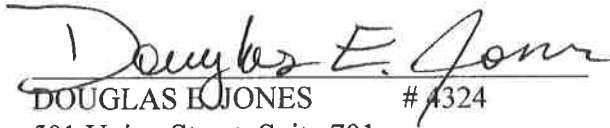
Metropolitan Courthouse, Suite 108

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