

BEFORE THE TENNESSEE HISTORICAL COMMISSION

RECEIVED
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TN. HISTORICAL
COMMISSION

FRIENDS OF FORT NEGLEY, Inc.

Plaintiff,

v.

**METROPOLITAN GOVERNMENT OF
NASHVILLE and DAVIDSON
COUNTY, TENNESSEE. Respondents.**

Docket No. _____

PETITION FOR DECLARATORY ORDER

The petitioner, Friends of Fort Negley Inc. (hereinafter referred to as FOFN) brings this petition pursuant to T.C.A. §4-5-223, requesting the Tennessee Historical Commission to issue a declaratory order finding that the entire acreage of historic Fort Negley, which is owned by the Respondent Metropolitan Government of Nashville and Davidson County, Tennessee (hereinafter referred to as the City) to be a “historical memorial pursuant” to The Tennessee Historic Preservation Act of 2016, T.C.A. §4-1-412.

I. Friends of Fort Negley

1. FOFN was originally started in 2007 by the Battle of Nashville Preservation Society. Prior to 2007, the Battle of Nashville Preservation Society worked with

the city of Nashville to preserve Fort Negley

2. In 2012, individuals had discussions with representatives of the Metro Parks Department and the Metro Historical Committee about reforming FOFN.
3. In 2013, FOFN filed its charter with the Tennessee Secretary of State. FOFN is a nonprofit 501(c)(3) organization. FOFN's purpose is to protect, promote, preserve and maintain Fort Negley, as well as continue to study the history of the park and to create public educational programs. It receives funds to maintain the site as well as to insure Fort Negley is preserved for future generations.
4. FOFN have sponsored many events at the Fort including monthly fossil finding education events, a Memorial Day wreath laying ceremony, historic lectures and reenactment demonstrations. FOFN have conducted work sessions at the Fort including removing weeds and other unwanted vegetation. FOFN have received grants to fund panel discussions, as well as a Nashville Predator grant to enhance natural history educational programs.
5. FOFN currently is engaged in studying and reviewing the best approach for further stabilization and restoration of the Fort.
6. FOFN have assisted in the operations and management of the Fort Negley gift shop.
7. The City has recognized and acknowledged that FOFN is the appropriate and responsible party to assist in managing, operating and raising funds for Fort Negley.

II. History of Fort Negley

8. In February of 1862, Fort Henry, a Confederate Fort on the Tennessee River and Fort Donelson, a Confederate Fort on the Cumberland River, fell to Union Forces. As a result of those battles, the commanding General of the Confederate Army determined they were unable to defend Nashville and therefore abandoned the City of Nashville and moved south.
9. By March of 1862, the Union Army occupied the City of Nashville. From October through December of 1862, the Union Army impressed laborers, both slaves and free blacks, to construct the Fort using stones, logs, earth and railroad iron. More than 2,700 African Americans worked on the Fort. Only 300 were paid for their labor, and between 600 and 800 workers died. Many were buried on the grounds of the Fort.
10. When completed, Fort Negley was the largest inland Fort built in the United States during the Civil War. The Fort was named after Union Army Commander James S. Negley. In 1865, the Fort was renamed Fort Hanker due to General Negley's poor performance at the battle of Chickamauga. However, the new name was not popular and the Fort continued to be called Fort Negley.
11. At the time of the completion of the Fort, the ground below it was cleared of vegetation. This included the site where Greer Stadium is located. This allowed a clear line of fire for the cannon of Fort Negley to the railroad, Franklin Pike and

southeast to Cherry Street and the Nolensville Pike. (See attached 1937 photo marked Exhibit A)

12. The Battle of Nashville took place on December 15 and 16, 1864, and although it was fought several miles to the south, Fort Negley served as the main anchor for the Union Army defensive line.
13. Between 1862 and 1864, the refugee or contraband slave camp surrounding Fort Negley continued to grow, as slaves from area plantations sought their freedom as well as basic sustenance. Many of the men from this camp mustered into the Union Army as United States Colored Troops (hereinafter referred to as USCT) and played a pivotal role in the defense of Nashville in December 1864. At Peach Orchard Hill, the only Union regiment to reach the Confederate line was the 13th USCT. They fought gallantly, suffering staggering losses-- 229 of 556 killed, including five color-bearers.
14. The Union Army retired Fort Negley in 1867, but former slaves continued to eke out an existence on and around the hill. By the end of the 19th century, the area was known as Rock Town. It and adjacent neighborhoods, including Edgehill and Chestnut Hill, had their roots in the contraband camps established during the Union occupation of the City. Fort Negley itself was left neglected, despite several attempts in the early twentieth century by Sen. Luke Lea and others to establish a National Battlefield Park at the site.
15. In 1928, the City of Nashville purchased the Fort Negley property, some 50 acres from the heirs of Judge John Overton. The tract included the Fort Negley land that Greer Stadium would be built upon. The city's intent was to "restore the Fort" as

it was during the Civil War and make the land a public place. (See attached page marked Exhibit B)

16. In 1935, the City of Nashville applied for and received Works Progress Administration (WPA) funding to aid in restoring the Fort and the surrounding property, and the Park opened to the public in 1938. Yet, by the end of World War II, the Fort had fallen into a state of despair while the rest of the park remained open to the public.
17. In 1974, after years of neglect, the City of Nashville applied to have Fort Negley registered with the National Register of Historic Places. The National Register of Historic Places is the United States' official list of cultural resources worthy of preservation. Properties listed in the National Register are significant in American History.
18. In 1975, The Tennessee Historical Commission approved and signed off on the City of Nashville's Fort Negley application for the National Register. Fort Negley became certified and listed on the National Register of Historic Places.
19. In 2005 the Metro Government applied the Historic Landmark Overlay District to all the Fort Negley property, including the Greer Stadium and parking lot. (See attached copy marked Exhibit C) There are over 20 statues, panels and memorials reciting the history and honoring the black men who toiled to build on the property.
20. In 1996, the Metropolitan Historical Commission and Metropolitan Parks Department jointly created the "Fort Negley Master Plan of 1996." In 2007, the

Metropolitan Parks Department created a supplement to the 1996 Master Plan.

21. The 2007 Supplement to the Master Plan included plans for reintegrating the property, grounds and land that was part of the Nashville Sounds lease. (See attached copy of 2007 Supplement marked Exhibit D)
22. The 2007 Supplement Plan continues to call for the ground to be part of preservation and interpretation of historical Fort Negley.
23. Fort Negley is considered one of the most important historic sites in the country associated with African-Americans and slavery at the time of the Civil War.
24. The property at Fort Negley continues to be used by United States Colored Troop Infantry (13th USCT). This highly decorated military reenactor unit conducts field demonstrations as well as camping and other military exercises for the benefit of public education about the war.
25. In September of 2017, Fort Negley Park was nominated to the United Nations Educational, Scientific and Cultural Organization (UNESCO) to be designated through UNESCO's Slave Routes site program, as well as an NPS Underground Railroad site.
26. The outstanding history departments of Fisk University, Vanderbilt University and Tennessee State University all continue to support the preservation of Fort Negley.

III. The City's Plan to Develop Fort Negley

27. In the late 1970's, the Nashville Sounds baseball team leased part of the Fort Negley land and built Greer Stadium and a parking lot on the side.
28. The Nashville Sounds built their baseball stadium and parking lot on the grounds of and within the boundary of Fort Negley.
29. The Nashville Sounds' last season at Greer Stadium was in 2014. In 2015, the Nashville Sounds moved to the new stadium at First Tennessee Park. In 2015, the City began considering what to do with the Greer Stadium site. As noted by the Metropolitan Parks Department, the Stadium was built on Fort Negley land.
30. On January 27, 2017 the city issues a Request for Quotation (RFQ) that allowed developers to submit proposals for the baseball stadium and surrounding ground at Fort Negley.
31. The City appointed a seven member Committee to choose the private company to develop Fort Negley and contraband encampment and battlefield land.
32. The City used the rules for "surplus property" which prohibited the public from attending the Committee meetings. At the time of this petition, the City still has not declared Fort Negley to be "surplus property".
33. On May 26, 2017, the City awarded the Cloud Hill Partnership the right to develop the Greer Stadium site located on the Fort Negley property. Included in the proposal were almost 300 residences to be workforce affordable and market-rate housing, offices, artists' space and a retail village. (See attached copy of Cloud Hill proposal marked Exhibit E)

34. Under the Cloud Hill proposal, the developers would guarantee a lease payment to the City of \$1 million paid over ten years in return for a 99 year lease. Metro would also receive some minority participation from cash flow from the project. The City's own appraisal of the property has found the value at approximately \$32 million.
35. The City, through the Mayor's office and the Metropolitan Parks Board have continued to push for development of Fort Negley.
36. On September 12, 2017, the Metropolitan Parks Board held its monthly meeting. They heard from the Friends of Fort Negley, which presented an all park vision for the site as well as rationale for why the Cloud Hill proposal is inappropriate. The Parks Board agreed to this presentation after Cloud Hill group presented its plan to them at the August meeting. On September 27, 2017 the protest appeal of the Adventure Park proposal team was rejected, and the City began formal negotiations with Cloud Hill.
37. The City attempts to justify the development under the premise that Greer Stadium is a "separate parcel." In fact, the Fort Negley Greer Stadium property was never conveyed as a separate parcel. Rather, such designation is only an internal, administrative description.
38. The City's effort to hide behind an internal designation does not and cannot erase the local, state, national and international significance of Fort Negley as a historic site.

39. The proposed Cloud Hill development of the twenty-one acres of Fort Negley on the northeast side of Fort Negley hill would have many adverse impacts on the site.
40. The most basic adverse impact is the loss of ground that is essential to realizing a fuller interpretation of the site. Portions of the twenty-one acres include archaeological features: portions of a Union entrenchment, as well as possible extant remains of the contraband camp and the free black settlement features are present. Identifying and interpreting these features onsite would tell the story of the Fort more fully and would highlight the reality that the story of the site is much broader than the star-shaped fort on the hilltop.
41. If Fort Negley loses this twenty- one acres, it can never get it back and can never become the sort of park that people have been envisioning at least since Senator Luke Lea attempted to create a national park there in the years before United States entry into World War I.
42. The broader adverse impact of this privatization of the twenty-one acres is the precedent it sets for other park land: the possibility that other park land might be privatized, despite its historic and/or natural significance and value to the public.
43. Other adverse impacts would be many, including:
- (a) Damage to the Fort's condition from heavy excavation and blasting into limestone that would be necessary for construction.

- (b) Obstructed view sheds, both from the top of the hill and looking up the hill from points such as the City Cemetery.
- (c) The likely reduction of Fort Negley Park to dog park status for those occupying the nearly three hundred apartments that are slated to be built and the added peril that such traffic would pose to the Fort.
- (d) The increased scarcity of parking for those who wish to visit the Visitor Center and explore the Fort and surrounding area for their historical significance.
- (e) The diminished potential for Fort Negley Park and Visitor Center to host large events, due to loss of space and more limited parking.

44. Based on the foregoing, Friends of Fort Negley would respectfully request that the Tennessee Historical Commission issue a Declaratory Order finding that Fort Negley property, including the land that was previously the location of Greer Stadium, is covered by and included in "The Tennessee Heritage Protection Act of 2016," and specifically find that as such "historical memorial," and that the city shall not "alter" this historic memorial.

Respectfully submitted,

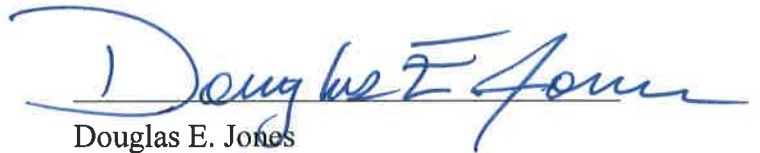
SCHULMAN, LeROY & BENNETT, P.C.



Douglas E. Jones #4324
Attorney for Petitioner
501 Union Street, Suite 701
Nashville, TN 37219
(615) 244-6670

Certificate of Service

I hereby certify that a true and correct copy of the foregoing document has been forwarded both electronically and by mail to Mr. Jon Cooper, attorney for the Metropolitan Government of Davidson County, Tennessee, Metropolitan Courthouse, Suite 108, PO Box 196300, Nashville, TN 37219 and the Tennessee Historical Commission, 2941 Lebanon Pike, Nashville, TN 37214 on this the 9th day of October, 2017.



Douglas E. Jones

ATTACHMENTS

EXHIBIT A: 1937 Aerial Photo of Fort Negley (Pages 1-1)

EXHIBIT B: City of Nashville Purchasing Fort Negley Property (Pages 2-8)

EXHIBIT C: Historic Overview (Pages 9-10)

EXHIBIT D: 2007 Supplement to the 1996 Fort Negley Plan (Pages 10-27)

EXHIBIT E: Project Overview (Pages 28-28)

EXHIBIT A

THE NASHVILLE RETROSPECT, DECEMBER 2009

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1937 This image of Fort Negley was taken on Feb. 14, 1937, by aerial photographer Walter M. Williams. After decades of neglect, the fort was restored in the 1930s as part of the Works Progress Administration. (The houses in the lower left corner were sited for construction of I-65.) After World War II, the fort again fell into disrepair and was closed. In the early 2000s another restoration effort was launched, and on Dec. 10, 2004, Fort Negley was reopened to the public. (Source: Memo Archives)

EXHIBIT B

NUMBER 35293 RECORDED OCT 20 1928
BANK OF COMMERCE & TRUST CO, TRUSTEE ET AL
IN THE CHANCERY COURT OF
SHELBY COUNTY, TENNESSEE

VS
IMogene FARGASON ET AL.

DECREE CONFIRMING REPORT OF MASTER AND APPOINTING SPECIAL
COMMISSIONER TO MAKE DEED ETC.,

CERTIFIED COPY.

IN THE CHANCERY COURT OF SHELBY COUNTY, TENNESSEE
STATE OF TENNESSEE
SHELBY COUNTY

BE IT REMEMBERED THAT A TERM OF THE CHANCERY COURT OF
SHELBY COUNTY STATE AFORESAID, BEGUN AND HELD AT THE COURT HOUSE IN THE CITY OF MEMPHIS,
IN AND FOR THE SAID COUNTY ON THE FIRST MONDAY IN APRIL 1928

PRESENT AND PRESIDING THE HONORABLE M. C. KETCHUM, CHANCELLOR
OF SAID COURT ON TO WIT: THE 13TH DAY OF SEPTEMBER 1928 ONE OF THE DAYS OF SAID TERM,
THE FOLLOWING PROCEEDINGS WERE HAD, AS APPEARS OF RECORD IN MINUTE BOOK 184 PAGE 303.

BANK OF COMMERCE & TRUST COMPANY
TRUSTEE ET AL.,

COMPLAINANTS

NO 35700 R. D.

VS.

IMogene FARGASON ET AL.,

DEFENDANTS.

DECREE CONFIRMING REPORT OF MASTER AND
APPOINTING SPECIAL COMMISSIONER TO MAKE
DEED ETC.

ENTERED SEPTEMBER 13, 1928

M. B. 184, P 303

W. M. CON O & N.,

BY CONSENT OF ALL PARTIES HERETO, THIS CAUSE CAME ON
THIS DAY TO BE HEARD BY THE COURT UPON THE PLEADINGS, PROCESS AND PROOF HEREIN, AND UPON
THE ENTIRE RECORD IN THIS CAUSE, AND PARTICULARLY UPON THE REPORT OF THE CLERK AND MASTER
OF THIS COURT, FILED HEREIN THE 13TH DAY OF AUGUST 1928, WHICH REPORT IS IN WORDS AND
FIGURES FOLLOWING, EXCEPT ONLY REFERENCES TO THE DEPOSITIONS AND PROOF CITED BY THE MASTER
IN HIS REPORT OF HIS FINDINGS, TO-WIT:-

IN THE CHANCERY COURT OF SHELBY COUNTY, TENNESSEE

BANK OF COMMERCE & TRUST
COMPANY, TRUSTEE ET AL.,

VS

NO. 35700 R. D.

IMogene FARGASON ET AL.

MASTER'S REPORT

IN RESPONSE TO THE ORDER OF REFERENCE ENTERED HEREIN ON JUNE 13, 1928
M. B. 184, PAGE 156 BY WHICH FORMAL NOTICE OF THE TIME AND PLACE OF TAKING ADDITIONAL
PROOF WAS DISPENSED WITH THE UNDERSIGNED REPORTS THAT CERTAIN PROOF WAS TAKEN IN THE
CITY OF NASHVILLE, TENNESSEE BY THE DEPOSITIONS, OF ROGERS CALDWELL, JOHN F. CALDWELL,
W. M. WHITE, J. D. ANDREWS, JOHN B. LEWIS, C. D. TUCKER, W. T. GOODLOE AND H. L. WILLIAM
SON, WHICH WERE ONLY FILED IN THIS CAUSE, FROM THIS AND OTHER PROOF PREVIOUSLY TAKEN
AND ON FILE AND THE PLEADINGS IN THE CAUSE, THE MASTER FINDS AND SO REPORTS AS FOLLOWS

1. THE OWNERS OF THE LAND DESIGNATED AND DESCRIBED IN THE PETITION
FILED HEREIN ON JUNE 8, 1928 AND IN THE ORDER OF REFERENCE AS PARCEL A, CONTAINING ABOUT
800 ACRES, AND BEING PART OF THE PROPERTY KNOWN AS ST. CLOUD HILL, OR OLD FORT NEBLEY

EXHIBIT B

SITUATED IN NASHVILLE, DAVIDSON COUNTY, TENNESSEE AND THEIR RESPECTIVE RIGHTS, TITLES AND INTERESTS IN SAID LAND, ARE AS FOLLOWS:-

JOHN T. FARGASON, JR.	1/3 INTEREST
BANK OF COMMERCE & TRUST CO. AS TRUSTEE FOR ANNIE S. FARGASON	1/3 INTEREST
IMOGENE FARGASON, A MINOR	1/3 INTEREST

SAID BANK OF COMMERCE & TRUST CO., IS TRUSTEE FOR ANNIE S. FARGASON, UNDER A TRUST AGREEMENT DATED JANUARY 8, 1926 AND RECORDED IN BOOK 994 PAGE 54 OF THE DEED RECORDS IN THE OFFICE OF THE REGISTER OF SHELBY COUNTY, TENNESSEE AND ALSO RECORDED IN BOOK 652 PAGE 305 OF THE DEED RECORDS IN THE OFFICE OF THE REGISTER OF DAVIDSON COUNTY TENNESSEE, BY WHICH TRUST AGREEMENT THE TITLE TO SAID ONE THIRD INTEREST OF SAID ANNIE S. FARGASON TO THIS AND OTHER LANDS WAS CONVEYED TO SAID BANK OF COMMERCE & TRUST CO. AS TRUSTEE, WITH FULL POWER OF SALE, ETC.,

JOHN T. FARGASON, SR. IS REGULAR GUARDIAN OF SAID MINOR IMOGENE FARGASON.

SAID LAND WAS DEVISED TO SAID JOHN T. FARGASON, JR., ANNIE S. FARGASON AND IMOGENE FARGASON BY THEIR MOTHER ANNIE S. FARGASON, DECEASED.

JOHN T. FARGASON SR. THE FATHER OF SAID DEVISEE CHILDREN AND SURVIVING HUSBAND OF SAID ANNIE S. FARGASON DECEASED, WOULD BE ENTITLED TO AN ESTATE BY THE CURTESY IN SAID LANDS, BUT HE, THE SAID JOHN T. FARGASON, SR. BY HIS ANSWER AND ALSO BY HIS DEPOSITION IN THIS CAUSE HAS RENOUNCED AND WAIVED ALL HIS RIGHTS OF CURTESY AND ANY AND ALL INTEREST HE MAY HAVE IN SAID LANDS IN FAVOR OF AND UNTO THE SAID OWNERS IN EQUAL PARTS, THE SAID BANK OF COMMERCE & TRUST CO. AS TRUSTEE AFORESAID, TO HOLD ITS ONE-THIRD INTEREST IN SAID CURTESY ESTATE SUBJECT TO ALL THE USES, AND TRUSTS IN BE SAID ABOVE MENTIONED TRUST AGREEMENT CONTAINED AND WHICH ONE THIRD CURTESY INTEREST MAY BE SOLD, AND CONVEYED BY SAID TRUSTEE, TOGETHER WITH THE OTHER INTEREST IN SAID LANDS.

2. IT IS NOT PRACTICABLE NOR ADVISABLE TO PARTITION SAID LAND IN KIND, IT IS A HIGH HILL, THE APPEX ELEVATION BEING 125 TO 150 FEET SLOPING IN ALL DIRECTIONS ROCKY AND DULLY WASHED, AND NOT CAPABLE OF BEING PARTITIONED IN KIND TO ANY ADVANTAGE TO THE OWNERS; IT WOULD BE MANIFESTLY FOR THEIR BEST INTEREST THAT THE PROPERTY BE SOLD INSTEAD OF PARTITIONED.

DEP. JOHN F. CALDWELL Q & A 34-65 & 66

W. M. WHITE Q & A 25 TO 27.

J. D. ANDREWS, Q & A 28 & 29-27 TO 30

C. B. TUCKER Q & A 26 TO 28.

3. ACCORDING TO THE PROOF THERE ARE NO ENCUMBRANCES WHATSOEVER ON SAID PROPERTY EXCEPT THE LIEN OF TAXES FOR THE CURRENT YEAR OF 1928.

DEP. JOHN T. FARGASON, JR. Q & A 44.

4. THE PRICE OFFERED FOR SAID LAND BY THE BOARD OF PARK COMMISSIONERS OF NASHVILLE, TENNESSEE, TO WIT: \$20,000.00 UPON TERMS OF ONE-HALF ON OR BEFORE TEN YEARS FROM DATE AND THE OTHER HALF ON OR BEFORE FIFTEEN YEARS FROM DATE, EVIDENCED BY THE NOTES OR COUPON BONDS OF SAID BOARD OF PARK COMMISSIONERS BEARING INTEREST AT THE RATE OF 4 1/2 PER CENTUM PER ANNUM PAYABLE SEMI ANNUALLY AND SAID NOTES OR BONDS TO BE SECURED BY THE VENDORS LIEN ON SAID PROPERTY IS FOUND TO BE THE FULL, FAIR AND REASONABLE VALUE OF THE PROPERTY. THE PROOF SHOWS THAT EVEN IF THE REAL ESTATE BROKER'S COMMISSIONS AND ALL COSTS, FEES AND EXPENSES SHOULD REDUCE THE SUM TO THE NET AMOUNT OF ABOUT \$17,000.00 IT WOULD STILL BE A GOOD PRICE AND AN ADVANTAGEOUS SALE FOR THE OWNERS BECAUSE OF THE UNUSAL TOPOGRAPHY OF THE LAND, IT BEING A HIGH, ROCKY HILL, SLOPING STEEPLY IN ALL DIRECTIONS, WITH NO SOIL FOR VEGETATION AND UNSUITABLE FOR RESIDENTIAL PURPOSE OR INDUSTRIAL USES AND SURROUNDED BY RAILROAD TRACKS, A SAW MILL AND SMALL HOUSES OR SHACKS OCCUPIED BY NEGROES, AND A FEW WHITE PEOPLE OF THE POORER CLASS AND THEREFORE, GENERALLY UNSALABLE AND UNDESIRABLE.

SEVERAL NASHVILLE BANKERS AND REAL ESTATE BROKERS OF MANY YEARS EXPERIENCE, AND WHO ARE FAMILIAR WITH THE PROPERTY IN QUESTION TESTIFY TO THE IMPRATICABILITY OF EFFECTING A SALE OF THE PROPERTY AND THE NECESSITY OF A SALE AT THE PRICE OFFERED BY THE BOARD OF PARK COMMISSIONERS.

EXHIBIT B

OF PARK COMMISSIONERS TO PAY \$20,000.00 ON THE TERMS STATED, FOR THAT PORTION OF ST. CLOUD HILL OR OLD FORT NEGLEY DESCRIBED IN THE PETITION HEREIN IS A GOOD PRICE, WHICH, IF THE PROPERTY WERE THEIR OWN, THEY WOULD NOT HESITATE TO ACCEPT.

DEP. JOHN F. CALDWELL, Q & A 29 TO 35-65 & 66

W. W. WHITE Q & A 27.

J. D. ANDREWS, Q & A 33, TO 39-27 TO 31-44 TO 48,

C. R. TUCKER Q & A 34 TO 32,

H. L. WILLIAMSON Q & A 32 TO 40,

THE PROPERTY IS UNIMPROVED EXCEPT FOR A FEW SHACKS ERECTED BY NEGROES WHO PAY A SMALL AMOUNT OF GROUND RENT ABOUT \$3.00 PER MONTH EACH TO THE OWNERS, WHICH IS INSUFFICIENT TO PAY THE TAXES ON THE LAND, SAID TENANTS RENT FROM MONTH TO MONTH AND UNDERSTAND THAT THEY ARE TO MOVE OFF THE LAND, AND IF THEY WISH TAKE THEIR SHACKS WITH THEM UPON 30 DAYS NOTICE.

DEP. JOHN F. CALDWELL Q & A 61 TO 64.

J. D. ANDREWS Q & A 33,

W. T. GOODLOE Q & A 6 TO 32.

THE PROOF SHOWS THAT THE TERRANE OR ROCK FORMATION OF WHICH SAID HILL IS COMPOSED IS SHALY AND WHAT IS COMMONLY KNOWN AS "ROTTEN LIMESTONE", AND HAS NO COMMERCIAL VALUE.

DEP. JOHN F. CALDWELL Q & A 34.

J. D. ANDREWS Q & A 18 & 19

ST. CLOUD HILL OR OLD FORT NEGLEY HAD AN HISTORIC VALUE IN THAT DURING THE CIVIL WAR THE FEDERAL TROOPS USED IT AS A FORT AT THE BATTLE OF NASHVILLE AND IT IS THE PURPOSE OF THE BOARD OF PARK COMMISSIONERS TO PRESERVE IT AND REPRODUCE THE FORT AS IT WAS DURING THE CIVIL WAR AND MAKE OF THE LAND A PUBLIC PARK.

DEP. JOHN F. CALDWELL Q & A 20.

W. W. WHITE Q & A 11 TO 14.

J. D. ANDREWS Q & A 16.

THE SALE OF THE PROPERTY IN QUESTION TO THE BOARD OF PARK COMMISSIONERS AND ITS IMPROVEMENTS AS A PUBLIC PARK WOULD ENHANCE THE VALUE AND SALABILITY OF THE ADJOINING PROPERTY OWNED BY THE FARGASONS AND OTHERS.

DEP. JOHN F. CALDWELL Q & A 39.

W. W. WHITE Q & A 31 TO 33

J. D. ANDREWS Q & A 50 TO 52.

THE MASTER FINDS FROM ALL THE PROOF THAT IT WOULD BE ADVANTAGEOUS TO THE OWNERS, AND MANIFESTLY FOR THE ADVANTAGE AND BEST INTEREST OF THE MINOR, TO ACCEPT SAID OFFER OF PURCHASE. THE DEFERRED PAYMENTS OF THE PURCHASE PRICE TO WIT:

ONE -HALF ON OR BEFORE TEN YEARS FROM DATE AND THE OTHER HALF ON OR BEFORE FIFTEEN YEARS FROM DATE, EVIDENCED BY NOTES OR COUPON BONDS OF SAID BOARD OF PARK COMMISSIONERS OF NASHVILLE, TENNESSEE, WITH INTEREST AT THE RATE OF 4% PER CENTUM PER ANNUM PAYABLE SEMI ANNUALLY AND SAID NOTES OR BONDS TO BE SECURED BY THE VENDORS LIEN ON SAID PROPERTY IS FOUND TO BE AN ABSOLUTELY SAFE AND DESIRABLE ARRANGEMENT, IF THE OWNERS SHOULD KEEP THE BONDS THEY WOULD HAVE THE BENEFIT OF SAID INTEREST INCOME, OR IF THE DESIRED TO SELL THE BONDS AND CONVERT THEM INTO CASH AND MAKE OTHER INVESTMENT OF THE PROCEEDS OF SALE THE PROOF SHOWS THAT SUCH BONDS OF SAID BOARD OF PARK COMMISSIONERS ARE READILY SALABLE AT NASHVILLE AT PAR.

DEP. RODERS CALDWELL Q & A 54 TO 59

J. D. ANDREWS Q & A 43 TO 54.

AND B. LEWIS Q & A 5 TO 14

H. L. WILLIAMSON Q & A 12 TO 23,

THE MASTER THEREFORE FINDS AND SO REPORTS THAT SAID OFFER OF THE BOARD OF PARK COMMISSIONERS OF NASHVILLE TENNESSEE TO PAY \$20,000.00 UPON THE TERMS STATED FOR SAID PROPERTY SHOULD BE ACCEPTED AND SAID SALE RATIFIED AND CONFIRMED BY THE COURT.

EXHIBIT B

W. M. COX, CLERK AND MASTER

BY REC. N. S. WESTBOTH,

D. O. & M.

AUGUST 13, 1928

AND IT APPEARING TO THE COURT THAT SAID REPORT IS IN ALL THINGS CORRECT AND UNEXCEPTED TO THE COURT IS PLEASED TO, AND SO IT HEREBY ORDER, ADJUDGE AND DECREE THAT SAID REPORT BE AND THE SAME IS HERETO IN ALL THINGS CONFIRMED

AND IT FURTHER APPEARING TO THE COURT THAT ON THE 27TH DAY OF OCTOBER 1926, COMPLAINANTS HEREIN TO WIT: BANK OF COMMERCE & TRUST COMPANY AS TRUSTEE FOR ANNIE S. FARGASON UNDER THE TERMS AND PROVISIONS OF A CERTAIN INSTRUMENT OF WRITING DATED THE 8TH DAY OF JANUARY 1925, AND DULY RECORDED IN BOOK 994 PAGE 96 OF THE DEED RECORDS IN THE OFFICE OF THE REGISTER OF SHELBY COUNTY, TENNESSEE AND ALSO IN BOOK 683 PAGE 305 OF THE DEED RECORDS IN THE OFFICE OF THE REGISTER OF DAVIDSON COUNTY TENNESSEE AND JOHN T. FARGASON, JR. FILED THEIR ORIGINAL BILL IN THIS CAUSE WHEREIN IMOGENE FARGASON MINOR, WAS NAMED AS A PARTY DEFENDANT; THAT SUBSEQUENTLY JOHN T. FARGASON FATHER AND LEGAL GUARDIAN OF THE SAID IMOGENE FARGASON WAS MADE A PARTY DEFENDANT TO SAID ORIGINAL BILL AND FILED HIS ANSWER THERETO; THAT PROCESS FROM THIS COURT WAS DULY ISSUED AND PERSONAL SERVICE HAD UPON THE SAID DEFENDANT, IMOGENE FARGASON AT THAT TIME UNDER THE AGE OF FOURTEEN YEARS; AND THAT THE SAID GUARDIAN AND FATHER OF SAID MINOR DEFENDANT APPEARED AND ANSWERED FOR THE SAID MINOR DEFENDANT AND HAS REPRESENTED HER AND MADE DEFENSE FOR HER THROUGHOUT THIS ENTIRE PROCEEDING; THAT THE COMPLAINANTS AND SAID MINOR DEFENDANT WERE ALL RESIDENTS AND CITIZENS OF SHELBY COUNTY, TENNESSEE AND WERE EQUAL OWNERS OF CERTAIN LANDS SITUATED IN SHELBY COUNTY, TENNESSEE FULLY MENTIONED AND DESCRIBED IN THE ORIGINAL BILL AND CERTAIN OTHER LANDS SITUATED IN THE CITY OF NASHVILLE DAVIDSON COUNTY TENNESSEE INCLUDING THE LANDS HEREINAFORE DESCRIBED; THAT SAID ORIGINAL BILL WAS FILED FOR THE PURPOSE OF MAKING A SALE OF ALL OF SAID LANDS INCLUDING THE LANDS HEREINAFORE DESCRIBED FOR THE PURPOSE OF MAKING A DIVISION OF THE PROCEEDS THEREFROM AMONG THE PARTIES THERETO ENTITLED UNDER THE ORDERS AND DECREES OF THIS COURT; AND THAT HERETOFORE A PORTION OF THE LANDS SITUATED IN SHELBY COUNTY, TENNESSEE HAVE BEEN SOLD IN THIS CAUSE AND THE PROCEEDS THEREOF DIVIDED AMONG SAID CO-TENANTS, THAT ON THE 8TH DAY OF JUNE 1926 COMPLAINANTS FILED HEREIN THEIR SUPPLEMENTAL PETITION WHEREIN THEY ALLEGED THAT THEY HAD RECEIVED SUBJECT TO THE APPROVAL OF THIS COURT AN OFFER FROM THE BOARD OF PARK COMMISSIONERS OF THE CITY OF NASHVILLE, TENNESSEE TO PURCHASE THE LANDS HEREINAFORE PARTICULARLY DESCRIBED HEREIN AT AND FOR THE SUM OF TWENTY THOUSAND (\$20,000.00) DOLLARS PAYABLE ONE HALF ON OR BEFORE TEN (10) YEARS AFTER DATE AND ONE HALF ON OR BEFORE FIFTEEN (15) YEARS AFTER DATE TO BE REPRESENTED BY PROMISSORY NOTES OF SAID BOARD OF PARK COMMISSIONERS BEARING INTEREST AT THE RATE OF FOUR AND ONE FOURTH (4 1/4) PER CENTUM PER ANNUM PAYABLE SEMI ANNUALLY TO BE SECURED BY VENDORS LIEN TO BE RETAINED UPON SAID LANDS AND PROVIDING THAT ALL TAXES, ASSESSED AGAINST THE SAID PROPERTY FOR THE YEAR 1926 SHOULD BE PRO RATED BETWEEN THE PURCHASER AND THE SELLERS UPON THE SIGNATURE OF SAID AGREEMENT; THAT SAID PETITION FURTHER ALLEGED THAT SAID OFFER HAD BEEN ACCEPTED BY THE COMPLAINANTS AND ALSO BY SAID GUARDIAN ON BEHALF OF HIS SAID WARD, SUBJECT TO THE APPROVAL OF THIS COURT; THAT SAID PETITION PRAYED THAT SAID OFFER AND AGREEMENT MIGHT BE CONFIRMED, RATIFIED AND APPROVED BY THIS COURT; THAT THEREAFTER THE DEFENDANT IMOGENE FARGASON A MINOR BEING AT THAT TIME OVER THE AGE OF FOURTEEN YEARS IN HER OWN PROPER PERSON MADE ANSWER TO SAID PETITION AND SAID PETITION WAS ALSO ANSWERED BY THE SAID JOHN T. FARGASON, JR. IN BEHALF OF HIMSELF AND IN BEHALF OF HIS SAID WARD, AFFIRMING THE ALLEGATIONS OF SAID PETITION AND THAT THEREAFTER THIS CAUSE WAS REFERRED TO THE CLERK AND MASTER OF THIS COURT FOR THE PURPOSE OF HEARING PROOF AND ASCERTAINING AND REPORTING BACK TO THIS COURT WHETHER OR NOT SAID OFFER AND AGREEMENT ON BEHALF OF SAID MINOR DEFENDANT SHOULD BE RATIFIED, CONFIRMED AND APPROVED BY THIS COURT WHEREUPON AFTER PROOF DULY TAKEN THE MASTER MADE AND FILED THE REPORT HEREINAFORE SET OUT:-

IT IS SO ORDERED, ADJUDGED AND DECREED BY THE COURT. 11

AND THE COURT BEING FULLY INFORMED AND ADVISED IN THE PREMISES AND MATTERS

EXHIBIT B

THIS CAUSE, INCLUDING SAID MINOR DEFENDANT, THAT THE REAL ESTATE HEREINABOVE PARTICULARLY DESCRIBED IN SAID MASTER'S REPORT SHOULD BE SOLD TO THE SAID BOARD OF PARK COMMISSIONERS OF THE CITY OF NASHVILLE TENNESSEE AT AND FOR THE SUM OF TWENTY THOUSAND (\$20000.00) DOLLARS TO BE EVIDENCED BY THE PROMISSORY NOTES OR BONDS OF SAID BOARD OF PARK COMMISSIONERS PAYABLE AND BEARING INTEREST AS HEREINABOVE STATED AND UPON ALL THE TERMS STATED IN SAID WRITTEN OFFER A COPY OF WHICH WAS MADE AN EXHIBIT TO THE PETITION OF COMPLAINANTS SUBMITTING SAME.

IT IS SO ORDERED, ADJUDGED AND DECREED BY THE COURT

THEREFORE THE COURT IS PLEASED TO AND DOETH FURTHER ORDER ADJUDGE AND DECREE AS FOLLOWS, TO WIT:-

1.

THAT SAID OFFER SUBMITTED BY SAID BOARD OF PARK COMMISSIONERS OF THE CITY OF NASHVILLE TENNESSEE AND ACCEPTANCE THEREOF BY THE COMPLAINANTS AND THE SAID JOHN T. FARGASON, SR. AS GUARDIAN OF THE MINOR DEFENDANT IMOGENE FARGASON FOR AND ON HER BEHALF, BE AND THE SAME IS HEREBY RATIFIED, APPROVED AND CONFIRMED, AND THAT FOR THE PURPOSE OF FULLY EXECUTING AND CONSUMMATING SAID AGREEMENT, W. M. COX CLERK AND MASTER OF THIS COURT BE AND HE IS HEREBY APPOINTED AS SPECIAL COMMISSIONER, AND THAT FOR SAID PURPOSES AND THE PURPOSES HEREINAFTER STATED, ALL RIGHT, TITLE AND INTEREST OF EACH AND ALL OF THE PARTIES TO THIS CAUSE TO WIT:- THE COMPLAINANTS, BANK OF COMMERCE & TRUST COMPANY TRUSTEE UNDER THAT CERTAIN DEED OF TRUST REQUIRED BY ANNIE S. FARGASON AND NOW OF RECORD IN BOOK 994 PAGE 54 OF THE DEED RECORDS IN THE OFFICE OF THE REGISTER OF SHELBY COUNTY TENNESSEE AND IN BOOK 682 PAGE 305 OF THE DEED RECORDS IN THE OFFICE OF THE REGISTER OF DAVIDSON COUNTY TENNESSEE, AND JOHN T. FARGASON, JR. AND THE DEFENDANTS IMOGENE FARGASON, A MINOR, AND JOHN T. FARGASON, SR. AND TO THE LANDS AND REAL ESTATE SITUATED IN THE CITY OF NASHVILLE DAVIDSON COUNTY TENNESSEE AND HEREINABOVE IN SAID MASTER'S REPORT SET OUT AND FULLY DESCRIBED BE AND THE SAME IS HEREBY DEVESTED OUT OF EACH AND ALL OF THEM AND VESTED IN THE SAID W. M. COX CLERK AND MASTER OF THIS COURT AS SUCH SPECIAL COMMISSIONER, WHO IS HEREBY AUTHORIZED AND DIRECTED TO EXECUTE AND DELIVER TO SAID BOARD OF PARK COMMISSIONERS OF THE CITY OF NASHVILLE, TENNESSEE A PROPER DEED, PROPERLY ACKNOWLEDGED FOR REGISTRATION, CONVEYING TO CHARLES M. MCCABE CHAIRMAN OF SAID BOARD OF PARK COMMISSIONERS, OF THE CITY OF NASHVILLE TENNESSEE AS TRUSTEE AND HIS SUCCESSORS IN OFFICE AS PROVIDED BY LAW AND PARTICULARLY CHAPTER 426 OF THE PRIVATE ACTS OF THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE FOR THE YEAR 1927 THE SAID LANDS AND REAL ESTATE UPON THE TERMS AND CONDITIONS AS SHOWN AND SET FORTH HEREIN AND IN SAID OFFER AND AGREEMENT IN WRITING MADE EXHIBIT "B" TO THE PETITION OF THE COMPLAINANTS SUBMITTING SAID OFFER AND AGREEMENT FILED HEREIN ON THE 8TH DAY OF JUNE 1928 UPON COMPLIANCE BY THE SAID BOARD OF PARK COMMISSIONERS WITH THE SAID TERMS AND CONDITIONS, AND ALSO UPON COMPLIANCE BY THE SAID BOARD OF PARK COMMISSIONERS WITH THE FOLLOWING CONDITIONS TO WIT:-

THE SAID BOARD OF PARK COMMISSIONERS SHALL ON OR BEFORE DELIVERY OF SAID DEED TO THEM FURNISH SAID SPECIAL COMMISSIONER WITH A COPY OF RESOLUTION DULY APPROVED BY SAID BOARD OF PARK COMMISSIONERS IN MEETING LAWFULLY ASSEMBLED AUTHORIZING THE MAKING OF SAID OFFER AND AGREEMENT BY THE SAID CHAIRMAN AND SECRETARY THEREOF OR RATIFYING AND APPROVING THE SAME AND AUTHORIZING EXECUTION AND DELIVERY OF THE DEFERRED PURCHASE MONEY NOTES PROVIDED THEREBY.

12.

SAID BOARD OF PARK COMMISSIONERS SHALL CAUSE TO BE DELIVERED TO SAID SPECIAL COMMISSIONER A CERTIFICATE OVER THE SIGNATURE OF THE SECRETARY OF SAID BOARD OF PARK COMMISSIONERS AND UNDER THE SEAL THEREOF SHOWING THE ENTIRE INDEBTEDNESS OF SAID BOARD OF PARK COMMISSIONERS AND ALSO THE TOTAL ASSESSED VALUE OF ALL REAL AND PERSONAL PROPERTY SITUATED IN THE CITY OF NASHVILLE, TENNESSEE SUBJECT TO AND ASSESSED FOR TAXATION AS OF JANUARY 1st 1928.

13.

THAT SAID BOARD OF PARK COMMISSIONERS SHALL CAUSE TO BE DELIVERED TO SAID SPECIAL COMMISSIONER ON OR BEFORE THE DELIVERY OF SAID DEED

EXHIBIT B

(1) THE NAMES OF THE INDIVIDUAL MEMBERS CONSTITUTING THE BOARD OF PARK COMMISSIONERS AT THE TIME OF THE ADOPTION OF THE RESOLUTION HEREINBEFORE REFERRED TO AND THE EXPIRATION OF THEIR TERMS OF OFFICE AND THE NAMES OF THE CHAIRMAN AND SECRETARY THEREOF, THAT SAID RESOLUTION WAS DULY ADOPTED BY SAID BOARD OF PARK COMMISSIONERS AT A MEETING THEREOF LAWFULLY HELD AND THAT AT SAID MEETING THERE WAS PRESENT AND VOTING AT ALL TIMES A MAJORITY OF ALL SAID MEMBERS OF SAID BOARD OF PARK COMMISSIONERS.

(2) THAT TOTAL INDEBTEDNESS OF SAID BOARD OF PARK COMMISSIONERS DOES NOT EXCEED ONE HALF OF ONE PER CENT OF THE ASSESSED VALUE OF ALL PROPERTY REAL AND PERSONAL, SUBJECT TO AND ASSESSED FOR TAXES BY THE CITY OF NASHVILLE, FOR THE YEAR 1920.

(3) THAT THERE IS NO LITIGATION PENDING OR THREATENED AGAINST ANY OFFICER OR MEMBER OF SAID BOARD OF PARK COMMISSIONERS IN HIS OFFICIAL CAPACITY OR AGAINST SAID BOARD WHEREIN THE VALIDITY OR LEGALITY OF ANY ACTION OF THE SAID BOARD IN THE PREMISES IS, OR MAY IN ANY WISE BE OPPOSED OR CHALLENGED OR CONTESTING THE RIGHT TO OFFICE OF ANY OF SAID MEMBERS OR OFFICERS.

(4) THAT THERE IS NO ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF NASHVILLE TENNESSEE OR ACT OR RESOLUTION ADOPTED BY SAID BOARD OF PARK COMMISSIONERS AND, IN FORCE AT THE TIME OF DELIVERY OF SAID DEED IN ANY WISE CONFLICTING WITH OR REBIDDING THE RESOLUTION OR RESOLUTIONS AUTHORIZING THE PURCHASE OF SAID LANDS AND/OR THE ISSUANCE OF SAID NOTES OR BONDS IN PAYMENT THEREFOR OR IN ANY WISE CONFLICTING WITH OR REBIDDING, MODIFYING OR AMENDING THE OFFER AND AGREEMENT HEREINBEFORE MENTIONED.

IV.

ALL OF THE CERTIFICATES HEREINBEFORE REQUIRED WILL BE SIGNED BY THE SECRETARY OF SAID BOARD OF PARK COMMISSIONERS AND WILL HAVE THERE TO AFFIXED THE OFFICIAL SEAL OF SAID BOARD.

SAID SPECIAL COMMISSIONER IS HEREBY AUTHORIZED AND DIRECTED TO DO ANY AND ALL OTHER ACTS OR THINGS NECESSARY OR PROPER TO BE DONE OR PERFORMED IN ORDER TO FULLY AND EFFECTIVELY CONSUMMATE AND EXECUTE THE AFORESAID AGREEMENT AND OFFER AND WITH ALL CONVENIENT SPEED WILL REPORT HIS ACTS AND CONDUCT IN THE PREMISES TO THE NEXT TERM OF THIS COURT, AND UNTIL THE COMING IN OF HIS SAID REPORT ALL OTHER MATTERS AND THINGS AS HEREIN RESERVED.

ALL OF WHICH IS ORDERED, ADJUDGED AND DECREED BY THE COURT.

O.K. THOS. W. VINTON, SOL FOR DEFIS.

O.K.

JOHN W. LOCH, SOL. FOR COMPLAINANTS

IN THE CHANCERY COURT OF SHELBY COUNTY TENN

STATE OF TENNESSEE

SHELBY COUNTY

I, W.M. COX, CLERK AND MASTER OF THE CHANCERY COURT OF SHELBY COUNTY STATE AFORESAID DO HEREBY CERTIFY THAT THE FOREGOING 15 PAGES CONTAIN A FULL, TRUE AND PERFECT COPY OF DECREE CONFIRMING REPORT OF MASTER AND APPOINTING SPECIAL COMMISSIONER TO MAKE DEED, ETC. ENTERED IN A CERTAIN CAUSE HEREIN WHEREIN BANK OF COMMERCE & TRUST COMPANY TRUSTEE ET AL ARE COMPLAINANTS, AND IMOGENE FARRAGON ET AL ARE DEFENDANTS AS THE SAME APPEARS OF RECORD IN MY OFFICE IN MINUTE BOOK 284 PAGE 303

IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND AND AFFIXED THE SEAL OF SAID COURT AT MY AFORESAID OFFICE IN THE CITY OF MEMPHIS

THIS 19TH DAY OF SEPTEMBER 1920

(SEAL) W. M. COX

CLERK AND MASTER

SARAH T. WHITMORE

D C & W.

REC'D OCT 11, 1920 AT 3:05 P. M.

EXHIBIT B

NUMBER 36337 RECORDED OCT 18 1928
ZENIA LOVELL HARRELL
TO RELEASE
J. C. AND LAURA MORRIS

I, ZENIA LOVELL HARRELL FORMER WIFE OF LEO LOVELL DECEASED
DO HEREBY RELEASE THE ENTIRE INCEDENCESS SECURED BY FOUR NOTES OF \$825.00 EACH ONE
IN ONE, TWO, THREE AND FOUR YEARS FROM DATE OF AUG 1, 1922, AS OF RECORD IN BOOK 600
PAGE 130 A O C TENNESSEE ON THE FOLLOWING PROPERTY
(LOT NO 15 AND THE SOUTHERLY TWENTY FIVE FEET OF LOT 12 ORAMUNT PLAGE
AS RECORDED IN PLAN, BOOK 332 PAGE 38 A O C TENNESSEE

WITNESS MY HAND THIS THE 19TH
OF SEPTEMBER 1928
ZENIA LOVELL HARRELL

STATE OF TENNESSEE
HICKMAN COUNTY

PERSONALLY APPEARED BEFORE ME E. H. CONNELLY A NOTARY PUBLIC IN AND FOR
SAID COUNTY AND STATE THE WITHIN NAMED ZENIA LOVELL HARRELL THE BARGAINOR WITH WHOM
I AM PERSONALLY ACQUAINTED AND WHO ACKNOWLEDGED THAT SHE EXECUTED THE WITHIN INSTRUMENT
FOR THE PURPOSES THEREIN CONTAINED

AND ZENIA LOVELL HARRELL WIFE OF THE SAID LEO LOVELL
DECEASED HAVING APPEARED BEFORE ME PRIVATELY AND APART FROM HER SAID HUSBAND THE SAID
ZENIA LOVELL HARRELL ACKNOWLEDGED THE EXECUTION OF THE SAID INSTRUMENT TO HAVE BEEN DONE
BY HER FREELY VOLUNTARILY AND UNDERSTANDINGLY WITHOUT COMPELSION OR CONSTRAINT FROM HER
SAID HUSBAND AND FOR THE PURPOSES THEREIN CONTAINED

WITNESS MY HAND AND OFFICIAL SEAL AT LYLE 3 TENNESSEE
THIS 19TH DAY OF SEPTEMBER 1928

(SEAL) E. H. CONNELLY
NOTARY PUBLIC

COPIED JULY 15 1930
REC'D OCT 16 1928 AT 5:05 A. M.

NUMBER 36478 RECORDED OCT 19 1928
JOHN A. BEALAFELT ET UX
TO DEED
GEORGE M. CLARKE, ET UX

FOR AND IN CONSIDERATION OF THE SUM OF ONE AND 00/100 (\$1.00)
DOLLAR PAID IN CASH THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, AND FOR THE FURTHER
CONSIDERATION OF GEORGE M. CLARKE AND WIFE WAMIE SUE CLARKE, EXECUTING AND DELIVERING
THEIR JOINT AND SEVERAL LIEN PROMISSORY NOTES OF EVEN DATE HERewith PAYABLE TO THE
ORDER OF JOHN A. BEALAFELT FIRST ONE OF SAID NOTES BEING FOR THE SUM OF \$27.07 AND EACH
SUCCEEDING NOTE RESPECTIVELY THEREAFTER BEING FOR AN AMOUNT 10 CENTS LESS THAN THE
PRECEDING NOTE, EXCEPT THE LAST ONE WHICH IS FOR THE SUM OF \$34.17; FIRST ONE OF
SAID NOTES, FALLING DUE NOVEMBER 10 1926 AND THE OTHERS MONTHLY RESPECTIVELY THEREAFTER
UNTIL ALL MATURE AND NONE OF SAID NOTES BEARING INTEREST, EXCEPT AFTER MATURITY AS THE
INTEREST HAS BEEN COMPUED AND ADDED INTO THE FACE OF EACH NOTE; SAID NOTES AGGREGATING
\$1574.00 IN PRINCIPAL.

A LIEN IS HEREBY EXPRESSLY RETAINED ON THE PROPERTY HEREIN CONVEYED
TO SECURE THE PAYMENT OF ALL OF SAID NOTES AND INTEREST THEREON.

AND FOR OTHER GOOD AND VALUABLE CONSIDERATIONS HEREINAFTER
SET FORTH BY JOHN A. BEALAFELT AND WIFE AGNES M. BEALAFELT HAVE BARGAINED AND SOLD AND
BY THE PRESENTS DO HEREBY TRANSFER AND CONVEY UNTO THE SAID GEORGE M. CLARKE AND WIFE
WAMIE SUE CLARKE THEIR HEIRS AND ASSIGNS CERTAIN LOTS OR PARCELS OF LAND IN DAVIDSON
COUNTY TENNESSEE, DESCRIBED AS FOLLOWS:-

BEING LOTS NOS 135 AND 137 138 AND 139 ON THE PLAN OF J. B.
RAYHIE'S ORIENTAL PLAN; OF RECORD IN BOOK 161 PAGES 26 AND 27 OF THE REGISTERS OFFICE
FOR DAVIDSON COUNTY TENNESSEE

EXHIBIT C

ORDINANCE NO. 812005-664

An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of The Metropolitan Government of Nashville and Davidson County, by applying the Historic Landmark Overlay District to Fort Negley properties located at Vine Street (unnumbered), 609 and 640 Bass Street, 800 Fort Negley Boulevard, 534 Chestnut Street, and 1108 Fall Street, (63.90 acres), all of which is described herein (Proposal No. 20052-027U-11).

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Title 17 of the Code of Laws of The Metropolitan Government of Nashville and Davidson County, is hereby amended by changing the Official Zoning Map for Metropolitan Nashville and Davidson County, which is made a part of Title 17 by reference, as follows:

By applying the Historic Landmark Overlay District to Fort Negley properties located at 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, all of which is described by lines, words and figures on the attached sketch, which is attached to and made a part of this ordinance as though copied herein.

Section 2. Be it further enacted, that the Metropolitan Clerk is hereby authorized and directed, upon the enactment and approval of this ordinance, to cause the change to be made on Sheet No. 105 and 93 said Official Zoning Map for Metropolitan Nashville and Davidson County, as set out in Section 1 of this ordinance, and to make notation thereon of reference to the date of passage and approval of this amendatory ordinance.

Section 3. Be it further enacted, that this ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Sponsored by: Ronnie Greer

View Sketch

LEGISLATIVE HISTORY	
Introduced:	April 5, 2005
Passed First Reading:	April 5, 2005
Referred to:	Planning Commission - Approved 10-0 (March 10, 2005) Planning & Zoning Committee
Passed Second Reading:	May 3, 2005
Passed Third Reading:	May 17, 2005 - Roll Call Vote
Approved:	May 19, 2005
By:	
Effective:	May 21, 2005

EXHIBIT C

2005Z-027U-11

Map 105-02, Parcels 239, 447, 446, 434 398

Map 93-14, Parcel 558

Subarea 11 (1999)

District 17 (Greer)

A request to apply the Historic Landmark Overlay District to Fort Negley, properties located at Vine Street (unnumbered), 609 and 640 Bass Street, 800 Fort Negley Boulevard, 534 Chestnut Street, and 1108 Fall Street, (63.9 acres), requested by the Metro Historical Commission.

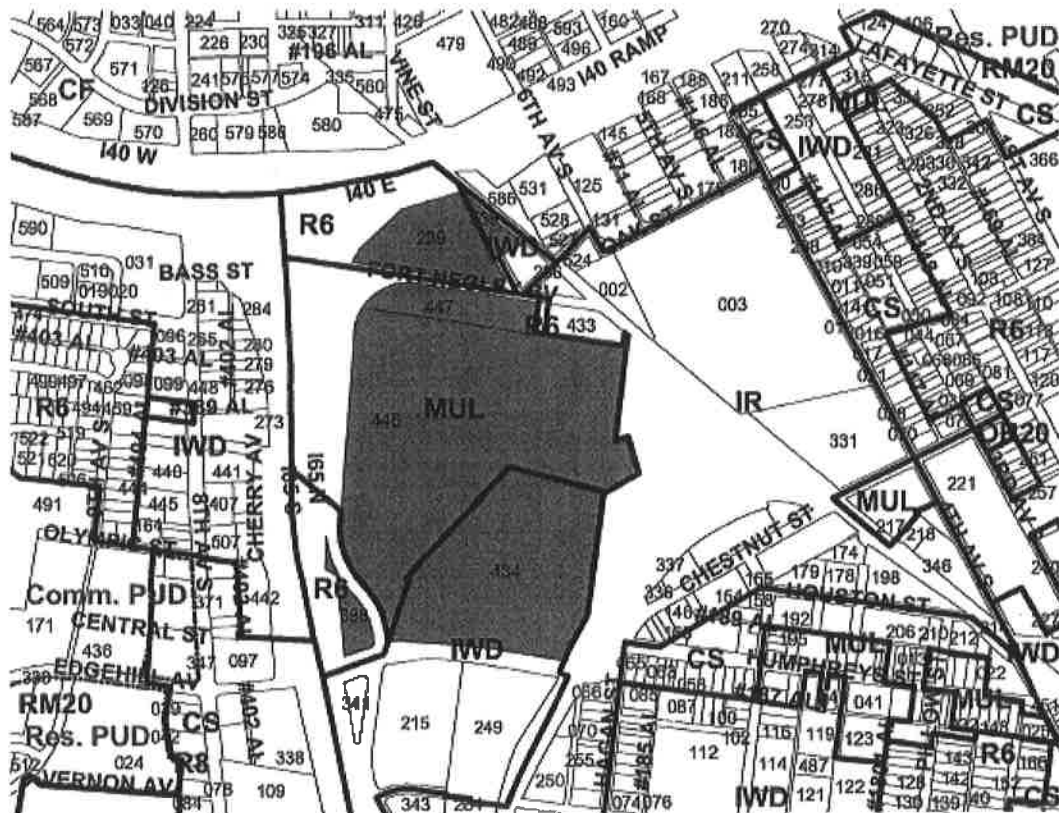


EXHIBIT D

**NASHVILLE
CIVIL WAR CENTER
AT FORT NEGLEY**

2007 Supplement to the 1996 Fort Negley Master Plan

EXHIBIT D

NASHVILLE CIVIL WAR CENTER AT FORT NEGLEY

2007 Supplement to the 1996 *Fort Negley Master Plan*

INTRODUCTION

This document is intended to serve as a supplement to the 1996 *Fort Negley Master Plan*. These documents, along with the *Fort Negley Visitors Center Interpretive Plan* should be used together to help guide future preservation, development and programming efforts by Metro Nashville and partner agencies at Fort Negley.

This supplement addresses potential redevelopment of the Greer Stadium site and its incorporation, along with the existing Fort Negley Historical Park, into the Nashville Civil War Center at Fort Negley. The 16.4-acre stadium site is leased to the Nashville Sounds baseball team by the Metropolitan Government. The site is owned by Metro Parks.

I. PLANNING EFFORTS TO DATE

Contemporary planning efforts at Fort Negley began in the mid-1990s with the establishment by Mayor Phil Bredesen of a committee to advise on the future of the site. Made up of historians, preservationists, educators and other experts, and led by the Metro Historical Commission, the committee produced the *Report to Mayor Phil Bredesen from the Fort Negley Advisory Committee*, which contains multiple general recommendations regarding the protection, development and management of the site. These recommendations were greatly expanded and refined in the comprehensive *Fort Negley Master Plan* of 1996, a joint effort by the Metro Historical Commission and Metro Parks.

The 1996 master plan stands as a sound document and should be retained to help guide management at Fort Negley, except where superseded by recommendations herein.

Under Mayor Bill Purcell, Metro Parks completed the *Metropolitan Parks & Greenways Master Plan* in 2002. The plan incorporates recommendations for countywide improvements to Nashville's park system over a 20-year period. Based on the 1996 *Fort Negley Master Plan* and more recent public input, the countywide plan recommended funding for two phases of development at Fort Negley. Phase One was the development of walking trails, interpretive signage and other improvements that would allow the fort to be opened to the public for the first time in sixty years. This phase was completed in December of 2004 to much fanfare. Phase Two was development of the Fort Negley

EXHIBIT D

Visitors Center, which opened to the public in December 2007. This \$2 million investment is the largest nationally in a Civil War site by a local government.

Immediately preceding design of the center, a number of factors rendered it important to reexamine and expand upon the 1996 master plan. Most notably, the anticipated departure from the site of the Nashville Sounds baseball team and demolition of the obsolete Greer Stadium, presented additional options for location of the center and new land area for potential Fort Negley-related redevelopment.

These additional planning efforts resulted in the following:

- An alternate location for the center
- The *Fort Negley Visitors Center Interpretive Plan* (under separate cover)
- Recommendations for redevelopment of the Sounds site (the Nashville Civil War Center at Fort Negley), found in this supplement

II. PLANNING PROCESS & PUBLIC PARTICIPATION

Metro Parks selected a team consisting of architects, landscape architects, historians, museum planning consultants, archeologists, and others to develop this supplement and the interpretive plan, and to design the visitors center. Team members included:

Carol Ashworth, Ashworth Environmental Design
Renee Bartnik, Buchart Horn Architects & Engineers
David Currey, Travellers' Rest and public historian
Walter Durham, Tennessee State Historian
Venuss Gervin, Moody-Nolan Architects
Norman Hill, 13th U.S. Colored Troops representative
Bob Hunt, Past President, Battle of Nashville Preservation Society
Ross Massey, Battle of Nashville Preservation Society
Tim Neitsch, Metro Parks
Dan Pomeroy, Tennessee State Museum
Fred Prouty, Tennessee Wars Commission, Tennessee Historical Commission
Ann Roberts, Metropolitan Historical Commission
Bea Thompson, Moody-Nolan Architects
Ann Toplovich, Tennessee Historical Society
Van West, Tennessee Civil War National Heritage Area, Center for Historic Preservation,
Middle Tennessee State University
Fred Zahn, Metropolitan Historical Commission

In addition, a public meeting was held on October 24, 2006, where the general public offered comments and input on the project.

These planning efforts resulted in the recommendations contained in this document.

EXHIBIT D

RECOMMENDATIONS

I. SITE DEVELOPMENT

EXISTING CONDITIONS

Fort Negley Historical Park is owned and operated by the Metropolitan Board of Parks & Recreation. The site currently consists of two parcels, totaling 54.2 acres. See Figure 1.

The northerly 37.8-acre parcel contains the fort itself, WPA-era stonework, parking along the entrance road, pedestrian facilities including boardwalks, and interpretive signage. Approximately 3.5-acres on the northern part of this parcel are leased to the Adventure Science Center and contain a portion of their campus.

The southerly 16.4-acre parcel is leased to the Nashville Sounds and contains Greer Stadium and surrounding surface parking lots. Immediately adjacent to the WPA entrance monuments on this parcel is the Fort Negley Visitors Center.

At this time, the Sounds' future on the site is unknown. A plan to relocate downtown fell through in 2007. Various proposals and ideas regarding a new venue for the team continue to appear in the media. None include rebuilding Greer Stadium, which has reached the end of its useful lifespan and is beyond repair, on site. The Sounds' current lease with Metro expires at the end of 2008, with a renewal option. One way or another, it is anticipated that the Sounds will vacate the site within the foreseeable future, leaving it available for redevelopment as the Nashville Civil War Center at Fort Negley.

THE NASHVILLE CIVIL WAR CENTER CAMPUS

Upon the Sounds' departure, management of the Greer Stadium site will revert to Metro Parks. Any reuse of the site should be compatible with the overall mission and goals of the Metropolitan Board of Parks & Recreation, the preservation of Fort Negley, and public use of, and access to, the site.

In addition, the entire Fort Negley site, including Greer Stadium, is a locally designated Historic Landmark District, requiring review and approval of all improvements by the Metropolitan Historic Zoning Commission.

All of the recommendations in this document are made with the intent that the site function both as an historic site and as a community park. All outdoor spaces should be multipurpose and park-like in character, encouraging recreational use of all improvements by residents of the surrounding neighborhoods and by the general public.

EXHIBIT D

Fort Negley possesses a breadth of potential as a hub for heritage tourism that is unique in the United States. The historical significance of the fort itself, its location in Nashville's urban core, and the absence nationally of an existing large-scale museum that focuses on the Western Theater of the Civil War, create an exceptional opportunity to create a facility of national significance and a major new destination for education, heritage tourism and associated economic development.

The following features are proposed to comprise the campus of the Nashville Civil War Center at Fort Negley. See Figure 2.

Fort Ruins

It is proposed that preservation of the fort proceed per recommendations found in the 1996 *Fort Negley Master Plan*.

Visitors Center

The 4,600 SF visitors center, opened in 2007, provides an introduction to the fort and addresses the broad interpretive themes of the Civil War in Nashville. Programming is limited only by the efficient size of the facility. Interpretive features include interactive touch-screen displays, historic photos, computer databases and films. A staff of historians provides additional programming and guided interpretive opportunities. The facility provides public restrooms.

Museum

The *Fort Negley Interpretive Plan* outlines the programming objectives of the museum.

The building should be located to the immediate northeast of the visitors center. Upon development of the museum, the visitors center should be adapted for use as staff and meeting space, and additional public restrooms.

The museum is proposed to be between 60,000 and 80,000 square feet, two stories, with theatre and exhibit spaces. Visitor and staff spaces should accommodate 200,000 guests annually. The museum should also include a small archeological lab to facilitate archeological investigation of Fort Negley and also possibly other related regional historic sites.

An outdoor plaza space at the Museum should be strategically located, perhaps between the visitors center and the museum, to complement the fort displays and provide a gathering point for tours.

Access & Parking

Upon development of the museum campus, all public access should be from Chestnut Street. The existing WPA entry drive on Fort Negley Boulevard would be used for

EXHIBIT D

maintenance access to the fort and overflow parking. Access from Chestnut Street should accommodate tour buses, school buses, private vehicles, pedestrians and bicycles. The existing parking lot in front of the visitors center should be expanded. A separate parking lot, northeast of the museum (currently the Sounds' gravel lot) should be accessed from a secondary entrance at the eastern boundary of the site.

Multipurpose Special Events Grounds

A central feature of the campus should be the special events grounds. Priority use of this approximately 7-acre level field would be for museum-related events and performances, including reenactments, marching, performances, and festivals. A northern portion of the field could also be used for permitted encampments. Terraced seating between the grounds and museum would take advantage of site topography and accommodate audiences. Provisions should also be made to allow for a more intimate setting for smaller-scale performances. These grounds should also be available for non-Negley-related permitted events, non-league sports and general park use.

Walking Paths

New paved walking paths should be incorporated into the campus. Paths should be multipurpose – to provide logical circulation routes for fort visitors, to provide a pedestrian connection to the City Cemetery, and to provide multiple options for fitness and exercise. Due to topography and archeological constraints, new paths northeast of the fort itself may be primitive earthen trails.

Cemetery & Railroad Connections

Fort Negley has a strong historical connection to the railroad northeast of the site and the City Cemetery, immediately on the other side of the tracks. The Fort Negley campus will be substantially enriched by a restored physical and programmatic connection to these neighboring sites. As well, the City Cemetery will benefit from increased visitation and association with the fort.

It is recommended that the several small privately owned parcels on both sides of the railroad tracks that separate the Fort Negley tract from the City Cemetery tract, totaling 3.63 acres, be acquired by the Metropolitan Government for incorporation into the campus. See Figure 1.

This acquisition will permit pedestrian connections between the sites, which should include a pedestrian bridge over the railroad tracks. Existing historic buildings extant on the acquired parcels should be evaluated for their significance and reused for park uses as appropriate.

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II. BUSINESS PLAN

MISSION STATEMENT OF THE NASHVILLE CIVIL WAR CENTER AT FORT NEGLEY

"To explore Nashville's experience during the Civil War and its aftermath"

This statement was crafted to focus on local historic resources, most notably the fort itself, to tell the broader story of the Civil War and to help guide future direction of the site's thematic and programmatic content.

HERITAGE TOURISM

Heritage tourism means traveling to experience the places and activities that authentically represent the stories and people of the past and present. It includes historic, cultural and natural resources. The story of the American Civil War embodies all of this and more. As the premier interpreter of this story and as the preeminent location for tourists to experience this story, The Nashville Civil War Center at Fort Negley would represent a major international attraction for heritage tourism.

In addition to creating new jobs, new business and higher property values, well-managed tourism improves the quality of life and builds community pride. Tourism is generally a clean industry that diversifies local economies and preserves a community's unique character.

The results of the most recent survey conducted by the Travel Industry Association of America (TIA) and commissioned by "Smithsonian" magazine emphasize the importance of culture and history as a valuable product for the tourism industry.

Remarkably, most (81%) of the 146.4 million U. S. adults who took a trip of >50 miles, one-way, away from home can be classified as historic/cultural travelers. This represents 118.1 million historic/cultural travelers, more than half (56%) of the U. S. adult population.

Most (69%) of these travelers agree that trips where they can learn something new are more memorable to them. Over a third (39%) say trips which include cultural, arts, historic, or heritage activities or events are more enjoyable to them and they prefer to visit destinations that have some historical significance (38%).

In addition, travelers who take one or two historic/cultural trips per year agree with the following attitude statements:

- Trips where they can learn something new are more memorable to them (77%)
- Trips that include cultural, arts, historic or heritage activities or events are more enjoyable (55%)

EXHIBIT D

- It is important that the trip(s) taken for vacation or leisure provide cultural experiences (41%)
- A leisure or vacation trip is not complete without visiting a museum, historic site or landmark (36%)

The largest share (44%) of historic trips are taken by Baby Boomers (41-60 years), accounting for 31.4 million trips. Nearly all historic/cultural travelers (93%) report they participated in at least one cultural activity during any past-year trips, and most (72%) indicated they included at least one of five historic or heritage activities while traveling. The most popular historic activity is visiting a designated historic site or museum (50%).

Documentation indicates that one-third of all families visit a historic site. Historic/cultural travelers are younger, wealthier, more educated and more technologically savvy than average Americans. In addition, historic site travelers spend more money and stay 50% longer. Although heritage sites appeal to visitors from all socioeconomic sections, typical heritage tourism travelers are college educated, have surplus cash for travel, and have no young children at home, making it possible for them to travel during the week and school year when hotel/motel occupancy is usually lower.

Implemented properly, heritage tourism programs are educational for both residents and visitors, and conserve and enhance the natural, cultural, and historical heritage of a region while promoting the economic and civic vitality of a community or region. Successful heritage tourism efforts include the following characteristics: authenticity, preservation/protection, making the site/history come alive, fit with community, and collaboration. The Nashville Civil War Center at Fort Negley has the potential to achieve all of these objectives.

POTENTIAL VISITATION PROJECTS

The information below includes separate visitation projections for the Fort Negley Visitors Center (whose first season began in January 2008) and the proposed Nashville Civil War Center.

Fort Negley Visitors Center

It is most reasonable to anticipate that a first-class experience at a Civil War site like the Fort Negley Visitors Center can easily draw 75,000 guests annually based on visitation to other major museums, sites and attractions in the immediate area.

The experience will attract visitors from a variety of potential audience groups, including local residents, tourists, school groups, persons with special interests, conventions, community groups, and group tours. The potential monthly and daily visitation reveals the need to handle up to 400 visitors per day during peak season.

EXHIBIT D

VISITATION BREAKDOWN FOR 75,000 ANNUAL VISITORS Based on a six day operating week

<u>Month</u>	<u>Percent</u>	<u>Monthly Visitation</u>	<u>Daily Visitation</u>
January	2%	1,500	58
February	2%	1,500	65
March	3%	3,750	144
April	9%	6,750	260
May	10%	7,500	288
June	11%	8,250	317
July	14%	10,500	403
August	12%	9,000	346
September	12%	9,000	346
October	12%	9,000	346
November	6%	4,500	173
December	3%	3,750	144

ANNUAL ATTENDANCE OF OTHER NASHVILLE MUSEUMS & HISTORIC SITES

From the *Official Museum Directory*, 35th Edition, 2003

Belle Meade Plantation	135,000
Checkwood	131,115
Country Music Hall of Fame & Museum	293,975
Adventure Science Center	300,000
Fritz Center for the Visual Arts	298,218
The Parthenon	138,500
Tennessee State Museum	122,645

ANNUAL ATTENDANCE AT OTHER TENNESSEE CIVIL WAR SITES

From the *Official Museum Directory*, 35th Edition, 2003

Curson Plantation, Franklin	25,000
The Carter House, Franklin	42,000
Stones River National Battlefield	192,335
Shiloh National Military Park & Cemetery	115,000

EXHIBIT D

The Nashville Civil War Center at Fort Negley

It is most reasonable to anticipate that a first-class national tourism and interpretive experience built in Nashville and based on the American Civil War as described in this document can draw 200,000 guests annually. Such an institution will attract visitors from a variety of potential audience groups, including local residents, national and international tourists, school groups, visitors with special interests, conventions, community groups, and group tours.

VISITATION BREAKDOWN FOR 200,000 ANNUAL VISITORS
Based on a six day operating week

<u>Month</u>	<u>Percent</u>	<u>Monthly Visitation</u>	<u>Daily Visitation</u>
January	2%	4,000	166
February	2%	4,000	166
March	3%	10,000	415
April	9%	18,000	750
May	10%	20,000	834
June	11%	22,000	916
July	14%	28,000	1,160
August	12%	24,000	1,000
September	12%	24,000	1,000
October	12%	24,000	1,000
November	6%	12,000	500
December	5%	10,000	415

EDUCATIONAL & PUBLIC PROGRAMMING

Educational and public programs should be developed for the Civil War Center at Fort Negley that will serve a wide audience. School programs can include guided visits, self-guided tours, teacher workshops and curriculum materials. Non-school tours and visits can be prepared for community groups, families, professional tours and members. The center should develop educational opportunities and public programs that serve a diverse audience and provide a positive visitor experience. These opportunities should include:

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School Programs

Educational programming has evolved to offer an array of possibilities. Guided tours are a basic staple for school groups, but specific programs geared toward subjects and topics inherent in the museum exhibits and synonymous with state curriculum guidelines are now available in many historical institutions. Every state has guidelines detailing what students should be taught in each grade.

The center can be an educational institution where learning will take place through exhibits, interactives and other concept-based experiences. For most museums and historic sites, curricula context can be found in their exhibits and programs. The task becomes developing appropriate activities, then conveying this information to teachers. Marketing the connection is essential.

Strategies

- Identify schools and grades most likely to visit the center as a tour group
- Meet with curriculum specialists to develop goals and objectives
- Develop pre-visit and post-visit materials
- Develop an effective tour for school groups taking into consideration available
- time on-site and maximum number of students per tour
- Include a hands-on element to the on-site tour program
- Provide additional out-reach and workshop opportunities for teachers

Benefits

- On-site tours will be managed in an efficient manner providing a positive visitor experience for school groups
- Teachers arrive with an understanding of the institution's expectations
- Follow-up is material available for use in the classroom

Types of Programs

Guided School Visits

- Provide children with an enjoyable learning experience
- Familiarize children with Fort Negley and its resources
- Encourage multiple ideas and responses, inquisitiveness and creativity
- Help children connect the historical past with the present and future
- Help children analyze museum objects and exhibits for information
- Develop learning experiences responsive to student and teacher needs and learning styles

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Self-Guided School Visits

- Help teachers plan and implement self-guided learning experiences for their students
- Provide interpretive materials which augment the self-guided school visitors' learning experience

Teacher Workshops and Curriculum Materials

- Help teachers utilize the center more effectively as a community resource
- Provide teachers with experiences that will aid them as classroom teachers
- Familiarize teachers with the center and its resources
- Develop curriculum materials and lesson plans teachers can use in the classroom, either in conjunction with or independent of a visit

School Outreach Activities

- Develop outreach programs, such as a "traveling trunk" or media presentations, that take Fort Negley into the classroom when a museum visit is not possible
- Use the internet to disseminate curriculum materials, research projects and virtual tours to students and teachers

Non-School Tours and Visits

Strategies

- Identify additional non-school groups to target and provide educational learning opportunities
- Begin educational learning opportunities with community/family programs, classes for members and adult tours
- Recognize the growth of cultural diversity in the area and respond accordingly

Benefits

- Provide a quality visit on all levels
- Enhance visitor satisfaction
- Increase school attendance and participation
- Broaden visitor base

Types of Programs

Community/Family Programs

- Bring the community into the mainstream of educational programming
- Serve the citizens of the community who visit Fort Negley
- Respond to specific identified needs of the community visitor
- Encourage family visitation

EXHIBIT D

- Work with community organizations
- Involve the community in the planning process for programs through youth and adult advisory committees

Member Classes

- Interpret exhibits through in-depth classroom learning experiences
- Develop learning experiences which encourage intergenerational sharing
- Provide structured learning experiences for a broad age range
- Be prepared to respond to changes in the size of membership and demand for classroom learning experiences

Adult Tours

- Familiarize adults with Fort Negley and its resources
- Showcase the Fort Negley for organized groups, companies, and organizations
- Augment the tourist's visit to the community

EXHIBIT D

III. FUNDING & MANAGEMENT

Redevelopment of the Greer Stadium site is estimated at \$44.5 million.

Estimated Campus Development Costs (2007 Dollars)	
Stadium demolition	700,000
Museum and site construction	21,400,000
Special events grounds	1,400,000
Parking and site improvements	2,500,000
Landscaping	1,000,000
Exhibits fabrication	9,900,000
Subtotal	32,000,000
15% Contingency	4,800,000
Total	\$36,800,000
Design fees, geotech, survey (15% of constr.)	3,210,000
Furniture, fixtures and equipment (6% of constr.)	1,224,000
Exhibit design fee (20% of exhibit fab.)	1,980,000
Museum planning fee (12% of exhibit fab.)	1,188,000
Total	\$7,662,000
Grand total	\$44,462,000

Fulfillment of the vision presented in this document will require a dedicated consortium of governmental and non-governmental agencies. The Metropolitan Board of Parks & Recreation will continue to own the site, but it is anticipated that a partnership with a new not-for-profit organization, created for the purpose, will be necessary to raise development and operating funds and, likely, to operate, manage and program the completed center.

Such an organizational structure would allow the not-for-profit the operational flexibility needed to realize the center's mission. At the same time, it would allow Metro Parks to offer new, high quality educational and tourism opportunities to the public without getting into the historical museum business itself.

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Any such not-for-profit must be created and sanctioned by the Park Board per the rules established in the Park Board Policy Manual. The same applies to any contracts, leases, MOUs or other agreements between the entities.

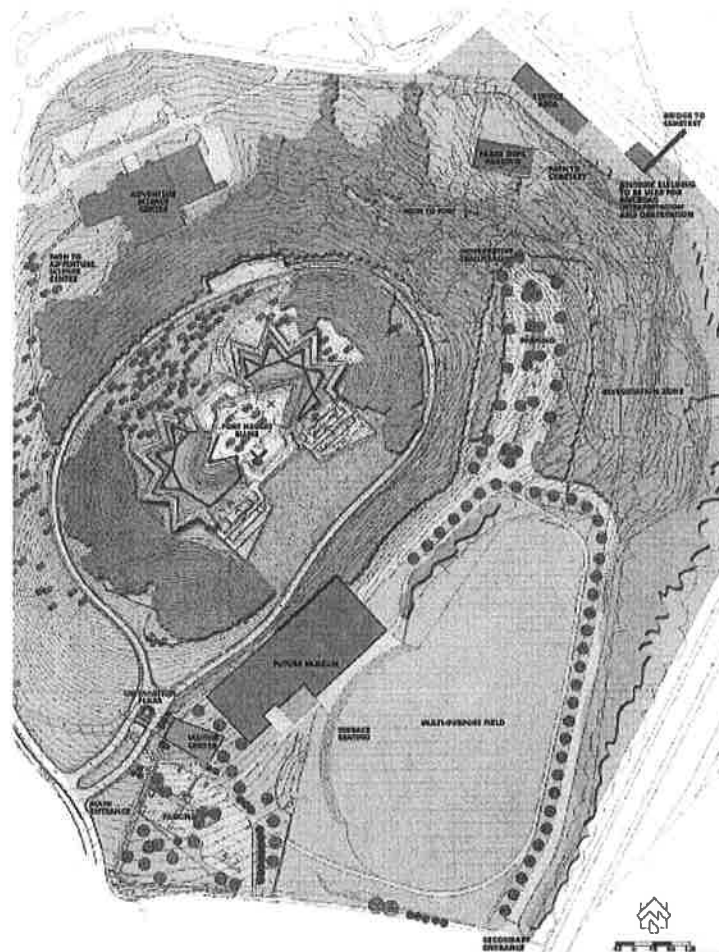
Metro Parks currently maintains an excellent relationship with the Battle of Nashville Preservation Society, the 13th US Colored Troops, and other interest groups, some of which have already initiated fundraising efforts to benefit the fort. Also emerging are educational partnerships with Traveller's Rest and other nearby historic sites. The Fort Negley not-for-profit could evolve from these existing relationships, and others being nurtured by the staff at the fledgling visitors center.

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FIGURE 1: LAND OWNERSHIP

EXHIBIT D



**FIGURE 2: NASHVILLE CIVIL WAR CENTER AT FORT NEGLEY
CAMPUS MASTER PLAN**

EXHIBIT E

PROJECT OVERVIEW



DETAILED PLAN

Over 8 acres of dedicated park, public open space and greenways.
Approximately 300 units of affordable, workforce, and market rate housing.
Creative spaces for musicians, artists, makers and neighborhood.
Neighborhood-scale market and commerce.

EXPERIENCE

Complex Private-Public Partnership projects
Landmark open space and affordable housing projects
Community and culturally focused projects
Projects at city and neighborhood scale

QUALIFICATIONS

Unique team from development, design, music, arts, finance and conservation sectors
Local and global expertise
Committed to delivering social and cultural, as well as economic, impact at scale
Unmatched access to development, artistic and financial partners and investors

FINANCIAL CONSIDERATIONS

No out of pocket expense to Metro
Cloud Hill to privately fund over \$7 million of public infrastructure
Guaranteed annual revenue to Metro
Shared upside between Cloud Hill and Metro
Structured to ensure financial viability and sustainability

DIVERSITY PLAN

Committed to achieving more than 30% DBE participation
DBE's represent substantial portion of core team
Strategically maximize participation through Outreach, Engagement, and Contract monitoring
Alliance Synergy Group to act as coordinator with Metro