

**RESOLUTION 24-236**

**A RESOLUTION TO AMEND RESOLUTION 22-30 TO INCREASE THE ESTIMATED IMPROVEMENTS COSTS TO BE FUNDED BY A SPECIAL ASSESSMENT AS PART OF THE SPECIAL ASSESSMENT DISTRICT AND AMENDING THE INSTALLMENT AGREEMENT TO REFLECT A CHANGE IN THE NAME OF THE DEVELOPER**

**WHEREAS**, the City of Spring Hill Board of Mayor and Aldermen established a Special Assessment District as a means of paying for certain infrastructure improvements that will benefit the City and the Benefited Property (the "Public Facility") pursuant to Resolution 17-50, a Resolution to Establish a Special Assessment District Encompassing Williamson County Tax Map 154, Parcel 06203 and Williamson County Tax Map 166, Parcel 02300 Pursuant to the Provisions of T.C.A. § 7-32-101 Et Seq. (the Benefitted Property), amended by Resolution 22-30, A Resolution To Amend Resolution 17-50 to Reallocate The Estimated Improvements Costs to be Funded By A Special Assessment As Part Of The Special Assessment District And Amending The Installment Agreement To Reflect A Change In The Name Of The Developer; and

**WHEREAS**, such improvements were estimated to cost \$16,686,726 with an assessment established upon the Benefitted Property in the amount of \$15,277,826 to fund a portion of improvements to Buckner Lane and Buckner Road as identified in the Phasing Plan as an exhibit to City Ordinance 17-05, An Ordinance to Amend Ordinance No. 86-47, the same being the Zoning Ordinance of the City of Spring Hill, by Rezoning Property being Williamson County Tax Map 154, Parcel 06203, from R-2, Medium Density Residential, to PZD, Planned Zoning District, and Property being Williamson County Tax Map 166, Parcel 02300, from AG, Agricultural to PZD, Planned Zoning District; and

**WHEREAS**, the Buckner Road improvement costs have been advanced to the Tennessee Department of Transportation ("TDOT") by the City as part of the I-65 Interchange construction project; and

**WHEREAS**, the payment of Buckner Road improvement costs to TDOT will allow for the payment of the percentage of the improvement costs the Developer would otherwise have been responsible for with assessments in installments pursuant to the agreement with the owners, which is incorporated fully herein; and

**WHEREAS**, subsequent to the adoption of Resolution 17-50 and Resolution 22-30, the Developer has changed from Buckner Lane Partners, LLC to JL Legacy, LLC and the Installment Agreement should reflect this change; and

**WHEREAS**, the original estimated cost of the project has increased to \$10,523,304.18 due to field conditions and City requirements and the Installment Agreement should reflect this change.

**NOW, THEREFORE BE IT RESOLVED**, the City of Spring Hill Board of Mayor and Aldermen:

1. Approves the amendment to Section 1 of Resolution 17-50 and Resolution 22-30 as follows:

*“The City, in conjunction with TDOT, shall cause to be constructed the improvements to Buckner Road and the Developer shall cause to be constructed the improvements to Buckner Lane as described in and according to the phasing requirements of the Phasing Plan set forth in Ordinance 17-05. Such improvements to Buckner Lane, including all eligible cost factors as permitted by T.C.A. § 7-32-101 et seq., are estimated to cost \$10,523,304.18 and the maximum assessment to be established by this Resolution is established at such amount. The Buckner Road improvements are estimated to cost \$9,660,950 and have been advanced by the City. The City shall be reimbursed for the pre-determined percentage of the costs of the improvements to Buckner Road through assessments paid in installments pursuant to the agreement with the owners once the costs for the improvements to Buckner Lane have been recouped through the special assessment provided in Section 4 hereof.”*

2. Approves the amendment of Section 4 of Resolution 17-50 and Resolution 22-30 as follows:

*“An assessment for Buckner Lane improvements shall be established upon the Benefited Property in the amount of \$7,366,312.93 and shall be apportioned against all taxable real property within the Benefited Property on a “benefits received basis” according to the chart set forth on Exhibit A attached to this Resolution. The City may permit the payment of assessments in installments pursuant to agreements with owners of the Benefited Property. Once the costs for the improvements to Buckner Lane have been recouped, the assessment for Buckner Road improvements upon the Benefited Property shall be apportioned against all taxable real property on a “benefits received basis” in the amount of \$9,660,950.”*

3. Approve an amendment to the Installment Agreement changing the name of the Developer from “Buckner Lane Partners, LLC” to “JL Legacy, LLC”.
4. Acknowledges that all other terms and provisions of Resolution 17-50 and Resolution 22-30 not modified by this Resolution shall remain in full force and effect.

**Passed and Adopted by the Board of Mayor and Aldermen of the City of Spring Hill, Tennessee on the 7<sup>th</sup> day of October, 2024.**

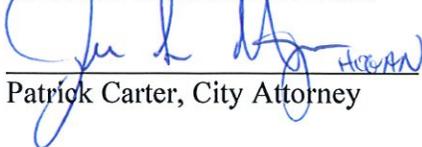
  
Jim Hagaman, Mayor

ATTEST:



April Goad, City Recorder

LEGAL FORM APPROVED:



Patrick Carter, City Attorney

**RESOLUTION 24-236 (REDLINE)**

**A RESOLUTION TO AMEND RESOLUTION 22-30 TO INCREASE THE ESTIMATED IMPROVEMENTS COSTS TO BE FUNDED BY A SPECIAL ASSESSMENT AS PART OF THE SPECIAL ASSESSMENT DISTRICT AND AMENDING THE INSTALLMENT AGREEMENT TO REFLECT A CHANGE IN THE NAME OF THE DEVELOPER**

**WHEREAS**, the City of Spring Hill Board of Mayor and Aldermen established a Special Assessment District as a means of paying for certain infrastructure improvements that will benefit the City and the Benefited Property (the “Public Facility”) pursuant to Resolution 17-50, a Resolution to Establish a Special Assessment District Encompassing Williamson County Tax Map 154, Parcel 06203 and Williamson County Tax Map 166, Parcel 02300 Pursuant to the Provisions of T.C.A. § 7-32-101 Et Seq. (the Benefitted Property), ~~amended by Resolution 22-30, A Resolution To Amend Resolution 17-50 to Reallocate The Estimated Improvements Costs to be Funded By A Special Assessment As Part Of The Special Assessment District And Amending The Installment Agreement To Reflect A Change In The Name Of The Developer;~~ and

**WHEREAS**, such improvements were estimated to cost \$16,686,726 with an assessment established upon the Benefitted Property in the amount of \$15,277,826 to fund a portion of improvements to Buckner Lane and Buckner Road as identified in the Phasing Plan as an exhibit to City Ordinance 17-05, An Ordinance to Amend Ordinance No. 86-47, the same being the Zoning Ordinance of the City of Spring Hill, by Rezoning Property being Williamson County Tax Map 154, Parcel 06203, from R-2, Medium Density Residential, to PZD, Planned Zoning District, and Property being Williamson County Tax Map 166, Parcel 02300, from AG, Agricultural to PZD, Planned Zoning District; and

~~**WHEREAS**, as the project has progressed, the scope of responsibilities have changed to only include Buckner Lane improvements being installed by Buckner Lane Partners, LLC (the “Developer”), thereby changing the costs approved in Resolution 17-50; and~~

**WHEREAS**, the Buckner Road improvement costs have been advanced to the Tennessee Department of Transportation (“TDOT”) by the City as part of the I-65 Interchange construction project; and

**WHEREAS**, the payment of Buckner Road improvement costs to TDOT will allow for the payment of the percentage of the improvement costs the Developer would otherwise have been responsible for with assessments in installments pursuant to the agreement with the owners, which is incorporated fully herein; and

**WHEREAS**, subsequent to the adoption of Resolution 17-50 ~~and Resolution 22-30~~, the Developer has changed from ~~Buckner Lane Partners, LP to~~ Buckner Lane Partners, LLC ~~to JL Legacy, LLC~~ and the Installment Agreement should reflect this change; and

~~**WHEREAS**, the original estimated cost of the project has increased TO \$10,523,304.18 due to field conditions and City requirements and the Installment Agreement should reflect this change.~~

**NOW, THEREFORE BE IT RESOLVED**, the City of Spring Hill Board of Mayor and Aldermen:

1. Approves the amendment to Section 1 of Resolution 17-50 **and Resolution 22-30** as follows:

*“The City, in conjunction with TDOT, shall cause to be constructed the improvements to Buckner Road and the Developer shall cause to be constructed the improvements to Buckner Lane as described in and according to the phasing requirements of the Phasing Plan set forth in Ordinance 17-05. Such improvements to Buckner Lane, including all eligible cost factors as permitted by T.C.A. § 7-32-101 et seq., are estimated to cost ~~\$9,496,958~~, \$10,523,304.18 and the maximum assessment to be established by this Resolution is established at such amount. The Buckner Road improvements are estimated to cost \$9,660,950 and have been advanced by the City. The City shall be reimbursed for the pre-determined percentage of the costs of the improvements to Buckner Road through assessments paid in installments pursuant to the agreement with the owners once the costs for the improvements to Buckner Lane have been recouped through the special assessment provided in Section 4 hereof.”*

2. Approves the amendment of Section 4 of Resolution 17-50 **and Resolution 22-30** as follows:

*“An assessment for Buckner Lane improvements shall be established upon the Benefited Property in the amount of ~~\$6,647,870~~, \$7,366,312.93 and shall be apportioned against all taxable real property within the Benefited Property on a "benefits received basis" according to the chart set forth on Exhibit A attached to this Resolution. The City may permit the payment of assessments in installments pursuant to agreements with owners of the Benefited Property. Once the costs for the improvements to Buckner Lane have been recouped, the assessment for Buckner Road improvements upon the Benefited Property shall be apportioned against all taxable real property on a "benefits received basis" in the amount of \$9,660,950.”*

3. Approve an amendment to the Installment Agreement changing the name of the Developer from ~~“Buckner Lane Partners, LP”~~ to “Buckner Lane Partners, LLC” to **“JL Legacy, LLC”**.
4. Acknowledges that all other terms and provisions of Resolution 17-50 **and Resolution 22-30** not modified by this Resolution shall remain in full force and effect.

**Passed and Adopted by the Board of Mayor and Aldermen of the City of Spring Hill, Tennessee on the 7<sup>th</sup> day of October, 2024.**

\_\_\_\_\_  
Jim Hagaman, Mayor

ATTEST:

\_\_\_\_\_  
April Goad, City Recorder

LEGAL FORM APPROVED:

\_\_\_\_\_  
Patrick Carter, City Attorney

September 12, 2024

The City of Spring Hill, TN  
Missy Stahl, CIP Director  
199 Town Center Parkway  
Spring Hill, TN 37174

Ms. Stahl,

Subsequent to the development agreement with Buckner Lane Partners, LLC and the City of Spring Hill to construct the northern widening and rerouting of Buckner Lane and the creation of the special assessment district established with Spring Hill resolution 17-50, Buckner Lane Partners transferred the land parcels within June Lake to a new company, JL Legacy, LLC. The transfer occurred as a result of ownership modifications and to streamline legal and tax efficiencies. We request that the assessment installments be distributed to JL Legacy in order to properly reflect the accounting structure of each entity.

Additionally, when Resolution 22-30 was approved, amending Resolution 17-50 and the installment agreement, there were still estimated expenses included in the total construction costs. Those estimated expenses have now been confirmed and required change orders due to field conditions and City requirements. Attached is an updated breakout of those final costs associated with the Buckner Lane widening project.

We request an amendment to Resolution 17-55 and Resolution 22-31 to reflect the above changes of the development projects within June Lake.

Thank you for your consideration.

Sincerely,



Don Alexander Sr.,  
President, Buckner Lane Partners, LLC

Buckner Lane Widening/Realignment Expenses	Cost	Contractor	Current as of 9/12/2024
Buckner Lane Engineering/Design	\$ 194,700.00	S&ME	
Demo and Project Preparation	\$ 269,001.41	BELL	
Grading	\$ 1,285,416.65	BELL	
Erosion Control	\$ 150,232.70	BELL	
Asphalt & Base Stone	\$ 1,734,657.48	BELL	
Retaining Wall	\$ 80,946.25	BELL	
Storm	\$ 1,556,137.95	BELL	
Flatwork (Updated to Include Stone Req's)	\$ 552,905.58	BELL	
Traffic Control	\$ 120,878.48	BELL	
Signs & Striping	\$ 135,711.16	BELL	
Mobilization	\$ 45,105.64	BELL	
Thompson's Station Rd Intersection Signal Design	\$ 16,200.00	KCI	
Thompson's Station Rd Intersection Signal (Updated Req's)	\$ 244,723.91	BELL	
Lighting (Updated Quantity)	\$ 461,273.62	BELL	
Duct Bank for Electrical Conduit along Buckner Ln	\$ 891,675.00	BELL	
Multi-Use Path	\$ 181,832.00	BELL	
Buckner/Buckner Intersection Signal Design	\$ 25,338.16	KCI	
Natural Gas Distribution Line Relocation	\$ 138,858.47	BELL	
Undercut and Replacement of Unsuitable Soils	\$ 60,388.00	BELL	
Duct Bank Crossing Under Buckner Ln along JLB	\$ 162,804.00	BELL	
Message Board Req's	\$ 23,138.00	BELL	
Guard Rail Terminals and Earth Pads REV	\$ 24,605.00	BELL	
French Drain Install Across Buckner Ln	\$ 55,772.00	BELL	
Buckner Lane Material Testing	\$ 102,687.65	S&ME	
Electrical Engineering/Design	\$ 14,540.00	S&ME	
Landscaping and Irrigation Install	\$ 580,046.50	BELL & Green Acres Landscaping	
Buckner/Buckner Intersection Signal	\$ 624,753.00	BELL	
Additional Curb Ramp to Buckner/Buckner Intersection	\$ 1,912.00	BELL	
MTE Electrical Relocation	\$ 447,202.57	MTE	
Conversion of Old Buckner Ln to Walking Path	\$ 339,861.00	BELL & Mid TN Constructors	
Paving/Striping at Buckner/JLB Intersection	\$ 99,999.84	City of Spring Hill Dev Agreement	
Total	\$ 10,523,304.18		
	70% \$ 7,366,312.93		