

RESOLUTION 10-06

A RESOLUTION OF THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF  
SPRING HILL, TN TO RENEW THE EXISTING LETTER OF CREDIT FOR  
MEADOWBROOK SUBDIVISION – PHASE TWO, SECTION THREE

WHEREAS, a Letter of Credit is currently in place for this development; and

WHEREAS, the existing surety is guaranteeing the construction of certain improvements; and

WHEREAS, the following improvements are required pursuant to the Final Plat:

*Water, Sewer, Storm Water Drainage and Basins, Streets and Curbs and final topping to all streets with 1 ½ inches of hot mix asphalt; and*

WHEREAS, to date, the improvements have not been constructed and therefore a surety is required; and

WHEREAS, it is the recommendation of the Planning Commission that the existing Letter of Credit be renewed for twelve (12) months, in the amount of \$237,000; and

WHEREAS, it is anticipated that the date of completion for the above referenced public improvements will be within the time prescribed for the bond and it is required that an automatic renewal clause, to the benefit of the City of Spring Hill, be included within the bond in case such improvements are not completed in a timely manner; and

WHEREAS, the developer is required under Article III, Section 3-102.201 of the Subdivision Regulations to submit an "as-built" survey of the public improvements including storm drainage; and

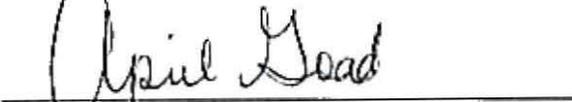
WHEREAS, upon completion of the public improvements listed above, the Developer will be required to file a "maintenance" bond guaranteeing performance of the public improvements for an additional one year period with the Planning Commission after the dedication and acceptance of such public improvements by the Board of Mayor and Aldermen.

NOW, THEREFORE BE IT RESOLVED, by the Board of Mayor and Aldermen that the existing Letter of Credit for Meadowbrook Subdivision, Phase Two, Section Three in the amount of \$237,000.00 is hereby approved.

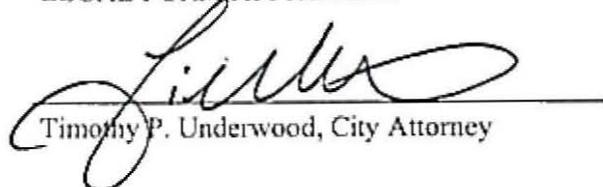
Passed and adopted this 16th day of February, 2010.

  
Michael Dinwiddie, Mayor

ATTEST:

  
April Goad, City Recorder

LEGAL FORM APPROVED:

  
Timothy P. Underwood, City Attorney

**RESOLUTION 10-02 OF THE  
PLANNING COMMISSION  
OF THE CITY OF SPRING HILL, TENNESSEE**

**A RESOLUTION TO RENEW THE EXISTING LETTER OF CREDIT FOR  
MEADOWBROOK SUBDIVISION – PHASE TWO, SECTION THREE**

WHEREAS, a Letter of Credit is currently in place for this development; and

WHEREAS, the existing surety is guaranteeing the construction of certain improvements; and

WHEREAS, the following improvements are required pursuant to the Final Plat:

*Water, Sewer, Storm Water Drainage and Basins, Streets and Curbs and final  
topping to all streets with 1 ½ inches of hot mix asphalt; and*

WHEREAS, to date, the improvements have not been constructed and therefore a surety is required;  
and

WHEREAS, it is the recommendation of the Codes Department that the existing Letter of Credit be  
renewed for twelve (12) months, in the amount of \$237,000; and

WHEREAS, it is anticipated that the date of completion for the above referenced public  
improvements will be within the time prescribed for the bond and it is required that an automatic  
renewal clause, to the benefit of the City of Spring Hill, be included within the bond in case such  
improvements are not completed in a timely manner; and

WHEREAS, the developer is required under Article III, Section 3-102.201 of the Subdivision  
Regulations to submit an "as-built" survey of the public improvements including storm drainage;  
and

WHEREAS, upon completion of the public improvements listed above, the Developer will be  
required to file a "maintenance" bond guaranteeing performance of the public improvements for an  
additional one year period with the Planning Commission after the dedication and acceptance of  
such public improvements by the Board of Mayor and Aldermen.

**NOW, THEREFORE BE IT RESOLVED**, by the Spring Hill Planning Commission that the  
existing Letter of Credit for Meadowbrook Subdivision, Phase Two, Section Three in the amount of  
\$237,000.00 is hereby recommended to the Board of Mayor and Aldermen.

Passed and adopted this 8th day of February, 2010.

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Michael Glass, Chairman

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Michael Dinwiddie, Secretary

## BOND INFORMATION SHEET

**Site Name:** Meadowbrook Ph. 2 Sec. 3

Type of Bond:	Letter of Credit	Original Bond Amount:	\$237,000	<u>Type of Action Requested:</u>
Bond #:	1411	Current Bond Amount:	\$237,000	Bond Renewal <input checked="" type="checkbox"/>
Bond Issued:	17-Mar-09	25% of Original Amount:	\$59,250	Bond Reduction <input type="checkbox"/>
Expiration Date:	17-Mar-10	(Per Section 3-102.202 of Sub. Regs)		Bond Release <input type="checkbox"/>

**Past Actions**

Date:	Type of Action:	Amount:	Reason:

**Required Installation**

<b>Streets</b>		
Binder Installed:	Yes	
Road Base:	Stone	
Compaction Test Submitted:		N/A
Curb Installed:	Yes	
Final Topping installed:		No
Street Signs Installed:	Yes	
Street Lights Required:	Yes	
Side Walks Required:	Yes	

<b>Sewer</b>	
Sewer Line Installed:	Yes
Sewer Line Tested:	2-May-08
Pump Station Required:	No
"As Built" Drawings Submitted:	Yes
Meets City Specifications:	Yes

<b>Storm Water Drainage System</b>		
System Installed:	Yes	
"As Built" Drawings Submitted:		No
Meets City Specifications:	Yes	

<b>Water</b>	
Water Line Installed:	Yes
Water Line Tested:	21-Apr-08
"As Built" Drawings Submitted:	Yes
Meets City Specifications:	Yes

## BOND INFORMATION SHEET

Site Name: Meadowbrook Ph. 2 Sec. 3

### Miscellaneous Site Information

Total Number of Lots:	54	Developer:	Cornerstone Land Company
Current Number of Available Building Lots:	48	In Bankruptcy:	No

Amenities: Complete: Yes

1. Walking trail to connect to Rutherford Creek and playground

2

3

### Staff Comments:

1. The Letter of Credit does NOT automatically renew.
2. A final walk through inspection will need to be requested and completed prior to release of the performance bond and establishment of a maintenance bond.
3. Storm sewer as-builts have not been submitted

### Staff Recommendation:

Renew the Letter of Credit for the current amount and require:

1. an automatic renewal clause be added to the Letter of Credit.
2. storm sewer as-builts be submitted to City.

Beau Herring  
Director of Codes  
City of Spring Hill

## IRREVOCABLE LETTER OF CREDIT #1411

Issue Date: March 17, 2009  
Expiration Date: March 17, 2010  
Beneficiary: City of Spring Hill  
P.O. Box 789  
199 Town Center Parkway  
Spring Hill, TN 37174  
Applicant: Cornerstone Land Company  
275 Robert Rose Dr  
Murfreesboro TN 37129-6347  
Project: Meadowbrook Subdivision, Phase 2, Section 3

We hereby issue our Irrevocable Letter of Credit #1411 in your favor for the account of Cornerstone Land Company, for an amount not to exceed an aggregate of Two Hundred Thirty Seven Thousand and No/100 Dollars (\$237,000.00).

This Letter of Credit is available by the Beneficiary's one or more clean drafts at sight drawn on GreenBank. Each draft so drawn must be marked "Drawn under GreenBank Letter of Credit #1411", and be accompanied by a signed statement of Beneficiary that the amount drawn represents the balance due and unpaid by Applicant. We hereby agree that all drafts drawn under and in compliance with the terms of this credit will be duly honored upon delivery as specified if presented at our counters on or before the expiration date indicated above.

Except so far as otherwise expressly stated, this Letter of Credit is subject to Uniform Customs and Practice for Documentary Credits, ICC Publication No. 600 implemented July 1, 2007.

GreenBank



Denise Barone  
Vice President





January 6, 2010

Mr. Jason Beavers  
Cornerstone Land Company  
275 Robert Rose Drive  
Murfreesboro, Tennessee 37129-6347

**Re: Meadowbrook Subdivision, Phase 2, Section 3  
Upcoming Bond Expiration**

Dear Mr. Beavers:

A review of our records indicates that a Letter of Credit currently on file with our office for Meadowbrook Subdivision, Phase 2; Section 3 will be expiring on March 17, 2010.

All proposed action on bonds/Letters of Credit; whether for renewal, reduction or release must be brought before the Planning Commission and Board of Mayor and Aldermen for approval prior to their expiration date. Based on the above referenced expiration date, this office must receive correspondence as to the proposed action on the bond prior to January 14, 2010 so that the information can be processed timely and placed on the February agendas for approval.

It is the responsibility of the developer to ensure that all bonds pertaining to this project are kept current. Enclosed, please find a brief summary of our current bond requirements and an application form that needs to be signed and submitted to our office with any additional information deemed necessary. If correspondence is not received by **January 14, 2010** the City may be forced to take action on the current bond.

Thank you for your continued cooperation. If you have any questions, please do not hesitate to contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read "M.B. Herring", with a long horizontal flourish extending to the right.

Beau Herring  
Director of Codes and Planning