

RESOLUTION 14-36

A RESOLUTION AUTHORIZING ACCEPTANCE OF OFFER OF DEDICATION OF ROAD RIGHTS-OF-WAY AND PUBLIC IMPROVMENTS SHOWN ON THE EXISTING PLAT FOR DAKOTA POINTE PHASE 1 & 2

WHEREAS, E.G.Development has a recorded Final Plat for Dakota Pointe Phase 1 & 2 in Williamson County Plat Book P42, Page 144 and Plat Book P45 Page 73; and

WHEREAS, said Plat show public rights-of-way proposed for dedication to the City of Spring Hill; and

WHEREAS, an Offer of Dedication, Deeds of Conveyance and a Maintenance Surety have been submitted pursuant to the Subdivision Regulations; and

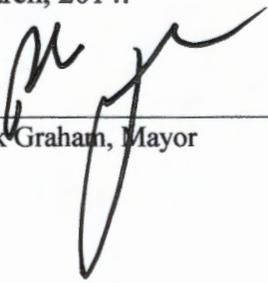
WHEREAS, a Certificate of Satisfactory Completion has been furnished by the City of Spring Hill pursuant to Section 3-102.201 of the Subdivision Regulations indicating that thorough inspections of the road rights-of-way, the design intent has been achieved; and

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 water, sewer and drainage; and

WHEREAS, the Board of Mayor and Aldermen deems it in the best interest of the City of Spring Hill that the Offer of Dedication of the road rights-of-way and public improvements be accepted and the same become a part of the public street system of the City of Spring Hill; and

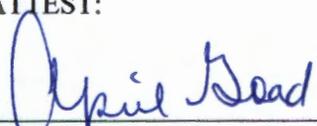
NOW, THEREFORE BE IT RESOLVED, by the City of Spring Hill Board of Mayor and Aldermen that dedication and acceptance of road rights-of-way within Dakota Pointe Phase 1 & 2 as shown on the recorded plat is hereby approved.

Passed and adopted this 17th day of March, 2014.



Rick Graham, Mayor

ATTEST:



April Goad, City Recorder

LEGAL FORM APPROVED:



Patrick Carter, City Attorney

**RESOLUTION 14-20 OF THE
PLANNING COMMISSION
OF THE CITY OF SPRING HILL, TENNESSEE**

**A RESOLUTION RECOMMENDING ACCEPTANCE AND DEDICATION OF ROAD
RIGHTS-OF-WAY AND PUBLIC IMPROVEMENTS SHOWN ON THE EXISTING
PLAT FOR
DAKOTA POINTE PHASE 1 & 2**

WHEREAS, E.G.Development has a recorded Final Plat for Dakota Pointe Phase 1 & 2 in Williamson County (Phase 1) Plat Book P42, Page 144 and (Phase 2) Plat Book P45 Page 73; and

WHEREAS, said Plat show public rights-of-way proposed for dedication to the City of Spring Hill; and

WHEREAS, an Offer of Dedication, Deeds of Conveyance and a Maintenance Surety have been submitted pursuant to the Subdivision Regulations; and

WHEREAS, a Certificate of Satisfactory Completion has been furnished by the City of Spring Hill pursuant to Section 3-102.201 of the Subdivision Regulations indicating that through inspections of the road rights-of-way, the design intent has been achieved; 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 water, sewer and drainage; and

WHEREAS, the Planning Commission deems it in the best interest of the City of Spring Hill that the Offer of Dedication of the road rights-of-way be accepted and the same become a part of the public street system of the City of Spring Hill; and

NOW, THEREFORE BE IT RESOLVED, by the Spring Hill Planning Commission that dedication and acceptance of road rights-of way within Dakota Pointe Phase 1 & 2 as shown on the recorded plat is hereby recommended to the Board of Mayor and Aldermen.

Passed and adopted this 10th day of March, 2014.

Jonathan Schwartz, Chairman

Charlie Schoenbrodt, Secretary



COMMUNITY FIRST BANK & TRUST

Expect more from your bank.

501 S. James M. Campbell Blvd.
Columbia, TN 38401

Date: February 11, 2014
Letter of Credit No. 61004655
Expiration Date: May 11, 2014
Amount: \$28,606.00

City of Spring Hill
P O Box 789
Spring Hill, TN 37174

RE: Irrevocable Standby Letter of Credit for Cyril Evers, Developer of Dakota Point Subdivision of Section II.

We hereby establish an Irrevocable Letter of Credit for the account of Cyril Evers, Developer of Dakota Point Subdivision Section II, a residential subdivision in Spring Hill, TN., in the amount of **Twenty Eight Thousand Six Hundred Six and no/100 (\$28,606.00)** available by draft sight for payment in full for maintenance of Streets and Drainage in Dakota Point Subdivision Section II as required by the Town of Spring Hill.

In the event of the failure of the Developer to complete the installation of streets and drainage required by the Town of Spring Hill prior to the expiration date of this instrument the Town of Spring Hill shall notify the Bank in writing. Upon such notification, the Bank shall either renew the Letter of Credit for a term acceptable to the Town of Spring Hill or pay the amount set forth above to the Town of Spring Hill. In case of default, Community First Bank and Trust hereby irrevocably agrees to pay the sum of **Twenty Eight Thousand Six Hundred Six Dollars and no/100 (\$28,606.00)** for maintenance behalf of the Town of Spring Hill in conjunction with this Project. The Town of Spring Hill agrees to refund to Community First Bank & Trust any amounts not expended by the Town of Spring Hill to complete the unfinished requirements of the said Project.

It is understood and agreed that this in no way limits the liability of the developer for any costs in addition to **Twenty Eight Thousand Six Hundred Six Dollars and no/100 (\$28,606.00)**.

This agreement automatically terminates on May 11, 2014.

Sincerely,

Jim Bratton
Sr. Vice President
Chief Credit Officer

Except as otherwise expressly stated herein, this credit is subject to the Uniform Customs and Practice for Documentary Credit (1993 Revision). Internal Chamber of Commerce Publication No. 500.

RESOLUTION 13-01 OF THE
PLANNING COMMISSION
OF THE CITY OF SPRING HILL, TENNESSEE

A RESOLUTION TO ESTABLISH A MAINTENANCE BOND FOR
DAKOTA POINTE - PHASE 1 & 2

WHEREAS, the following improvements have been constructed pursuant to the Final Plat:
*Water, Sewer, Storm Water Drainage and Basins, Streets and Curbs, Sidewalks,
Street Lights and Final Topping to all streets with 1 ½ inches of hot mix asphalt;
and*

WHEREAS, to date, the following improvements have not been completed and/or accepted by the City (Sidewalks on two lots in Phase 1); and

WHEREAS, pursuant to Article III, Section 3-103 of the Subdivision Regulations, 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.

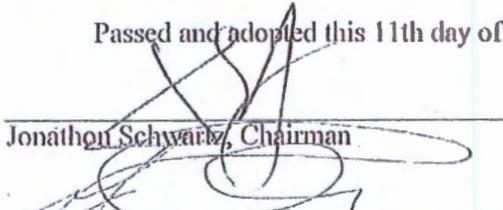
WHEREAS, therefore a one year Maintenance Bond is required; and

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, it is the recommendation of the Codes Department that the existing Letter of Credit be reduced for twelve (12) months, to the amount of \$28,606.00; and

NOW, THEREFORE BE IT RESOLVED, by the Spring Hill Planning Commission that a Maintenance Bond be established in the amount of \$28,606.00 for Dakota Pointe Phase 1 & 2 for one year is hereby recommended to the Board of Mayor and Aldermen.

Passed and adopted this 11th day of February, 2013.



Jonathon Schwartz, Chairman



Michael Dinwiddie, Secretary

RESOLUTION 13-13

**A RESOLUTION TO ESTABLISH A MAINTENANCE BOND FOR
DAKOTA POINTE – PHASE 1 & 2**

WHEREAS, the following improvements have been constructed pursuant to the Final Plat:
*Water, Sewer, Storm Water Drainage and Basins, Streets and Curbs, Sidewalks,
Street Lights and Final Topping to all streets with 1 ½ inches of hot mix asphalt;
and*

WHEREAS, to date, the following improvements have not been completed and/or accepted by the City (Sidewalks on two lots in Phase 1); and

WHEREAS, pursuant to Article III, Section 3-103 of the Subdivision Regulations, 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.

WHEREAS, therefore a one year Maintenance Bond is required; and

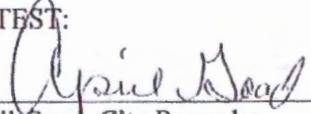
WHEREAS, the developer is required under Article III, Section 3-102.201 of the Subdivision Regulations to submit an "as-built" survey of the public improvements including storm drainage; and

WHEREAS, it is the recommendation of the Planning Commission that the existing Letter of Credit be reduced for twelve (12) months, to the amount of \$28,606.00,

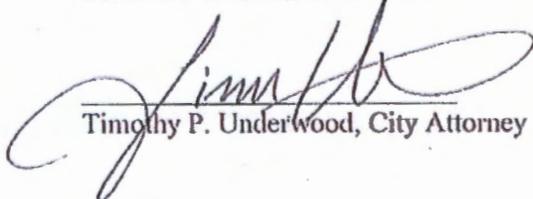
NOW, THEREFORE BE IT RESOLVED, by the City of Spring Hill Board of Mayor and Aldermen that a Maintenance Bond be established in the amount of \$28,606.00 for Dakota Pointe Phase 1 & 2 for one year is hereby approved.


Michael Dinwiddie, Mayor

ATTEST:


April Goad, City Recorder

LEGAL FORM APPROVED:


Timothy P. Underwood, City Attorney



CERTIFICATE OF SATISFACTORY COMPLETION

January 18, 2013

Mr. Cyrel Evers

E.G. Development
P.O. Box 995
Columbia, TN 38401

Development Name: Dakota Pointe

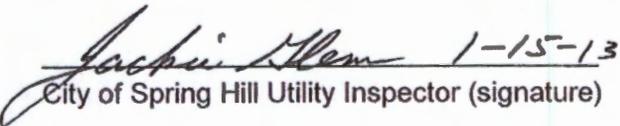
Phase or Section of Construction: Phase 1 & 2

Public Improvements: Sewer, Water, Storm Water, Sidewalks, Street Lights, Street Signs

I hereby certify that I have supervised and inspected the improvements to ensure that the design intent has been achieved. Note: Lots are vacant with lots requiring sidewalks installed.

Record Drawings have been submitted by Applicant's engineer to the City pursuant to ordinance requirements.

Further, Developer must establish a Maintenance Surety with the City to guarantee defects in workmanship or materials for a one year period.


City of Spring Hill Utility Inspector (signature)

Printed name:

Approved By:


Jeff Foster, Director of Public Works

199 TOWN CENTER PARKWAY

P.O. BOX 789

SPRING HILL, TN 37174

PHONE (931)486-2252

NASHVILLE LINE (615)248-6307

WILLIAMSON CO. (615)599-2614

FAX (931)486-0516

FORM FOR OFFER OF
IRREVOCABLE DEDICATION

AGREEMENT made this 9 day of Jan 2013, by and between the City of Spring Hill a municipal corporation, having its office and place of business at 199 Town Center Parkway, Spring Hill, Tennessee, hereinafter designated as the "City" and E.G. Development a Company having its office and place of business at P.O. Box 995 Columbia TN. hereinafter designated as the "developer".

38402

WHEREAS, the Spring Hill Planning Commission is in the process of approving a subdivision plat entitled DAKOTA POINTE dated _____ and prepared by MARTIN EVGA and SURVEING, LLC

WHEREAS, said plat designates certain public improvements consisting of Roads & right-of-ways, sewer, water, storm drain & sidewalks to be dedicated to the City of Spring Hill free and clear of all encumbrances and liens, pursuant to the requirements of the Spring Hill Planning Commission and the City; and

WHEREAS, the Developer, simultaneously herewith, shall post a performance surety with the City for the construction, maintenance, and dedication of said improvements, if required;

WHEREAS, the Developer is desirous of offering for dedication the said improvements and land to the City more particularly described in Schedule NA attached hereto;

WHEREAS, the Developer has delivered Documents of conveyance to the city for the said land and improvements as described herein;

NOW, THEREFORE, in consideration of the sum of one dollar (\$1.00) lawful money of the United States paid by the City to the Developer and other good and valuable consideration, it is mutually AGREED as follows:

- A. The Developer herewith delivers to the City Documents of conveyance for the premises described in Schedule NA attached hereto, said delivery being a formal offer of dedication to the City until the acceptance or rejection of such offer of dedication by the City.
- B. The Developer agrees that said formal offer of Dedication is irrevocable and can be accepted by the City at any time.
- C. The Developer agrees to complete the construction and maintenance of the land and improvements pursuant to the performance surety and the requirements of the Spring Hill Planning Commission and any ordinances, regulations, requirements, covenants, and agreements that may be imposed by the City with respect thereto and, upon acceptance by the City of the offer of dedication, furnish to the City a sworn statement certifying that the premises are free and clear of all liens and encumbrances and shall furnish to the City a check for all necessary fees and taxes to record the Documents heretofore delivered.
- D. That this irrevocable offer of dedication shall run with land and shall be binding on all assigns, guaranties, successors, or heirs of the Developer.

E. The City by action of the Board of Mayor and Aldermen on the ____ day of _____, 20____, accepted the infrastructure as presented in the offer of dedication and directed the governmental representative to sign the offer of dedication on behalf of the City

Developer Company Name:

EG Development

1-9 2013
Date

[Signature]
Developer Signature
owner

(CORPORATE SEAL)

ATTEST: _____

FOR THE CITY OF SPRING HILL:

BY: _____
Signature

_____ 20

Printed Name

ACKNOWLEDGEMENT:
COPARTNERSHIP

STATE OF TENNESSEE

(COUNTY OF _____) SS: _____

On this ___ day _____ of 20___, before me personally appeared _____, to me known to be one of the firm _____, described in and who executed the foregoing instrument, and he thereupon acknowledged to me that he executed such instrument as and for the act and deed of said firm.

CORPORATE

STATE OF TENNESSEE

(COUNTY OF Mary) SS: 410.56.8923

On this 9 day of Jan 2013 before me personally appeared Cyril Evers, to me known, who, being by me first duly sworn, did depose and say that he resides in Mary; that he is the Owner of EG Development the corporate seal affixed to said instrument is such corporate seal; that it was so affixed by order and authority of the Board of Directors of said corporation, and that he signed his name thereto by like order and authority.



Elaine Cooper Rash
INDIVIDUAL
My comm. exp: 06/22/2015