

ORDINANCE NO. 16-18

**AN ORDINANCE TO AMEND THE CONDITIONS PLACED ON ZONING B-4
PERTAINING TO TRACT 112 DUPLEX ROAD PURSUANT TO ORDINANCE
NO. 06-17 ADOPTED ON MAY 15, 2006**

WHEREAS, on May 15, 2006, Tract 112 Duplex Road owned by PORT ROYAL PLACE PROPERTY ASSOCIATES, GP, a Georgia general partnership comprised of Port Royal Place Management Associates, LLC, a Georgia limited liability company, and Port Royal Place Investments, LLC, a Georgia limited liability company (“Property Owners”) was conditionally rezoned from Agricultural to B-4 Commercial pursuant to Ordinance No. 06-17. The conditions are as shown on Exhibit A hereto; and

WHEREAS, the City of Spring Hill has undertaken a widening and improvement project of Duplex Road in conjunction with TDOT (“the Project”); and

WHEREAS, the necessary easements and special warranty deed have been prepared for Property Owners to execute, copies of which are attached hereto as collective Exhibit B; and

WHEREAS, the property actually necessary to complete the widening project exceeds the amount of property Property Owners are required to dedicate to the City of Spring Hill pursuant to Item 4 of the above-referenced conditions; and

WHEREAS, in lieu of purchasing additional property, Property Owners and the City of Spring Hill have agreed to amend the conditions referenced above in exchange for the additionally required property as follows:

Items 1, 2 and 4 shall be stricken;

Item 3 shall be amended to insert “Concurrent with the development of the Property” prior to “Developer”;

Item 8 shall be amended to end after the word “property”, thereby deleting “with landscape and screening type and density to be approved by Planning Commission during site plan approval”.

All other conditions not amended herein shall remain in full force and effect.

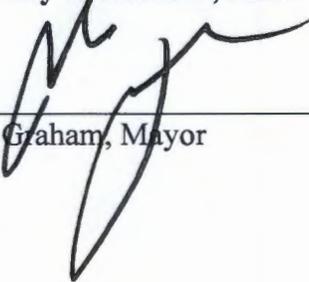
NOW, THEREFORE, BE IT HEREBY ORDAINED, by the Board of Mayor and Aldermen of the City of Spring Hill, Tennessee, that the conditions referenced above are amended as referenced above.

BE IT FURTHER ORDAINED that all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

BE IT FURTHER ORDAINED that this Ordinance shall take effect from and after its adoption by the Board of Mayor and Aldermen at two (2) consecutive regularly scheduled meetings, the public welfare requiring it.

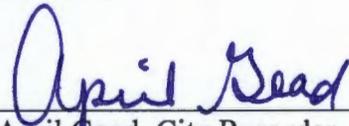
BE IT FURTHER ORDAINED that Property Owners shall immediately execute and deliver to the City of Spring Hill fully executed Easements and Special Warranty Deeds for the property necessary from Tract 112 for the Project attached hereto as collective Exhibit B.

PASSED AND ADOPTED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF SPRING HILL, TENNESSEE, this, the 17th day of October, 2016.



Rick Graham, Mayor

ATTEST:



April Goad, City Recorder

LEGAL FORM APPROVED:



Patrick M. Carter, City Attorney

Passed on First Reading: September 19, 2016

Passed on Second Reading October 17, 2016