

RESOLUTION 18-31

**A RESOLUTION TO AUTHORIZE
THE SATISFACTION OF DISPUTED DEBT**

WHEREAS, the City of Spring Hill ("City") entered into a contract with SPE GO Holdings, Inc. ("SPE GO") wherein SPE GO granted the City a 20-foot permanent gravity sewer line easement across a portion of its golf course for the purpose of constructing, operating and maintaining a sewer line extension; and

WHEREAS, a conflict arose regarding the construction of a sewer improvement in the designated easement; and

WHEREAS, the parties have negotiated and reached a resolution of the conflict wherein the City will pay to SPE GO the sum of \$141,508.52 to fully resolve said conflict; and

WHEREAS, the Board of Mayor and Aldermen has determined that it is in the public interest to pay the above-referenced amount to resolve said conflict.

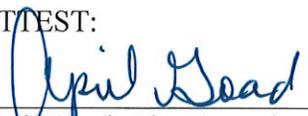
NOW, THEREFORE, BE IT RESOLVED, that the Board of Mayor and Aldermen authorizes the Mayor of Spring Hill, Tennessee, to cause payment to SPE GO the sum of \$141,508.52 to fully and finally resolve the conflict between the parties as well as execute a Settlement and Release Agreement to be approved by the City Attorney.

Passed and adopted by the Board of Mayor and Aldermen of the City of Spring Hill, Tennessee on this 19th day of March, 2018.



Rick Graham, Mayor

ATTEST:



April Goad, City Recorder

LEGAL FORM APPROVED:



Patrick M. Carter, City Attorney



CITY OF SPRING HILL CHECK REQUEST

Payee Name & Address:

Date:

3/22/2018

SPE GO

Vendor Number:

c/o STEPHEN MONTGOMERY

NEAL AND HARWELL PLC

Check Amount:

\$141,508.52

1201 DEMONBREUN STREET, SUITE 1000

NASHVILLE, TN 37203

Purchase Order #:

Purpose of Payment:

SETTLEMENT OF CONTACT IN ACCORDANCE WITH

RESOLUTION 18-31 (ATTACHED)

Bank Account:

WATER/SEWER

Account / Object Code:

Amount

410-21121

\$ 138,508.52

410-52211-290

\$ 3,000.00

Approved by:

[Signature]
Department Head Signature

[Signature]
Finance Director

[Signature] 3/22/18
City Administrator

1099 = Y

Paid 3-22-18
CR# 285
\$ 141,508.52

Special Handling Instructions:

RESOLUTION 18-31

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THE SATISFACTION OF DISPUTED DEBT**

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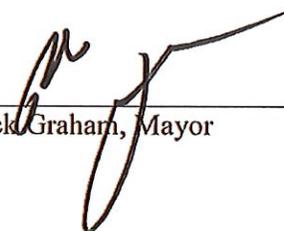
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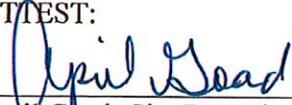
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Passed and adopted by the Board of Mayor and Aldermen of the City of Spring Hill, Tennessee on this 19th day of March, 2018.

138,508.52 410-21121
3,000.00 410-52211-200


Rick Graham, Mayor

ATTEST:


April Goad, City Recorder

LEGAL FORM APPROVED:


Patrick M. Carter, City Attorney

CITY OF SPRING HILL
WATER SEWER
P. O. BOX 789
SPRING HILL, TN 37174

2185
87-811/641

STYLE XPP

PAY
TO THE
ORDER OF

SPE GO, % Neal and Harwell, PLC, Attorneys in fact

DATE 3-22-18

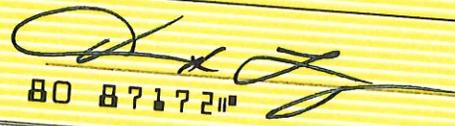
One hundred forty one thousand, five hundred eight & 52/100's — DOLLARS \$ 141,508.52

F&M FIRST FARMERS &
MERCHANTS BANK
COLUMBIA, TN 38401
Member FDIC

TWO SIGNATURES REQUIRED

 Security
Features
Details on
Back

FOR Settlement in full per Resolution 18-31



⑈002185⑈ ⑆064108113⑆

80 87172⑈

NP

Request for Taxpayer Identification Number and Certification

Give Form to the
 requester. Do not
 send to the IRS.

▶ Go to www.irs.gov/FormW9 for instructions and the latest information.

Print or type.
 See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. Neal & Harwell, PLC	
2 Business name/disregarded entity name, if different from above	
3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes. <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate <input checked="" type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ P <small>Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.</small> <input type="checkbox"/> Other (see instructions) ▶	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <small>(Applies to accounts maintained outside the U.S.)</small>
5 Address (number, street, and apt. or suite no.) See instructions. 1201 Demonbreun Street, Suite 1000	Requester's name and address (optional) CITY OF SPRING HILL P.O. BOX 789 SPRING HILL, TN 37174
6 City, state, and ZIP code Nashville, Tennessee 37203	
7 List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number									
or									
Employer identification number									
6	2		1	0	1	7	5	4	5

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here	Signature of U.S. person ▶	Date ▶ March 22, 2018
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General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.



Spring Hill, TN

Payable Register

Payable Detail by Vendor Name

Packet: APPKT05531 - SPE GO-LAWSUIT SETTLEMENT

Payable #	Payable Type	Post Date	Item Date	Due Date	Discount Date	Amount	Tax	Shipping	Discount	Total
Payable Description	Bank Code				On Hold					
Vendor: 08342 - SPE GO-NEAL AND HARWELL PLC										Vendor Total: 141,508.52
INV0046442	Invoice	3/23/2018	3/23/2018	3/23/2018	3/23/2018	141,508.52	0.00	0.00	0.00	141,508.52
LAWSUIT SETTLEMENT PER RESOLUTION 18-31		APBNK410 - Water Sewer			No	Payment Date: 3/23/2018		Manual Check:		2185

Notes: LAWSUIT SETTLEMENT PER RESOLUTION 18-31

Item Description	Commodity	Units	Price	Amount	Tax	Shipping	Discount	Total
LAWSUIT SETTLEMENT PER RESOLUTION ...	NA	0.00	0.00	141,508.52	0.00	0.00	0.00	141,508.52

Distributions

Account Number	Account Name	Project Account Key	Amount	Percent
410-21121	JUDGMENT PAYABLE		138,508.52	97.88%
410-52211-290	OTHER SERVICES & CHARGES		3,000.00	2.12%

Payable Summary

Type	Count	Gross	Tax	Shipping	Discount	Total	Manual Payment	Balance
Invoice	1	141,508.52	0.00	0.00	0.00	141,508.52	141,508.52	0.00
	Grand Total:	141,508.52	0.00	0.00	0.00	141,508.52	141,508.52	0.00

Account Summary

<u>Account</u>	<u>Name</u>	<u>Amount</u>
410-21121	JUDGMENT PAYABLE	138,508.52
410-52211-290	OTHER SERVICES & CHARGES	3,000.00
	Total:	141,508.52