

**RESOLUTION 18-206**

**A RESOLUTION TO TERMINATE RIGHT-OF-ENTRY EASEMENT FOR  
PARCEL ID 060043 01400 FOR RUTHERFORD CREEK SEWER PROJECT**

**WHEREAS**, a Right-of-Entry easement document attached hereto as Exhibit A was prepared on or about December 31, 2014 by the City of Spring Hill for execution by Benjamin B. Hayes for property identified as Parcel ID 060043 01400 that was necessary as determined by the City of Spring Hill for the construction of a sewer main project along Rutherford Creek; and

**WHEREAS**, the property owner, Benjamin B. Hayes, executed the Right-of-Entry easement document on December 31, 2014; and

**WHEREAS**, the right-of-entry was granted by the property owner to remain in full force and effect from and after the beginning of construction on the sewer main project until the completion of the portion of the project work performed on King's Creek Golf Course; and

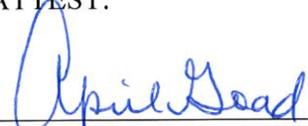
**WHEREAS**, the construction of the sewer main project in the vicinity of King's Creek Golf Course has been successfully completed by the City of Spring Hill and the right-of-entry easement is no longer needed by the City of Spring Hill.

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Spring Hill hereby terminates the Right-of-Entry easement having satisfied all requirements of the easement as provided in Exhibit A attached hereto.

**Passed and adopted by the Board of Mayor and Aldermen of the City of Spring Hill, Tennessee on this 15<sup>th</sup> day of October, 2018.**

  
\_\_\_\_\_  
Rick Graham, Mayor

ATTEST:

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

LEGAL FORM APPROVED:

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

**CITY OF SPRING HILL, TENNESSEE  
RIGHT OF ENTRY  
RUTHERFORD CREEK SEWER PROJECT**

This agreement, entered into this 31 day of December, 2014 by and between the CITY OF SPRING HILL, TENNESSEE, hereinafter called the "City", and, Benjamin Hayes, hereinafter called the "owner", whether one or more.

The Owner hereby grants unto the City the right to enter upon the following described property located in Spring Hill, Williamson/Maury County, Tennessee;

**Property Owner: Benjamin B Hayes  
Parcel ID: 060043 01400**

said right to enter the property for the purpose of construction related to the Rutherford Creek Sewer project.

1. The Owner agrees to permit the City and its Contractor(s) to go upon the described premises as necessary in order to access the area of construction for the sewer project.
2. The right of entry herein granted shall be in force and effect from and after the beginning of construction on the project until the completion of the portion of the project work performed on King's Creek Golf Course.
3. It is further understood that no claim for damages for wrongful entry or for trespass shall be made by the Owner against the City or its Contractor(s).
4. Any damages caused to the property will be the responsibility of the Cities Contractor(s) to repair, repairs shall be made in a manner that is as near to original condition as reasonably possible.
5. The Owner shall be granted credit for all fees and costs associated with one sewer tap and one water tap for the property.
6. The City shall track trees removed and replace for in-kind value at a location and type to be coordinated with the Owner.
7. The construction entrance to the property shall be placed from Tom Lunn Road to the end of the fence line of the neighbors property. Location to be coordinated with Owner prior to installation. The City shall install a steel gate with lock across the driveway entrance at the beginning of the project. Gate type shall be coordinated with Owner. Additionally, crusher run stone shall be placed on the entrance drive after the project is complete.

WITNESS my hand this 31 day of December, 2014

  
BENJAMIN B HAYES

Prepared by: Dan Allen, Infrastructure Director  
MAY City of Spring Hill, P.O. Box 789,  
- Spring Hill, TN 37174

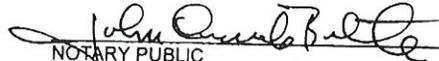
CITY OF SPRING HILL, TENNESSEE  
RIGHT OF ENTRY  
RUTHERFORD CREEK SEWER PROJECT

STATE OF TENNESSEE

COUNTY OF WILLIAMSON/MAURY

Personally appeared before me, the undersigned, a Notary Public of said State and County, The within named BENJAMIN B HAYES, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledge himself to be the within named bargainer, and that he executed the foregoing instrument for the purposes therein contained.

WITNESS my hand and seal this 31st day of December, 2014.

  
NOTARY PUBLIC  
My Commission Expires: 9-26-2016



BK/PG:R2304/1003-1004

15000227

2 PGS : AL - AGREEMENT	
JANE BATCH: 154623	
01/08/2015 - 08:31 AM	
VALUE	0.00
MORTGAGE TAX	0.00
TRANSFER TAX	0.00
RECORDING FEE	10.00
DP FEE	2.00
REGISTER'S FEE	0.00
TOTAL AMOUNT	12.00

STATE OF TENNESSEE, MAURY COUNTY  
JOHN FLEMING  
REGISTER OF DEEDS