

RESOLUTION 19-66

A RESOLUTION AUTHORIZING ACCEPTANCE OF OFFER OF DEDICATION OF ROAD RIGHTS-OF-WAY AND PUBLIC IMPROVEMENTS SHOWN ON THE EXISTING PLAT FOR ABBINGTON DOWNS PHASE 1 AND PHASE 2

WHEREAS, Developer Lennar Homes of Tennessee, Inc. has a recorded Final Plat for Abbingon Downs Phase 1 and Phase 2 in Maury County Plat Book P21, Page 72 and Page 146; and

WHEREAS, said Plat shows 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 indicating that through inspections of the road rights-of-way, the design intent has been achieved; and

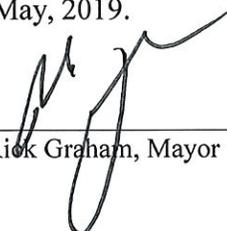
WHEREAS, the developer is required under Section VI, Paragraph 6.3 of the Subdivision Regulations to submit an "as-built" survey of the public improvements including water, sewer and drainage; and

WHEREAS, on April 8, 2019, the City of Spring Hill Planning Commission recommended the Road Rights-of-Way and Public Improvements for Abbingon Downs Phase 1 and Phase 2 be accepted; 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 be accepted and the same become a part of the public street system of the City of Spring Hill.

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 Abbingon Downs Phase 1 and Phase 2 as shown on the recorded plat is hereby approved.

Passed and adopted this 20th day of May, 2019.



Rick Graham, Mayor

ATTEST:



April Goad, City Recorder

LEGAL FORM APPROVED:



Patrick Carter, City Attorney

**RESOLUTION 19-23 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
ABBINGTON DOWNS PHASE 1 AND PHASE 2**

WHEREAS, Lennar Homes of Tennessee, LLC has a recorded Final Plat for Abbington Downs Phase 1 and Phase 2 in Maury County Plat Book P21, Page 72 and Page 146; 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 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 6.3 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 and Public Improvement's be accepted and the same become a part of the Public Street system of the City of Spring Hill.

NOW, THEREFORE BE IT RESOLVED, by the Spring Hill Planning Commission that dedication and acceptance of Road Rights-of-Way and Public Improvements within Abbington Downs Phase 1 and Phase 2 as shown on the recorded plats is hereby recommended to the Board of Mayor and Aldermen.

Passed and adopted this 8th day of April, 2019.



Paul Downing, Chairman



Steve Foote, Secretary



CERTIFICATE OF SATISFACTORY COMPLETION

Date: 4/8/19

Lennar Homes of Tennessee, LLC

Abbington Downs

Phase 1 and Phase 2

Development Name: Abbington Downs

Phase or Section of Construction: Phase 1 and Phase 2

Public Improvements: Water, sewer, storm water drainage and basins, streets, curbs, street signs, street lights, final topping

I hereby certify that I have supervised and inspected the improvements to ensure that the design intent has been achieved.

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.

Michael W. Stephens

City of Spring Hill Utility Inspector (signature)

Michael W Stephens

Printed name

Approved By:

Thomas S. Wolf, P.E.

City of Spring Hill Engineering Dept. (signature)

THOMAS S. WOLF, P.E.

Printed name

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

SUBJECT: Acceptance of Road ROW & Public Improvements for Abbington Downs Phase 1 and Phase 2

DATE: April 16, 2019

ATTENTION: Board of Mayor and Aldermen

STAFF: Missy Stahl, Senior Project Manager



STAFF MEMORANDUM

The purpose of this memo is to provide information regarding a resolution to accept and the dedication of road rights-of-way and public improvements for Abbington Downs Phase 1 and Phase 2, as recommended by the Planning Commission.

Background:

The Planning Commission recommends accepting the road rights-of-way and public improvements for Abbington Downs Phase 1 and Phase 2, per PC Resolution 19-23 passed by the Planning Commission on April 8, 2019. The one year for the maintenance bond has been fulfilled and City staff has issued certificates of satisfaction for this phase.

Staff Recommendation:

Staff recommends approval of the request.

**FORM FOR OFFER OF
IRREVOCABLE DEDICATION**

AGREEMENT made this 20th day of May 2019, 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 **LENNAR HOMES OF TENNESSEE, LLC**, a **LIMITED LIABILITY COMPANY**, having its office and place of business at **381 MALLORY STATION, SUITE 200; FRANKLIN, TN 37067** hereinafter designated as the "developer".

WHEREAS, the Spring Hill Planning Commission is in the process of approving a subdivision plat entitled **ABBINGTON DOWNS PHASE 1 AND 2** dated **02-12-2014** and prepared by **CIVIL & ENVIRONMENTAL CONSULTANTS, INC.**; and

WHEREAS, said plat designates certain public improvements consisting of **Roads, Right of Way, water lines, sewer lines, storm drain and 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 **PLAT** attached hereto;

WHEREAS, the Developer has delivered Documents or Deeds 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 or Deeds of conveyance for the premises described in Schedule **PLAT** 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, guarantees, 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:

LENNAR HOMES OF TENNESSEE, LLC

May 20TH 2019
Date

[Signature]
Developer Signature



(CORPORATE SEAL)

ATTEST: [Signature]

FOR THE CITY OF SPRING HILL:

BY: [Signature]
Signature
Rick Graham, Mayor
Printed Name

May 20, 2019

**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 WILLIAMSON) SS: _____

On this 20TH day of MAY 2019, before me personally appeared KEVIN STURGILL, to me known, who, being by me first duly sworn, did depose and say that he resides in FRANKLIN, TN; that he is the OFFICER of THE DEVELOPER 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.



Christina James
INDIVIDUAL