

**RESOLUTION 22-229**

**A RESOLUTION AUTHORIZING ACCEPTANCE OF OFFER OF DEDICATION OF ROAD RIGHTS-OF-WAY AND PUBLIC IMPROVEMENTS SHOWN ON THE EXISTING PLAT FOR DERRYBERRY ESTATES SECTION 3**

**WHEREAS**, developer Ole South Properties has a recorded Final Plat for Derryberry Estates Section 3 in Maury County Plat Book P22, Page 229; 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 October 10, 2022, the City of Spring Hill Planning Commission recommended the Road Rights-of-Way and Public Improvements for Derryberry Estates Section 3 and 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 Derryberry Estates Section 3 as shown on the recorded plat is hereby approved.

Passed and adopted this 17<sup>th</sup> day of October, 2022.

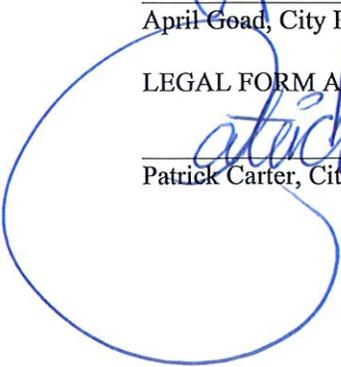
  
Jim Hagaman, Mayor

ATTEST:

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

LEGAL FORM APPROVED:

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





**REQUEST:**            *Approval of Resolution 22-229*

**SUBMITTED BY:**   Missy Stahl, CIP Manager

**DATE:**                October 17, 2022

**RE:**                     To accept the dedication of road rights-of-way and public improvements for Derryberry Estates Section 3

**ATTACHMENTS:**   Certificate of satisfaction, final plat

---

**PURPOSE:**

The purpose of this memo is to provide information regarding a resolution to accept the dedication of road rights-of-way and public improvements for Derryberry Estates Section 3.

**BACKGROUND:**

Planning Commission has recommended the acceptance of the roads and public improvements within Derryberry Estates Section 3 by PC Resolution 22-84, approved on October 10, 2022. A certificate of satisfaction has been signed by City staff.

**STAFF RECOMMENDATION:**

Staff recommends approval of Resolution 22-229 to accept the dedication of road rights-of-way and public improvements for Derryberry Estates Section 3.



## CERTIFICATE OF SATISFACTORY COMPLETION

Date: 9-19-22

Ole South Properties, Inc.

Derryberry Estates

Section 3

Development Name: Derryberry Estates

Phase or Section of Construction: Section 3

Public Improvements: Sidewalks, street signs, street lights, and final asphalt

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.

Tyler Scroggins  
Development Inspector

Tyler Scroggins  
Printed name:

Approved By:

Tyler Scroggins  
Public Works Director

Tyler Scroggins  
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



**FORM FOR OFFER OF  
IRREVOCABLE DEDICATION**

**AGREEMENT** made this \_\_\_ day of \_\_\_\_\_, 20\_\_\_, 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 De South Properties, Inc., a Corporat, having its office and place of business at 222 Robert Raso Dr, Ste 300 hereinafter designated as the "developer". Memphis, TN 37129

**WHEREAS**, the Spring Hill Planning Commission is in the process of approving a subdivision plat entitled Derryberg Estates Sec 3 dated 8/14/2020 and prepared by SEC, 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 17th day of October, 2022, 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:

Ole South Properties Inc

10/20 2022  
Date

[Signature]  
Developer Signature

STATE OF TENNESSEE

(COUNTY OF Rutherford)

On this 21 day of October 2022, before me personally appeared John D. Floyd, to me known, who, being by me first duly sworn, did depose and say that he resides in Murfreesboro; that he is the President of Ole South Properties; that he signed his name thereto by like order and authority of the Board of Directors of said corporation, and that.

ATTEST: [Signature]

Kim B. Lockhart  
INDIVIDUAL  
my commission expires STATE OF TENNESSEE  
OF  
TENNESSEE  
NOTARY  
PUBLIC  
RUTHERFORD COUNTY

FOR THE CITY OF SPRING HILL:  
BY: [Signature]

October 17, 2022

Signature  
Jim Hagaman, Mayor  
Printed Name

(CORPORATE SEAL)

