

RESOLUTION 23-78

**A RESOLUTION AUTHORIZING ACCEPTANCE OF OFFER OF DEDICATION OF ROAD
RIGHTS-OF-WAY AND PUBLIC IMPROVEMENTS SHOWN ON THE EXISTING PLAT
FOR
RESERVES AT PORT ROYAL PHASE 5 SECTION 3**

WHEREAS, developer Amber Lane Development, LLC has a recorded Final Plat for Reserves at Port Royal Phase 5 Section 3 in Maury County Plat Book P21, Page 199; 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 May 8, 2023, the City of Spring Hill Planning Commission recommended the Road Rights-of-Way and Public Improvements for Reserves at Port Royal Phase 5 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 Reserves at Port Royal Phase 5 Section 3 as shown on the recorded plat is hereby approved.

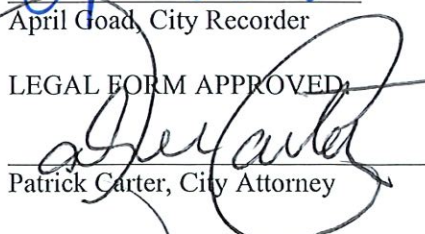
Passed and adopted this 15th day of May, 2023.


Jim Hagaman, Mayor

ATTEST:


April Goad, City Recorder

LEGAL FORM APPROVED:


Patrick Carter, City Attorney



REQUEST: **Approval of Resolution 23-78**

SUBMITTED BY: Missy Stahl, CIP Manager

DATE: May 15, 2023

RE: To accept the dedication of road rights-of-way and public
 improvements for Reserves at Port Royal Phase 5 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 Reserves at Port Royal Phase 5 Section 3.

BACKGROUND:

Planning Commission has recommended the acceptance of the roads and public improvements within Reserves at Port Royal Phase 5 Section 3 by PC Resolution 23-47, approved on May 8, 2023. A certificate of satisfaction has been signed by City staff.

STAFF RECOMMENDATION:

Staff recommends approval of Resolution 23-78 to accept the dedication of road rights-of-way and public improvements for Reserves at Port Royal Phase 5 Section 3.



CERTIFICATE OF SATISFACTORY COMPLETION

Date: 4/18/2023

Amber Lane Development, LLC

Reserves at Port Royal

Phase 5 Section 3

Development Name: Amber Lane Development, LLC

Phase or Section of Construction: Phase 5 Section 3

Public Improvements: sidewalks, street lights and 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.

Approved By:

Tyler Scroggins
City of Spring Hill 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 17th day of DECEMBER 20 15, 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 AMBER LANE DEVELOPMENT, a LLC, having its office and place of business at 1804 WILLIAMSON CT STE 107 hereinafter designated as the "developer". BRENTWOOD, TN 37027

WHEREAS, the Spring Hill Planning Commission is in the process of approving a subdivision plat entitled PORT ROYAL RESERVE dated 9/30/2016 and prepared by WES SURVEYORS + ENGINEERS and PARCELS SECTION 1, 2, 3, & 4

WHEREAS, said plat designates certain public improvements consisting of _____ Roads, Right of Way, water lines, Sewer lines, storm drains and sidewalks 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 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 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 15th day of May, 2023, 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/Property Owner Name:

AMBER LANE DEVELOPMENT

12/17 2015
Date

[Signature]
Developer/Property Owner Signature



(CORPORATE SEAL)

ATTEST:

[Signature]

FOR THE CITY OF SPRING HILL:

BY:

[Signature]

Signature

May 15, 2023

Jim Hagaman

Printed Name

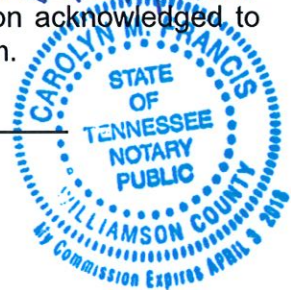
ACKNOWLEDGEMENT:
COPARTNERSHIP

STATE OF TENNESSEE

(COUNTY OF Williamson) SS: B9504565

On this 17 day December of 20 15, before me personally appeared Austin Pennington, to me known to be one of the firm Amber Lane Development 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.

Carolyn M. Francis
CORPORATE



STATE OF TENNESSEE

(COUNTY OF _____) SS: _____

On this _____ day of _____, 20____, before me personally appeared _____, to me known, who, being by me first duly sworn, did depose and say that he resides in _____; that he is the _____ of _____ 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.

INDIVIDUAL