

RESOLUTION 23-118

**A RESOLUTION TO APPROVE A MEMORANDUM OF UNDERSTANDING WITH
WILLOWVALE HOA**

WHEREAS, the City of Spring Hill (“City”) has installed traffic calming islands within the Willowvale subdivision at the request of the Homeowners Association (“HOA”); and

WHEREAS, the HOA would like to install landscaping within the islands; and

WHEREAS, the Willowvale HOA acknowledges that the responsibility to furnish, install and maintain landscaping within the City-owned right-of-way is that of the HOA; and

WHEREAS, the City and HOA will enter in to a Memorandum of Understanding, attached hereto as Exhibit A, for these responsibilities.

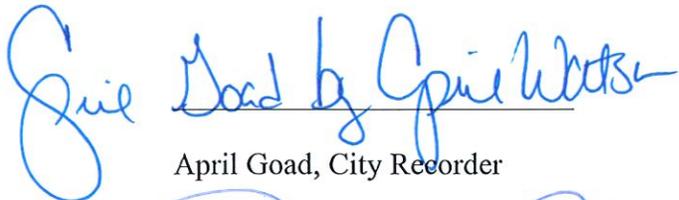
NOW, THEREFORE BE IT RESOLVED, the City of Spring Hill Board of Mayor and Aldermen:

1. Approves the Memorandum of Understanding between the City of Spring Hill and the Willowvale HOA for the responsibilities for landscaping installed by the HOA within City-owned traffic calming islands, attached hereto as Exhibit A.
2. Authorizes the Mayor to sign the Memorandum of Understanding.

Passed and Adopted by the Board of Mayor and Aldermen of the City of Spring Hill, Tennessee on the 17th day of July, 2023.


Jim Hagaman, Mayor

ATTEST:


April Goad, City Recorder

LEGAL FORM APPROVED:


Patrick Carter, City Attorney

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE CITY OF SPRING HILL, TENNESSEE
AND
WILLOWVALE HOMEOWNERS ASSOCIATION

This Memorandum of Understanding (“MOU”) is dated July 10, 2023, memorializing the agreement of even date.

The City of Spring Hill (“City”) and the Willowvale Homeowners Association (“HOA”) are partnering to install infrastructure in the form of traffic islands within Willowvale subdivision as part of the Neighborhood Traffic Calming program, as requested by the HOA. The HOA is seeking permission to furnish, install and maintain landscaping inside the City-owned right-of-way within the traffic islands. The City is agreeable to permitting the HOA to landscape the right-of-way in question pursuant to the following conditions, to-wit:

1. The HOA must provide a landscape plan to the City’s Planning Department and receive approval of said plan prior to any installation.
2. The HOA shall be responsible for furnishing, installing and maintaining any landscaping with no cost to the City whatsoever.
3. The HOA must not install or otherwise place structures, signage, monuments and/or fencing in the right-of-way in question.
4. The City shall only be responsible for any damage to the concrete curb surrounding the traffic islands.
5. Any and all activities in the easement in question are at the HOA’s and participants’ own risk.
6. Any and all HOA landscaping in the right-of-way in question is subject to removal by the City without explanation or prior notice to the HOA and no compensation to the HOA for replacement of landscaping.

IN ACKNOWLEDGEMENT HEREOF, the parties hereto have executed this non-binding MOU on the day and year first written above.

WILLOWVALE HOMEOWNERS
ASSOCIATION

By: Phillip Thornton
HOA President



CITY OF SPRING HILL, TN

By: 
Jim Hagaman, Mayor