

RESOLUTION 23-148

**A RESOLUTION TO ACCEPT A DEDICATION OF EASEMENT FOR PUBLIC
SANITARY SEWER EASEMENT FROM HATHAWAY AT KINGSLEY PLACE, LLC**

WHEREAS, a new sanitary sewer line is required to be installed to feed tracts within the Hathaway at Kingsley Place, LLC (“Developer”) development; and

WHEREAS, the Developer has submitted an Agreement for Dedication of Easement for Public Sanitary Sewers in which a permanent sewer easement is established and granted to the City of Spring Hill, attached hereto as Exhibit A; and

WHEREAS, the easement will include public sanitary sewer lines necessary to supply sewer service to the new Police Department Headquarters being constructed within this development.

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

1. Accepts an Agreement for Dedication of Easement for Public Sanitary Sewers from Hathaway at Kingsley Place, LLC to the City of Spring Hill, attached hereto.
2. Authorize the City Attorney to sign the agreement.

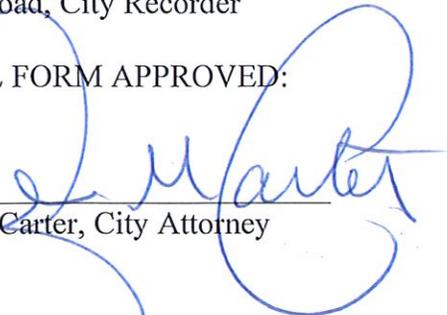
Passed and Adopted by the Board of Mayor and Aldermen of the City of Spring Hill, Tennessee on the 7th day of August, 2023.


Jim Hagaman, Mayor

ATTEST:


April Goad, City Recorder

LEGAL FORM APPROVED:


Patrick Carter, City Attorney

AGREEMENT FOR DEDICATION OF EASEMENT

FOR

PUBLIC SANITARY SEWERS

Prepared by
Barge Civil Associates

For and in consideration of \$0.00 dollars and for the mutual benefits that will accrue by reason of the hereinafter described improvements, the undersigned do hereby grant, bargain, sell, transfer and convey unto The City of Spring Hill, its successors and assigns forever, a permanent easement and/or right-of-way as follows:

Permanent Easement: Public Sanitary Sewer Easement

Map No.27, Parcels 3.60 & 4.00

Beginning at a point on the Southwesterly property corner of the Hathaway at Kingsley Place, LLC property as of record in Deed Book P23 Page 106 and Deed Book R2794 Page 470 at the R.O.M.C. North 06 deg. 53 min. 50 sec. East, 30 feet to a point and being the point of beginning of said Public Sanitary Sewer Easement,

Thence South 83 deg. 55 min. 59 sec. East, 532.98 feet to a point,

Thence South 83 deg. 38 min. 49 sec. East, 80.09 feet to a point,

Thence South 83 deg. 58 min 34 sec. East, 245.57 feet to a point,

Thence South 06 deg. 01 min. 26 sec. East, 30 feet to a point on the southerly property line of said Kingsley Place LLC. property,

Thence along said southerly property line North 83 deg. 58 min.34 sec, West, 245.65 feet to a point,

Thence North 83 deg. 38 min. 49 sec. East 80.11 feet to a point,

Thence North 83 deg. 55 min. 59 sec. West, 532.98 feet to a point and being the point of beginning of the Public Sanitary Sewer Easement containing 25,754 square feet or 0.59 acres more or less.

Being part of the property conveyed to Hathaway at Kingsley Place, LLC, the deed for which is of record in Deed Book P23 Page 106 and Deed Book R2794 Page 470 at the R.O.M.C. Tennessee.

This document was prepared by Barge Civil Associates, 6606 Charlotte Pike, Nashville, TN

All of which is more particularly shown by words, figures, signs and symbols on the attached map, which is made a part hereof.

This conveyance includes the right of The City of Spring Hill, its servants and agents to construct, operate, maintain, repair, replace and inspect sanitary sewers as described easement or right-of-way.

To have and to hold said easement or right-of-way to The City of Spring Hill, its successors and assigns forever. I/We do hereby covenant with said The City of Spring Hill that I am/we are lawfully seized and possessed of said land in fee simple and have a good right to make this covenant.

I/We do further covenant with said The City of Spring Hill that said portion or parcel of land as aforesaid is to remain the property of the undersigned and may be used for any lawful purpose desired after the construction of all of the aforesaid improvements provided, in the opinion of the Director of Water and Sewerage Services, said use or uses do not destroy, weaken or damage the abovementioned improvements or interfere with the operation or maintenance thereof. The City of Spring Hill hereby covenants that, upon completion of construction, it will restore the hereinabove described property to its original condition, or as near thereto as is reasonably possible. I/We do not waive any claim for damage in any manner for the negligence of any agent, representative or contractor for The City of Spring Hill during the construction of any of the aforesaid improvements.

Upon execution of this document by property owner/owners, The City of Spring Hill, Department of Water and Sewerage Services, complies with requirements of The City of Spring Hill, requiring official notification of construction to be performed on the water and/or sewer easement in your property.

I/We do further covenant and bind myself/ourselves, my/our heirs and representatives to warrant and forever defend the right of the grantee to the foregoing easement or right-of-way against the claim of all persons whomever.

WITNESS my/our hand(s) this 11th day of August, 2023.
C. Gross
Declarant

Declarant

Ohio
STATE OF ~~TENNESSEE~~ Ohio
COUNTY OF ~~MAURY~~ Cuyahoga

Before me, Maureen Mante, a Notary Public of the State and County aforesaid,
personally appeared Aaron Gross
with whom I am personally acquainted, and who, upon oath, acknowledged HIMSELF to
be Vice President
the within named bargainer(s), Harthway at Kingsley Place LLC and that HE, as such
Vice President

being authorized to do so, executed the foregoing instrument for the purposes therein contained.

Witness my hand and seal this 11th day of August, 2023.

My Commission Expires _____



Maureen Mante, Notary Public
MAUREEN MANTE
Notary Public, State of Ohio
My Commission Expires
03/26/2024

FOR GOVERNMENT USE ONLY

I, PATRICK M. GELER, do hereby make oath that I am a licensed attorney and/or the
custodian of the electronic version of the attached document tendered for registration herewith and that
this is a true and correct copy of the original documents executed and authenticated according to law.

This instrument has been reviewed and approved by the City of Spring Hill.

[Signature]
Signature

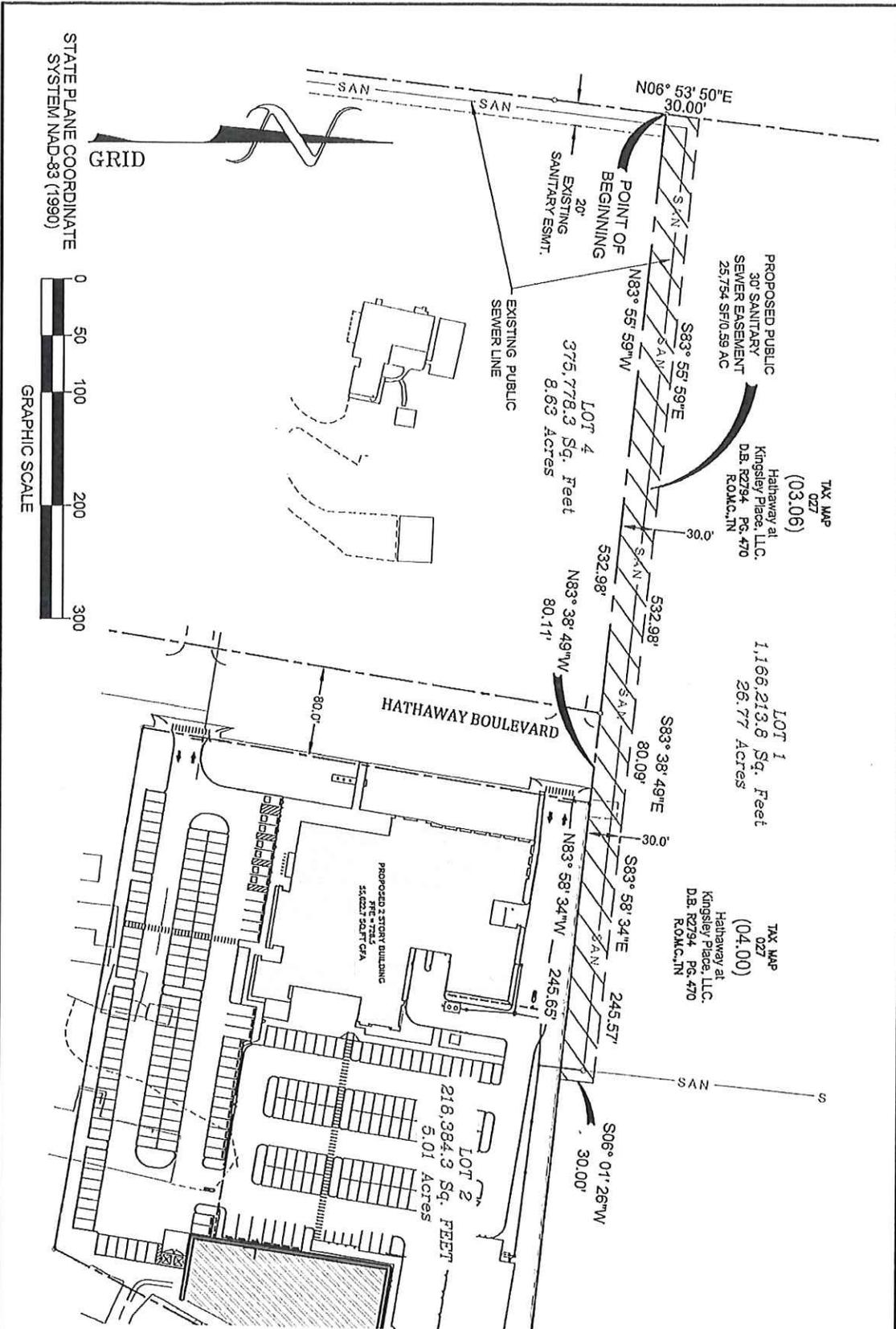
STATE OF TENNESSEE
COUNTY OF MAURY

Personally appeared before me, the undersigned, a notary for this County and State,
April Watson, who acknowledges that this certification of an electronic
document is true and correct and whose signature I have witnessed.

[Signature]
Notary Signature

MY COMMISSION EXPIRES: 10/9/2024
Notary's Seal





PUBLIC SANITARY SEWER EASEMENT
CITY OF SPRING HILL POLICE HEADQUARTERS
1002 HATHAWAY BOULEVARD
SPRING HILL, TENNESSEE 37174

EX-1

BCA JOB NO. 2297-23

BCVA
BARGE CIVIL
ASSOCIATES
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