

RESOLUTION 23-58

A RESOLUTION AUTHORIZING ACCEPTANCE OF OFFER OF DEDICATION OF ROAD RIGHTS-OF-WAY AND PUBLIC IMPROVEMENTS SHOWN ON THE EXISTING PLAT FOR HARVEST POINT PHASE 8C AND PHASE 9

WHEREAS, developer CKP Development has a recorded Final Plat for Harvest Point Phase 8C and Phase 9 in Maury County Plat Book P22, Page 233; 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 10, 2023, the City of Spring Hill Planning Commission recommended the Road Rights-of-Way and Public Improvements for Harvest Point Phase 8C and Phase 9 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 Harvest Point Phase 8C and Phase 9 as shown on the recorded plat is hereby approved.

Passed and adopted this 17th day of April, 2023.


Jim Hagaman, Mayor

ATTEST:


April Goad, City Recorder

LEGAL FORM APPROVED:


Patrick Carter, City Attorney



REQUEST: *Approval of Resolution 23-58*

SUBMITTED BY: Missy Stahl, CIP Manager

DATE: April 17, 2023

RE: To accept the dedication of road rights-of-way and public improvements for Harvest Point Phase 8C and Phase 9

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 Harvest Point Phase 8C and Phase 9.

BACKGROUND:

Planning Commission has recommended the acceptance of the roads and public improvements within Harvest Point Phase 8C and Phase 9 by PC Resolution 23-40, approved on April 10, 2023. A certificate of satisfaction has been signed by City staff.

STAFF RECOMMENDATION:

Staff recommends approval of Resolution 23-58 to accept the dedication of road rights-of-way and public improvements for Harvest Point Phase 8 C and Phase 9.

**FORM FOR OFFER OF
IRREVOCABLE DEDICATION**

AGREEMENT made this 27th day of March, 2023, 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 Delaware Corporation, having its office and place of business at 381 Mallory Station Rd #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 Harvest Point 8C & 9 dated 3/2/2020 and prepared by S&ME 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 April, 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 Company Name:

Lennar Homes of Tennessee, LLC

March 28 2023
Date

Nick Branum
Developer Signature

STATE OF TENNESSEE

(COUNTY OF MAURY)

On this 28th day of March 2023, before me personally appeared Nick Branum, to me known, who, being by me first duly sworn, did depose and say that he resides in Tennessee; that he is the Director of Land Development of Lennar Homes of Tennessee LLC; that he signed his name thereto by like order and authority of the Board of Directors of said corporation.



Angela Washley
INDIVIDUAL
Expires 8/22/2023

ATTEST: *Jim Watson*

FOR THE CITY OF SPRING HILL:

April 17 2023

BY: *Jim Hagan*
Signature
Jim Hagan
Printed Name

(CORPORATE SEAL)



CERTIFICATE OF SATISFACTORY COMPLETION

Date: 3/24/23

CKP Development

Harvest Point

Phase 8C and Phase 9

Development Name: Harvest Point

Phase or Section of Construction: Phase 8C and Phase 9

Public Improvements: sidewalks, street lights, street signs, 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.

Approved By:

Tyler Scroggins
City of Spring Hill Public Works Director

Tyler Scroggins
Printed name

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