

**RESOLUTION 17-106**

**A RESOLUTION ADOPTING A PLAN OF SERVICES FOR AND ANNEXING A PORTION OF MAURY COUNTY (RIPPAVILLA) KNOWN AS TAX MAP 029, PARCEL 9.00, (WHICH CONTAINS A TOTAL OF 98.44 ACRES) INTO THE CORPORATE LIMITS OF THE CITY OF SPRING HILL, TENNESSEE.**

**(ANX 401-2017, RIPPAVILLA ANNEXATION)**

**WHEREAS**, Tennessee Code Annotated Section 6-51-102, as amended, requires that a Plan of Services be adopted by a municipal governing body prior to the passage of an annexation resolution; and

**WHEREAS**, the property owner has requested annexation in order to ensure the value and availability of this property for future uses; and

**WHEREAS**, the subject property is contiguous to the corporate limits of the City of Spring Hill; and

**WHEREAS**, the subject property is located within the Urban Growth Boundary of the City of Spring Hill; and

**WHEREAS**, the property currently contains a single family residence and will be zoned Agricultural (AG) upon annexation; and

**WHEREAS**, this resolution shall bind the Owners and subsequent Owners of the Property; and

**WHEREAS**, the City of Spring Hill has prepared a Plan of Services for the property that describes how and when municipal services will be provided to the property and identifies the property owner/developer responsibilities for extending public infrastructure to the site; and

**WHEREAS**, the Spring Hill Planning Commission has reviewed and forwarded a recommendation on the Plan of Services and annexation to the Board of Mayor and Aldermen on September 11, 2017; and

**WHEREAS**, the City of Spring Hill contemplates annexation of the property known as Maury County Tax Map 29.00, Parcel 9.00 as described herein; and

**WHEREAS**, all Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SPRING HILL, TENNESSEE, BOARD OF MAYOR AND ALDERMEN**, that pursuant to Tennessee Code Annotated Title 6, Chapter 51, Section 102, approves the Plan of Services contained herein.

**BE IT FURTHER RESOLVED BY THE CITY OF SPRING HILL, TENNESSEE, BOARD OF MAYOR AND ALDERMEN**, that pursuant to Tennessee Code Annotated Title 6, Chapter 51, the property shown as part of Maury County Tax Map 29, Parcel 9.00, consisting of 98.44 acres, as shown and described in Exhibit A, is hereby annexed to the corporate limits of the City of Spring Hill, Tennessee, and made a part thereof.

## **SECTION 1: PLAN OF SERVICES**

Police Protection: The parcel(s) shall be subject to and benefit from City police protection upon the effective date of annexation. These services include, but are not limited to, patrolling, response calls for service, crime prevention services, traffic control and other routine police services. Radio operations are normal and uninhibited within the area. Based on the current use of the property (a historic plantation) services will be provided using existing personnel and equipment.

Fire Protection: The City of Spring Hill will assume primary responsibility for Fire Protection immediately upon the effective date of annexation, with mutual assistance provided by Maury County Fire Department. Development of the property or a change of use on the property may require that the property owner/developer extend and provide appropriately sized water mains and/or fire hydrants to serve the site according to City of Spring Hill standards. Emergency Medical Services (EMS) is provided by contract through the City of Spring Hill and will be available to the property upon the effective date of annexation.

Additionally, fire protection services such as those made available through the City's Fire Marshal and Fire Investigation offices will be available on the effective date of annexation.

Electrical Service: For domestic and commercial use electrical service is already and will continue to be provided by the current service provider (Columbia Power and Water Systems).

Public Water Service: Public water service in the vicinity is provided by the City of Spring Hill Water System. Spring Hill water is currently available to the property.

Public Sanitary Sewer Service: Public sanitary sewer service is currently available to the property.

Solid Waste Collection: Spring Hill currently provides its businesses and residents refuse collection services via a city-wide contract with a private solid waste collection company. Where possible, these services will be extended to the annexed area within 90 days of the effective date of annexation. If the subject property is not within the current adopted service area it may not be available for service under the city's current contract. Should the current contract provider not be able to provide service, the property owner may use other waste collection providers.

Road and Street Construction and Repair: After any newly constructed streets have been constructed and appropriately dedicated, the City will provide ongoing and routine maintenance similar to other streets within the jurisdiction of the City.

Signs and Lighting: Additionally, as new streets are developed, signage and lighting will be furnished and installed by the property owner/developer according to established city policy or regulations.

Recreational Facilities and Programs: There are no existing residents within the proposed annexation area. All of the recreational areas and programs, current or future, provided for the present City residents will be made available upon the effective date of annexation to all future residents of the annexed area in the same manner as current citizens of the City of Spring Hill.

Planning and Zoning Services: The City's planning and zoning jurisdiction will be extended to the annexed area upon the effective date of annexation. When a property is annexed into the city, it is automatically zoned as AG, Agricultural. The Future Land Use Designation of the property on the 2040 Spring Hill Rising plan is Natural Area.

Storm Water and Drainage: The City of Spring Hill operates a Storm Water program in accordance with Tennessee Department of Environment and Conservation (TDEC) requiring the management of all storm water discharge within its jurisdiction. Annexation of the area expands the program into the annexed area thus making it subject to the current rules and regulations of TDEC pertaining to storm water runoff and discharge. All storm water user charges inside city user rates and charges shall be applicable to the area inside the annexation area. All erosion control programs and inspection services will be applicable immediately upon the effective date of annexation.

Inspection/Code Enforcement: The City of Spring Hill Codes Department provides plan review services, inspection and code enforcement services (i.e. building, plumbing, gas and unsafe building services, land use (zoning) and development, including flood plain NFIP/FEMA requirements, neighborhood services for housing, litter, overgrowth, illegal dumping) to all areas of the City of Spring Hill. These same services will be provided to the newly annexed area immediately upon its effective date of annexation.

Animal Control: The City of Spring Hill does not provide Animal Control. For the subject property Spring Hill relies on Maury County for this service.

Schools: The entire annexation area is served by Maury County Schools.

Library: The City of Spring Hill public library will be available to residents of the property upon the effective date of annexation.

**SECTION 2: ANNEXATION.** The property described herein below and as shown and further described on Exhibit A attached hereto, is hereby annexed into the City of Spring Hill. The annexed land will be subject to the provisions and requirements of Ordinance 86-47 as amended, the same being the Spring Hill Zoning Ordinance, and all other applicable ordinances, rules, and regulations of the City of Spring Hill.

**SECTION 3: ZONING.** Ordinance No. 86-47 (Zoning Map), adopted May 20, 2013, be and is hereby amended and altered by changing the zoning classification of those certain parcels of real property described below and on Exhibit A (attached), exempting areas as described, from Maury County M1 to City of Spring Hill AG (Agricultural). In the State of Tennessee, County of Maury, and City of Spring Hill, Maury County Tax Map 29.00, Parcel 9.00 and being more particularly described in Exhibit A, attached hereto:

Exhibit A (attached)

**SECTION 4:** In case conflict between this resolution or any part hereof, and the whole or part of any existing resolution of the City, the conflicting resolution is repealed to the extent of the conflict but no further. If any section, clause, provision or portion of the resolution is held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision or portion of the resolution.

Passed and adopted by the City of Spring Hill, this 16<sup>th</sup> day of October, 2017.

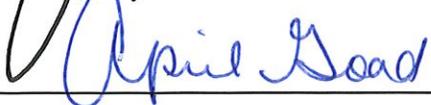
**This resolution shall take effect on the earliest date allowed by the law.**



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Rick Graham, Mayor

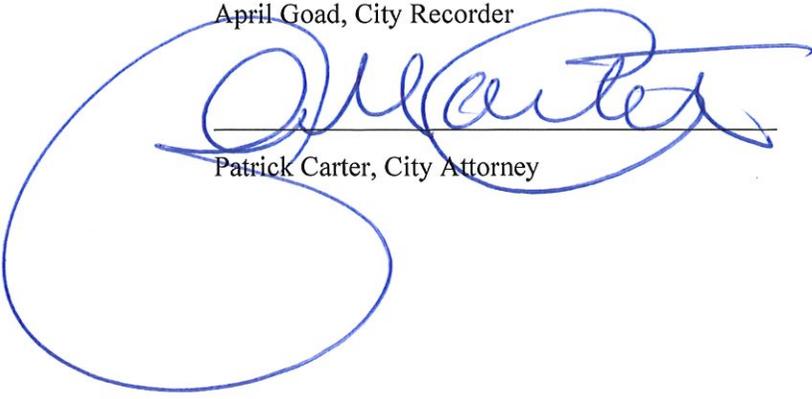
ATTEST:



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April Goad, City Recorder

LEGAL FORM APPROVED:



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Patrick Carter, City Attorney

## MEMORANDUM



**DATE:** October 2, 2017  
**TO:** Board of Mayor and Aldermen (BOMA)  
**FROM:** Steve Foote, Planning Director  
Jon Baughman, Associate Planner  
**SUBJECT:** RES 17-106 (Rippavilla Annexation Request)

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**ANX 401-2017:** Submitted by the City of Spring Hill for the Rippavilla property, located on US 31. The property contains approximately 98 acres. The applicant requests annexation approval.

**Property Description and History:** This property is located on the east side of US 31, south of Saturn Parkway. At the September 11, 2017 regular meeting, the Planning Commission voted to forward the annexation request to the Board of Mayor and Aldermen with a recommendation of approval. The minutes are excerpted below:

*ANX 401-2017: Submitted by the City of Spring Hill for the Rippavilla property, located on US 31. The property contains approximately 98 acres. The applicant requests annexation approval.*

*Alderman Fitterer made a motion to approve the Consent Agenda with staff conditions (conditions not applicable to this application). Motion seconded by Mayor Graham. Motion passed 5/0.*

**Land Use and Zoning:** Upon annexation, the zoning classification will be designated as AG, Agricultural, until Planning Commission consideration and Board of Mayor and Aldermen approval of a rezoning request.

**Spring Hill Rising: 2040:** The Spring Hill Rising: 2040 comprehensive plan classifies the area as a Natural Area. Areas classified as such are to contain natural landscapes with limited density and intensity.

**Summary:** Staff supports the recommendation of the Planning Commission for approval of the plan of services and annexation.

EXHIBIT A

**PROPERTY DESCRIPTION**

A tract of land located in the 3<sup>rd</sup> Civil District of Maury County, Tennessee. A portion of Parcel 11 shown on Tax Map 42 (now known as Parcel 09.00 on Tax Map 29), Tax Assessors Office of Maury County, Tennessee. Bounded on the west by Nashville Highway (US 31), on the north and south by the remaining property of Maury County Industrial Development Board, and on the east by Don Adams, Co-Trustees (1204/125), and being more particularly described as follows:

Beginning at an iron pin found at the north west corner of the property herein described, Tennessee State Plane Coordinate (North: 510,166.2, East: 1,684,596.1) ;

Thence with the southerly margin of Nashville Highway, North 40°25'58" East a distance of 323.84' to a concrete monument found;  
Thence with the same, North 46°38'55" West a distance of 9.09' to an iron pin found;

Thence with the same, North 43°21'53" East a distance of 296.51' to an iron pin found;

Thence with the same, North 47°02'06" East a distance of 412.96' to an iron pin set;

Thence with the same, North 50°15'23" East a distance of 1.37' to an iron pin set;

Thence severing the original tract, South 32°23'24" East a distance of 322.36' to an iron pin set;

Thence South 41°03'46" East a distance of 157.02' to an iron pin set;

Thence South 37°21'05" East a distance of 236.67' to an iron pin set;

Thence South 41°25'34" East a distance of 659.31' to an iron pin set;

Thence North 74°39'33" East a distance of 623.86' to an iron pin set;

Thence South 86°03'29" East a distance of 867.30' to an iron pin set;

Thence South 84°36'12" East a distance of 633.49' to an iron pin found;

Thence North 79°18'56" East a distance of 108.26' to an iron pin set;

Thence North 31°48'46" East a distance of 119.28' to an iron pin set;

Thence South 61°47'47" East a distance of 146.69' to an iron pin set;

Thence North 89°55'04" East a distance of 419.46' to an iron pin set;

Thence South 04°50'12" West a distance of 1104.47' to an iron pin set;

Thence North 86°48'56" West a distance of 232.74' to an iron pin set;

Thence South 11°24'08" West a distance of 517.23' to an iron pin set;

Thence South 89°21'31" West a distance of 447.81' to an iron pin set;

Thence South 07°31'06" West a distance of 247.54' to an iron pin set;

Thence North 86°21'25" West a distance of 447.45' to an iron pin set;  
 Thence North 03°48'04" East a distance of 306.39' to an iron pin set;  
 Thence North 72°37'32" East a distance of 240.81' to an iron pin set;  
 Thence North 40°06'18" East a distance of 324.08' to an iron pin set;  
 Thence North 08°40'34" East a distance of 312.21' to an iron pin set;  
 Thence North 82°50'47" West a distance of 1207.69' to an iron pin set;  
 Thence North 87°57'47" West a distance of 1366.49' to an iron pin set;  
 Thence North 46°52'54" West a distance of 1327.59' to the point of beginning, having an area of 4,287,898 square feet, 98.44 acres.

Being the same property conveyed to Rippavilla, Inc., a Tennessee non-profit corporation, by quitclaim deed from Saturn, LLC a Delaware limited liability company, f/k/a Saturn Corporation, a Delaware corporation, recorded June 18, 2009, in Book R2082, page 1487, in the Register's Office for Maury County, Tennessee, together with those rights in and to the Access Easements set out in the Quitclaim, Reconveyance and Termination of Easements from General Motors, LLC, a Delaware limited liability company of record in Book R2141, page 1034, in the Register's Office for Maury County, Tennessee.

Also conveyed herewith is the right of ingress and egress granted to Mrs. Hester Mums to use the 50-foot right-of-way adjoining the north margin of her tract of land which extends from the northwest corner of her tract to the northeast corner of her tract as set out in the Deed of record in Book 723, page 616, in the Register's Office for Maury County, Tennessee.

**BK/PG: R2426/1381-1409**  
**17005433**

29 PGS:AL-EASEMENT	
JANE BATCH: 185079	04/13/2017 - 10:19 AM
VALUE	0.00
MORTGAGE TAX	0.00
TRANSFER TAX	0.00
RECORDING FEE	145.00
ARCHIVE FEE	0.00
DP FEE	2.00
REGISTER'S FEE	0.00
<b>TOTAL AMOUNT</b>	<b>147.00</b>

STATE OF TENNESSEE, MAURY COUNTY  
**JOHN FLEMING**  
 REGISTER OF DEEDS





January 11, 2016

Board of Mayor and Alderman  
199 Town Center Parkway  
Spring Hill, Tennessee 37174

Dear Board of Mayor and Alderman:

We, The Board of Rippavilla, Inc., officially request that you, The Board of Mayor and Alderman, annex the property known as Rippavilla into the city limits of Spring Hill. The property has the physical address of 5700 Main Street, Spring Hill, Tennessee 37174.

This agreement is subject to the city being approved for the Hotel/Motel Tax and the approval of the agreement determining the disbursements from the Hotel/Motel tax to Rippavilla in pursuit of the goals of preserving Rippavilla as a tourist destination for the City of Spring Hill for years to come. We look forward to becoming a "resident" of the city of Spring Hill and being a great community partner.

Please feel free to contact me at 931 626-1357 or Pam Perdue, Executive Director, at 931 486-9037.

Sincerely,

A handwritten signature in black ink that reads "Corrine M. Tomlinson". The signature is written in a cursive style with a large initial 'C'.

Corrine M. Tomlinson  
Rippavilla, Inc.  
Board Chairman