

RESOLUTION 09-96

**A RESOLUTION OF THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF
SPRING HILL, TN TO RELEASE THE EXISTING MAINTENANCE BOND AND
ESTABLISH A PERFORMANCE BOND FOR
THE LAURELS AT TOWN CENTER – SECTION TWO**

WHEREAS, an existing bond is currently in place for this development and is referred to as a “maintenance” bond; and

WHEREAS, the existing bond is guaranteeing the performance of certain public improvements; and

WHEREAS, the following public improvements are required:

Water, Sewer, Storm Water Drainage and Detention Ponds, Streets and Curbs and final topping to all streets with 1 ½ inches of hot mix and asphalt and;

WHEREAS, it is the recommendation of the Planning Commission that the existing “maintenance” bond be released and a “performance” bond be established for twelve (12) months, in the original amount of \$146,200.00; and

WHEREAS, it is anticipated that the date of completion for the above referenced public improvements will be within the time prescribed for the bond and it is required that an automatic renewal clause, to the benefit of the City of Spring Hill, be included within the bond in case such improvements are not completed in a timely manner; and

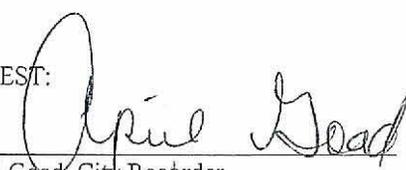
WHEREAS, the developer is required under Article III, Section 3-102.201 of the Subdivision Regulations to submit an “as-built” survey of the public improvements including water, sewer and drainage; and

WHEREAS, upon completion of the public improvements listed above, the Developer will be required to file a “maintenance” bond guaranteeing performance of the public improvements for an additional one year period with the Planning Commission after the dedication and acceptance of such public improvements by the Board of Mayor and Aldermen.

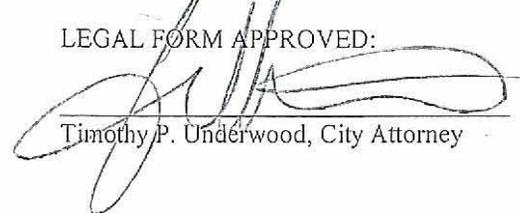
NOW, THEREFORE BE IT RESOLVED, by the Board of Mayor and Aldermen of the City of Spring Hill that the release of the existing maintenance bond and establishment of a Performance Bond for The Laurels at Town Center – Section Two in the amount of \$146,200.00 is hereby approved.

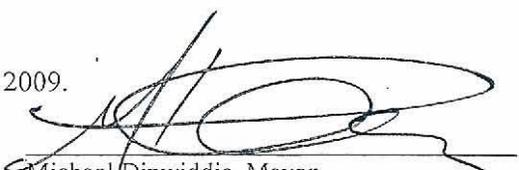
Passed and adopted this 16th day of November, 2009.

ATTEST:


April Goad, City Recorder

LEGAL FORM APPROVED:


Timothy P. Underwood, City Attorney


Michael Dinwiddie, Mayor

Bond Information Sheet

Site Name: The Laurels - Section 2

Type of Bond:	Maintenance Bond	Original Bond Amount:	\$146,200	Type of Action Requested:
Bond #:	105097581	Current Bond Amount:		Bond Renewal <input checked="" type="checkbox"/>
Bond Issued:	2-Dec-08	25% of Original Amount:	\$36,550	Bond Reduction <input type="checkbox"/>
Expiration Date:	2-Dec-09	(Per Section 3-102.202 of Sub. Regs)		Bond Release <input type="checkbox"/>

Past Actions

Date:	Type of Action:	Amount:	Reason:

Required Installation

Streets		
Binder Installed:	Yes	
Road Base:	Stone	
Compaction Test Submitted:	Yes	
Curb Installed:	Yes	
Street Lights Installed:		No
Street Signs Installed:	Yes	
Final Topping installed:		No
Sidewalks Required:	Yes	

Sewer	
Sewer Line Installed:	Yes
Sewer Line Tested:	6/3/2008
Pump Station Required:	No
"As Built" Drawings Submitted:	Yes
Meets City Specifications:	Yes

Storm Water Drainage System		
System Installed:	Yes	
"As Built" Drawings Submitted:		No
Meets City Specifications:	Yes	

Water	
Water Line Installed:	Yes
Water Line Tested:	6/5/2008
"As Built" Drawings Submitted:	No
Meets City Specifications:	Yes

Bond Information Sheet

Site Name: The Laurels - Section 2

Miscellaneous Site Information:			
Total Number of Lots:	43	Developer:	Harold E. Crye
Current Number of Available Building Lots:	43	In Bankruptcy:	No
Amenities:	Complete:		
1			
2			
3			

Staff Comments:

1. Maintenance Bond should be a Performance Bond
2. A final walk through inspection will need to be requested and completed prior to release of the performance bond and establishment of a maintenance bond.
3. Developer should submit "As-Builts" for Water and Storm
4. Sidewalks are installed by individual builders as homes are constructed.
5. No construction activity at the present time.

Staff Recommendation:

To recommend release of the existing Maintenance Bond and establish a Performance Bond in the amount of \$146,200.

Beau Herring
Director of Codes
City of Spring Hill

RESOLUTION 09-47 OF THE
PLANNING COMMISSION
OF THE CITY OF SPRING HILL, TENNESSEE

A RESOLUTION TO RELEASE THE EXISTING MAINTENANCE BOND AND
ESTABLISH A PERFORMANCE BOND FOR
THE LAURELS AT TOWN CENTER – SECTION TWO

WHEREAS, an existing bond is currently in place for this development and is referred to as a “maintenance” bond; and

WHEREAS, the existing bond is guaranteeing the performance of certain public improvements; and

WHEREAS, the following public improvements are required:

Water, Sewer, Storm Water Drainage and Detention Ponds, Streets and Curbs and final topping to all streets with 1 ½ inches of hot mix and asphalt and;

WHEREAS, it is the recommendation of the Codes Department that the existing “maintenance” bond be released and a “performance” bond be established for twelve (12) months, in the original amount of \$146,200.00; and

WHEREAS, it is anticipated that the date of completion for the above referenced public improvements will be within the time prescribed for the bond and it is required that an automatic renewal clause, to the benefit of the City of Spring Hill, be included within the bond in case such improvements are not completed in a timely manner; and

WHEREAS, the developer is required under Article III, Section 3-102.201 of the Subdivision Regulations to submit an “as-built” survey of the public improvements including water, sewer and drainage; and

WHEREAS, upon completion of the public improvements listed above, the Developer will be required to file a “maintenance” bond guaranteeing performance of the public improvements for an additional one year period with the Planning Commission after the dedication and acceptance of such public improvements by the Board of Mayor and Aldermen.

NOW, THEREFORE BE IT RESOLVED, by the Spring Hill Planning Commission that the release of the existing maintenance bond and establishment of a Performance Bond for The Laurels at Town Center – Section Two in the amount of \$146,200.00 is hereby recommended to the Board of Mayor and Aldermen.

Passed and adopted this 9th day of November, 2009.

Michael Glass, Chairman

Michael Dinwiddie, Secretary

PHASE 2
The LAURELS

MAINTENANCE
BOND

TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA
Hartford, Connecticut 06183

Bond No.: 105097581

KNOWN ALL BY THESE PRESENTS: That we Harold E Crye Living Trust, as Principal, and Travelers Casualty and Surety Company of America, a corporation organized and existing under the Laws of the State of Connecticut, as Surety, are held and firmly bound unto City of Spring Hill, as Obligee, in the total sum of One hundred forty six thousand two hundred U.S. Dollars (\$146,200) for the payment whereof said Principal and Surety bind themselves, jointly and severally, as provided herein.

WHEREAS, the Principal entered into a contract with the Obligee dated December 02 for 2008 ("Work").

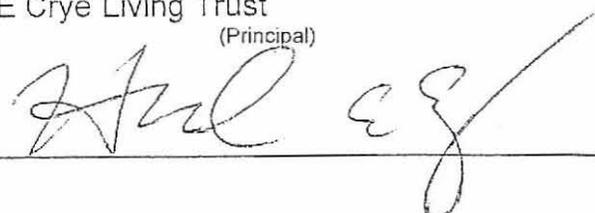
NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that if the Principal shall maintain and remedy said Work free from defects in materials and workmanship for a period of 1 year(s) commencing on December 02, 2009 (the "Maintenance Period"), then this obligation shall be void; otherwise it shall remain in full force and effect.

PROVIDED, HOWEVER, that any suit under this bond shall be commenced no later than one (1) year from the expiration date of the Maintenance Period; provided, however, that if this limitation is prohibited by any law controlling the construction hereof, such limitation shall be deemed to be amended so as to be equal to the minimum period of limitation permitted by such law, and said period of limitation shall be deemed to have accrued and shall commence to run on the expiration date of the Maintenance Period.

SIGNED this 02 day of December, 2008.

Harold E Crye Living Trust
(Principal)

By: _____



Travelers Casualty and Surety Company of America

By: _____

Betty Cornish
Betty Cornish/Attorney-in-Fact



POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 219562

Certificate No. 002200199

KNOW ALL MEN BY THESE PRESENTS: That Seaboard Surety Company is a corporation duly organized under the laws of the State of New York, that St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc. is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Margie L. Eubanks, and Betty H. Cornish

of the City of Memphis, State of Tennessee, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 30th day of January, 2008

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company



State of Connecticut
City of Hartford ss.

By: [Signature]
George W. Thompson, Senior Vice President

On this the 30th day of January, 2008, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 2011.



[Signature]
Marie C. Tetreault, Notary Public

NOTES

1. THIS PLAN IS A PRELIMINARY PLAN AND IS SUBJECT TO THE APPROVAL OF THE CITY ENGINEER AND THE CITY COMMISSION.
2. THE CITY ENGINEER'S OFFICE SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE DATA AND THE LEGALITY OF THE PLAN.
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Lot Data

Lot No.	Area (sq. ft.)	Area (sq. m.)	Front Footage (ft.)	Front Footage (m.)	Depth (ft.)	Depth (m.)	Perimeter (ft.)	Perimeter (m.)
1	10,000	914.4	100	30.5	100	30.5	400	121.9
2	10,000	914.4	100	30.5	100	30.5	400	121.9
3	10,000	914.4	100	30.5	100	30.5	400	121.9
4	10,000	914.4	100	30.5	100	30.5	400	121.9
5	10,000	914.4	100	30.5	100	30.5	400	121.9
6	10,000	914.4	100	30.5	100	30.5	400	121.9
7	10,000	914.4	100	30.5	100	30.5	400	121.9
8	10,000	914.4	100	30.5	100	30.5	400	121.9
9	10,000	914.4	100	30.5	100	30.5	400	121.9
10	10,000	914.4	100	30.5	100	30.5	400	121.9

Typical Apartment Building Sections



Curve Data

Stationing	Curve No.	Radius (ft.)	Radius (m.)	Chord (ft.)	Chord (m.)	Delta (deg.)	Delta (rad.)	Length (ft.)	Length (m.)
1+00.00	1	100	30.5	100	30.5	90	1.57	100	30.5
1+100.00	2	100	30.5	100	30.5	90	1.57	100	30.5
1+200.00	3	100	30.5	100	30.5	90	1.57	100	30.5
1+300.00	4	100	30.5	100	30.5	90	1.57	100	30.5
1+400.00	5	100	30.5	100	30.5	90	1.57	100	30.5
1+500.00	6	100	30.5	100	30.5	90	1.57	100	30.5
1+600.00	7	100	30.5	100	30.5	90	1.57	100	30.5
1+700.00	8	100	30.5	100	30.5	90	1.57	100	30.5
1+800.00	9	100	30.5	100	30.5	90	1.57	100	30.5
1+900.00	10	100	30.5	100	30.5	90	1.57	100	30.5

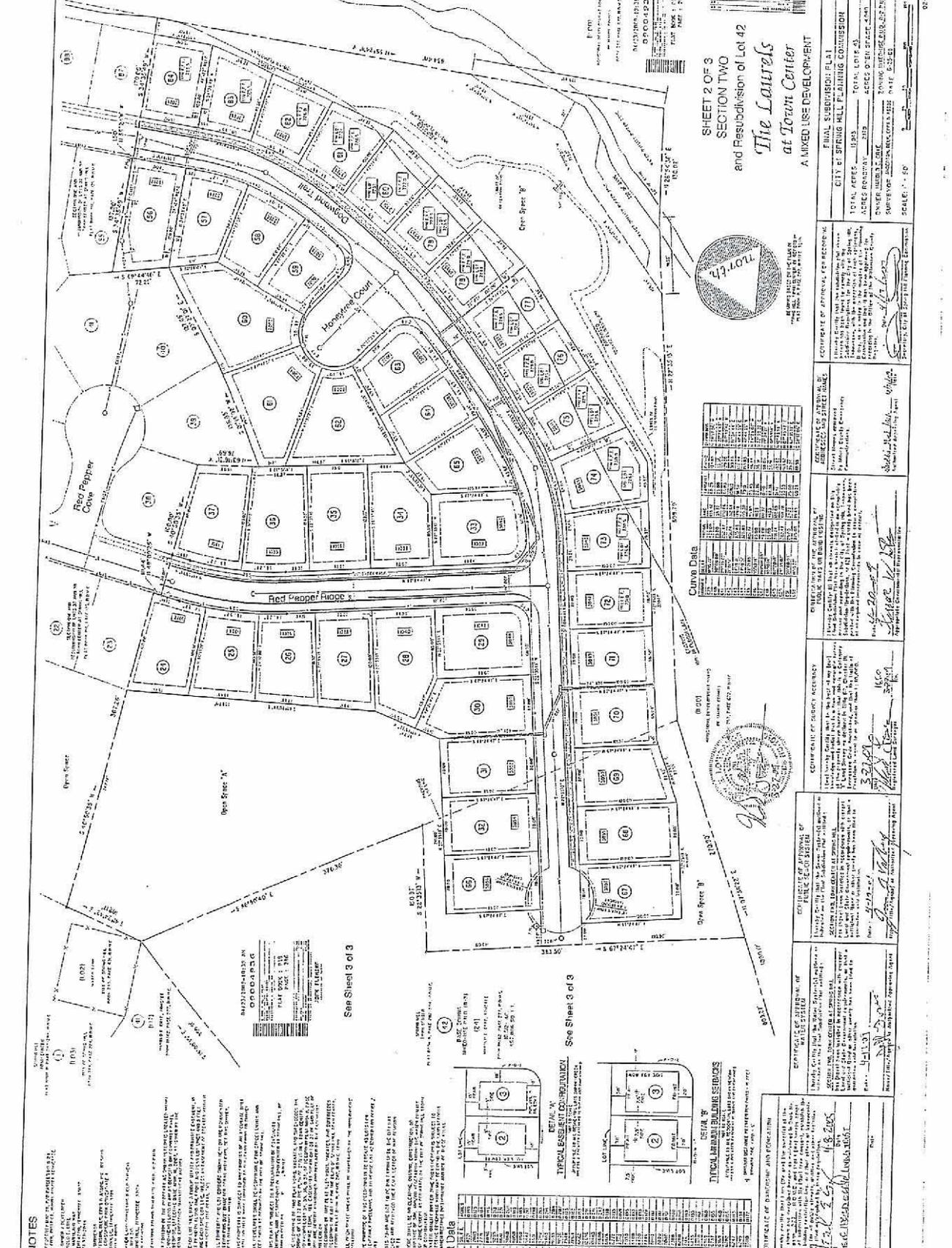
Final Subdivision Plan

FINAL SUBDIVISION PLAN
 CITY OF SPRING HILL PLANNING COMMISSION
 TOTAL ACRES: 18.83 TOTAL LOTS: 43
 ACRES RESERVED: 2.19 ACRES OTHER TRACT: 4.44
 OWNER: [Name]
 SUPERVISOR: [Name]
 SCALE: 1" = 50'

THE LAURELS AT TOWN CENTER

A MIXED USE DEVELOPMENT

SHEET 2 OF 3
 SECTION TWO
 and Resubdivision of Lot 42



See Sheet 3 of 3

Zimbra

phepp@springhilltn.org

± Font size ±

RE: Laurels - Section 2

From : Jason Murphy <jason.murphy@crye-leike.com>
Subject : RE: Laurels - Section 2
To : 'Paula Hepp' <phepp@springhilltn.org>
Cc : 'Beau Herring' <bherring@springhilltn.org>

Mon, Oct 12, 2009 01:36 PM

Hi Paula....thanks for the heads up. I'll get this renewed and to you ASAP.

-----Original Message-----

From: Paula Hepp [mailto:phepp@springhilltn.org]
Sent: Monday, October 12, 2009 11:29 AM
To: Jason Murphy
Cc: Beau Herring
Subject: Laurels - Section 2

Mr. Murphy,

I just wanted to send a reminder to you that The Laurels - Section 2 bond is coming up for renewal on December 2, 2009. City staff will be submitting packets to the Planning Commission on October 19, 2009 for the November 2, 2009 work session agenda.

At this time, the bond needs to be renewed for the full amount and indicate that it is a "Performance Bond" and not a "Maintenance Bond". Performance bonds must remain in place until the infrastructure is accepted by the City.

Please email back acknowledging the above information or send a letter indicating same by our October 19, 2009 deadline. If you already have the bond information for renewal, please forward that information as well.

Thanking you in advance,

Paula K. Hepp
Codes Department

From : Paula Hepp <phepp@springhilltn.org>
Subject : Re: Laurels - Section 2
To : Jason Murphy <jason.murphy@crye-leike.com>

Mon, Oct 12, 2009 01:20 PM

Hey Jason,

I tried the number below but no answer and no opportunity for voicemail. I am back at the City now so you can call the main number 931.486.2252 and I am available. Thanks.

Paula

----- Original Message -----

From: "Jason Murphy" <jason.murphy@crye-leike.com>
To: "Paula Hepp" <phepp@springhilltn.org>
Sent: Monday, October 12, 2009 11:35:05 AM
Subject: RE: Laurels - Section 2

Hi Paula. Tried calling you but went to someone's voicemail. Can you call me please? 615-373-2044...Thanks...Jason

-----Original Message-----

From: Paula Hepp [mailto:phepp@springhilltn.org]
Sent: Monday, October 12, 2009 11:29 AM
To: Jason Murphy
Cc: Beau Herring
Subject: Laurels - Section 2

Mr. Murphy,

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Thanking you in advance,

Paula K. Hepp
Codes Department

From : Jason Murphy <jason.murphy@crye-leike.com>

Mon, Oct 12, 2009 11:35 AM

Subject : RE: Laurels - Section 2

To : 'Paula Hepp' <phepp@springhilltn.org>

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To: Jason Murphy
Cc: Beau Herring
Subject: Laurels - Section 2

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Thanking you in advance,

Paula K. Hepp
Codes Department

From : Paula Hepp <phepp@springhilltn.org>

Mon, Oct 12, 2009 11:28 AM

Subject : Laurels - Section 2

To : Jason Murphy <jason.murphy@crye-leike.com>

Cc : Beau Herring <bherring@springhilltn.org>

Mr. Murphy,

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Thanking you in advance,

Paula K. Hepp
Codes Department

September 1, 2009

Jason Murphy
5111 Maryland Way
Brentwood, TN 37027

Dear Jason:

After conducting a review of current bonds held by this office, the bond for The Laurels at Town Center – Phase Two in the amount of \$146,200.00 will be coming up for renewal 12-2-09.

It is now city policy that all bonds are brought before the Planning Commission and the Board of Mayor and Aldermen for approval. Your intentions must be provided to this office prior to October 15, 2009 in order to be placed on the agenda for November.

It is the responsibility of the developer to ensure that all bonds pertaining to this project are renewed in a timely fashion.

Sincerely,

Beau Herring
Director of Codes and Planning

September 1, 2009

Travelers Casualty and Surety Company of America
6640 Carothers Pkwy – Ste. 300
Brentwood, TN 37027

Re: Bond #105097581

To Whom It May Concern:

After conducting a review of current bonds held by this office, the bond for The Laurels at Town Center – Phase Two in the amount of \$146,200.00 will be coming up for renewal 12-2-09.

It is now city policy that all bonds are brought before the Planning Commission and the Board of Mayor and Aldermen for approval. Your intentions must be provided to this office prior to October 15, 2009 in order to be placed on the agenda for November.

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Sincerely,

Beau Herring
Director of Codes and Planning