

**RESOLUTION 11-119**

**A RESOLUTION APPROVING THE ACCEPTANCE AND DEDICATION OF ROAD RIGHTS-OF-WAY SHOWN ON THE EXISTING PLAT FOR SECTION 1, PINNACLE COMMERCIAL**

**WHEREAS**, Pinnacle Bank will record Final Plat for Section 1, Pinnacle Commercial; and

**WHEREAS**, said Plats will show 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 will be furnished by the City of Spring Hill pursuant to Section 3-102.201 of the Subdivision Regulations indicating that through inspections of the road rights-of-way, the design intent has been achieved prior to recording of the final plat; 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**, the Planning Commission and 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; and

**NOW, THEREFORE BE IT RESOLVED**, by the Spring Hill Board of Mayor and Aldermen that dedication and acceptance of road rights-of way within a portion of Commonwealth Drive and a portion of Wall Street as shown final plat, Section 1, Pinnacle Commercial is hereby approved conditioned on the maintenance bond being set by City Staff.

Passed and adopted this 21<sup>st</sup> day of November, 2011.



Michael Dimwiddie, Mayor

ATTEST:



April Goad, City Recorder

LEGAL FORM APPROVED:



Timothy P. Underwood, City Attorney

## Commonwealth Drive

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**From :** Tim Underwood <Tunderwood@pulaskilaw.com> Thu, Nov 17, 2011 11:19 AM  
**Subject :** Commonwealth Drive  
**To :** aldermen@springhilltn.org  
**Cc :** Victor Lay <vlay@springhilltn.org>, Michael Dinwiddie <mdinwiddie@springhilltn.org>, April Goad <agoad@springhilltn.org>, Chris Brooks <cbrooks@springhilltn.org>

On Monday night I was asked to give an opinion on the bond amount for Commonwealth Drive. In reviewing the City's Subdivision Regulation regarding Maintenance Bonds (3-103) there is not a lot of guidance on what amount is appropriate. The amount should be "considered adequate by the appropriate governmental representative." I assume that means the Codes Officer when the dedication is being recommended to the BOMA.

I am not sure how the \ \$15,000 was arrived at for that recommendation, whether it's part of a negotiated amount or part of a construction estimate. It seems to me the most prudent thing would be for a construction cost estimate be prepared for the Planning Commission and BOMA indicating the value of the improvements to be accepted. Then the Planning Commission and BOMA could develop their own procedures for maintenance bonds such as percentage of the total cost or value.

I am certainly no expert in this area but 25% of the total cost might be a reasonable consideration. Using 25% as basis the total costs of this project would only be \ \$60,000.00 to achieve a bond of \ \$15,000.00. It seems to me that the improvements to be dedicated are worth considerably more than that.

I do think some deference should be given to Staff who would have inspected the improvements. If improvements are satisfactory and done by a company with a good reputation then there may be a reason to discount it further than 25%. Obviously, everyone would need to be treated fairly and equally.

As far as the improvements dedicated – I don't have an opinion on that. It seems reasonable that the Developer would want to eliminate his liability on things that do serve a municipal function. So to that extent I don't have a problem with those items being dedicated but that opinion really needs to come from Victor.

Let me know if you have any questions.

Thanks.

**Timothy P. Underwood**



**HENRY, HENRY & UNDERWOOD, P.C.**

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**LEGEND**

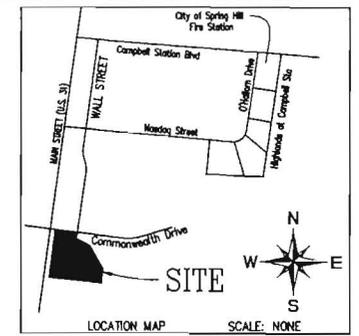
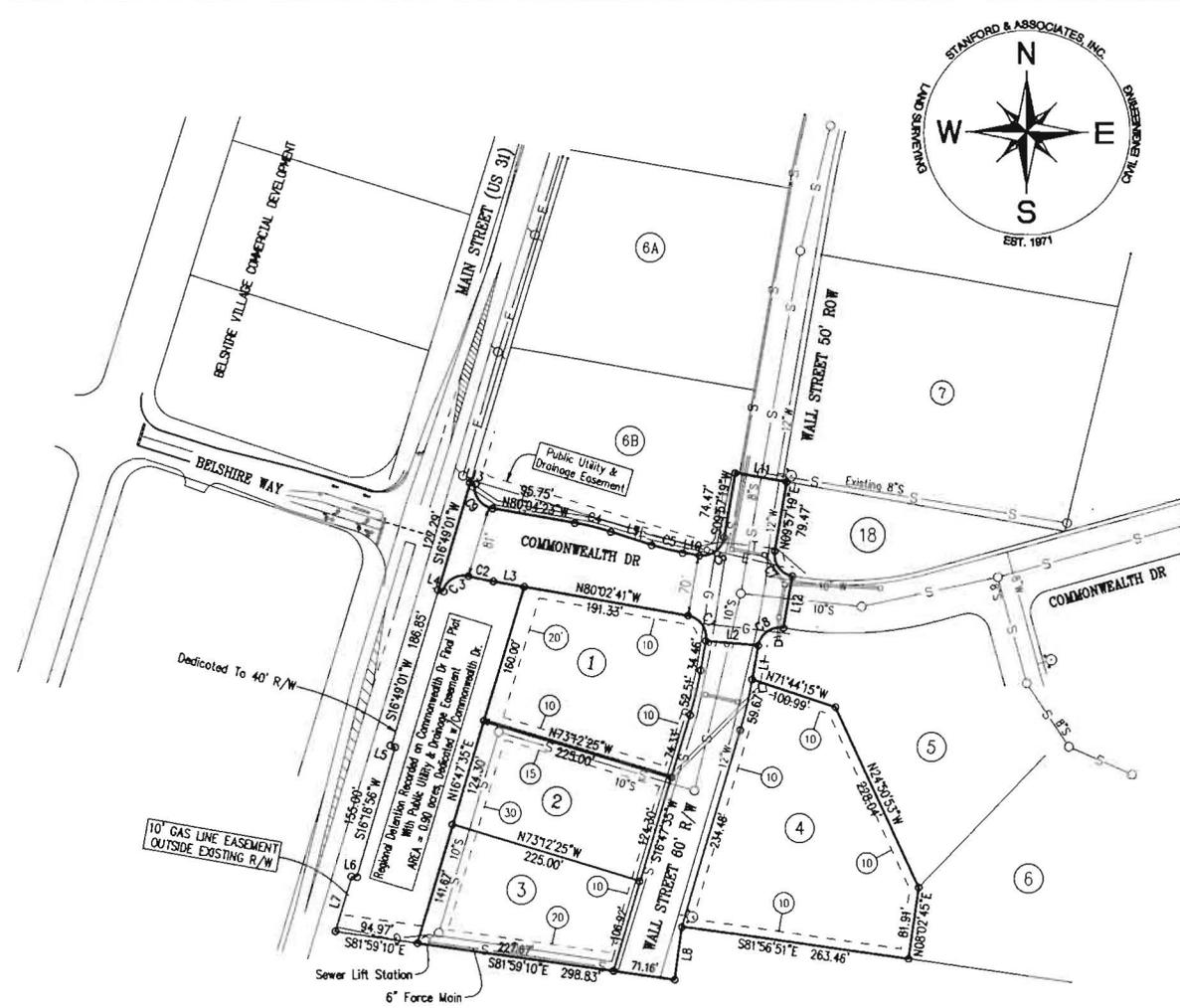
IRON PIN  
 IPS - Iron Pin Set  
 RPF - Iron Pin Found

WATER LINE  
 8" SEWER LINE

DRAINAGE STRUCTURE

LOT NUMBER 6A  
 Typ. 20'

PUBLIC UTILITY & DRAINAGE EASEMENT



LINE	BEARING	DISTANCE
L1	N09°57'19"E	39.46'
L2	N84°48'30"W	60.21'
L3	N80°02'41"W	36.06'
L4	N73°12'25"W	5.00'
L5	S72°12'13"E	4.41'
L6	N83°51'51"W	5.87'
L7	S16°49'01"W	65.67'
L8	N07°58'12"E	60.93'
L9	N72°22'34"W	49.64'
L10	N80°02'41"W	17.87'
L11	N80°02'41"W	60.00'
L12	N09°57'18"E	60.00'
L13	N73°12'25"W	5.00'

**STREET LIGHT & SIGN NOTE**  
 1. The Developer of Pinnacle Commercial Section One will be required to install Street Lights & Street Signs in Section One in accordance with the City of Spring Hill Subdivision Regulations

**RIGHT OF WAY DEDICATED**  
 Commonwealth Dr. + Wall Street Connection = 0.868 ac  
 Wall Street from Commonwealth Dr. South = 0.66 ac.

MILLARD F. MITCHUM, JR., PROPERTY  
 DEED BK 1123, PG 314, ROWC, TN  
 REMAINING PORTION MAP 167, PARCEL 4



LOT	AREA sf	Acres
1	38447	0.88
2	27967	0.64
3	27967	0.64
4	55496	1.27

**CERTIFICATION OF OWNERSHIP AND DEDICATION**  
 I (we) hereby certify that I am (we are) the owner (s) of the property shown and described herein as evidenced in Book 4983 Page 285, County Registers Office, and that I (we) hereby adopt this plan of subdivision with my (our) free consent, establish the minimum building restriction lines, and that offers of irrevocable dedication for all public ways, utilities, and other facilities have been filed.  
 Date: \_\_\_\_\_ Owner: \_\_\_\_\_  
 Pinnacle National Bank

**CERTIFICATE OF SURVEY ACCURACY**  
 I (we) hereby certify that to the best of my (our) knowledge and belief this is a true and accurate survey of the property shown herein; that this is a class "B" Land Survey as defined in Title 62, Chapter 18, Tennessee Code Annotated, and that the ratio of precision is greater than or equal to 1:10,000.  
 Leon Stanford  
 852  
 Registered Land Surveyor Number: \_\_\_\_\_  
 Date: 07/09/2011

CURVE	DELTA	RADIUS	ARC	TANGENT	CHORD	CHORD BEARING
C1	90°00'00"	25.00'	39.27'	25.00'	35.36'	N35°02'41"W
C2	3°44'16"	450.00'	29.36'	14.68'	29.35'	N78°10'33"W
C3	86°52'34"	25.00'	37.91'	23.67'	34.38'	N60°15'18"E
C4	7°41'48"	317.00'	42.58'	21.32'	42.55'	N76°13'29"W
C5	7°40'06"	283.00'	37.88'	18.97'	37.85'	N76°12'38"W
C6	90°00'00"	25.00'	39.27'	25.00'	35.36'	N54°57'19"E
C7	90°00'00"	25.00'	39.27'	25.00'	35.36'	S35°02'41"E
C8	90°00'03"	25.00'	39.27'	25.00'	35.36'	S54°57'21"W
C9	86°30'02"	24.97'	37.70'	23.49'	34.22'	S36°49'22"E

**CERTIFICATION OF APPROVAL OF WATER & SEWER SYSTEM**  
 I hereby certify that the Water and Sewer system outlined or indicated on the final plat subdivision plat entitled Campbell Station Annex Section One has been installed in accordance with current local and state government requirements, or a sufficient bond or other surety has been filed to guarantee said installation.  
 Date: \_\_\_\_\_ Name, Title, Agency or Authorized Approving Agent

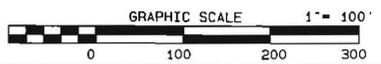
**CERTIFICATE OF APPROVAL OF PUBLIC WAYS OR BOND POSTING**  
 I hereby certify: (1) that all designated public ways on this preliminary subdivision plat have been installed in an acceptable manner and according to the specifications of the City of Spring Hill Subdivision Regulations, or (2) that a performance bond or other surety has been posted with the planning commission to guarantee completion of all required improvements in case of default.  
 Date: \_\_\_\_\_

**CERTIFICATE OF APPROVAL FOR RECORDING**  
 I hereby certify that the subdivision plat shown hereon has been found to comply with the City of Spring Hill Subdivision Regulations, with the exception of such variances, if any, as are noted in the minutes of the planning commission, and that it has been approved for recording in the Office of the County Register.  
 Date: \_\_\_\_\_ Secretary of Planning Commission

- NOTES:**
- Property Map 167 Parcel 4.01
  - Property Owners  
 Pinnacle National Bank  
 150 3rd Avenue South  
 Suite 900  
 Nashville, TN 37201  
 Phone: 615-743-8286  
 Record: Book 4983, Page 285
  - Surveyor  
 Stanford & Associates, Inc.  
 410 McLamore Ave  
 Spring Hill, TN 37174
  - Existing Zoning: B-4  
 Min Front Yard = 10 feet  
 Min Side Yard = None  
 Min Rear Yard = 25 feet for one story building  
 = 5 feet for each additional story
  - FLOOD NOTE: This parcel is not included within areas designated as a special flood hazard area on the latest National Flood Insurance Program Maps available to me as of this date. Per Community Plan Number 4711900007, revised 4/16/2007.
  - This property is subject to any findings of an accurate title search. No title work furnished to surveyor prior to survey.
  - The Purpose of this plat is to create four (4) new building Lots.
  - All Lots shall provide and/or allow cross access easement to adjoining Lot or Lots when possible and practical.
  - Access to the Public Street shall be at individual Lot Property Line whenever possible and practical. A joint driveway shall be employed at Lot access point when possible and practical.
  - Site Plan for each Lot shall create cross access to the adjacent Lot as much as practical.
  - A 10' Street Buffer along Main Street is established along the rear of a Lot backing toward Main Street. A Landscaping Plan will be required for all Lots at Site Plan submittal.

**FINAL PLAT SECTION ONE (1)  
 PINNACLE COMMERCIAL**  
 CURRENT ZONING: B-4

CITY OF SPRING HILL MUNICIPAL PLANNING COMMISSION WILLIAMSON COUNTY - STATE OF TENNESSEE	
TOTAL ACRES = 4.988 ac.	TOTAL LOTS = 4
MILES NEW ROADS = 0.187	ACRES NEW ROADS = 1.527
OWNER: Pinnacle National Bank	CIVIL DISTRICT: 11th
OWNER Pinnacle National Bank 150 3rd Ave. South, Suite 900 Nashville, TN 37201 Ph: 615-743-8286	SURVEYOR Stanford & Assoc., Inc. 410 McLamore Ave. Spring Hill, TN 37174 Ph: 931-488-2441
DATE: 7/9/2011	SCALE: 1" = 100'
PROPERTY MAP 167, PARCEL 4.22	CLOSURE: 1/10,000
DEED BK 4983, PG 285	



**FORM FOR OFFER OF  
IRREVOCABLE DEDICATION**

**AGREEMENT** made this 2<sup>nd</sup> day of November 2011, 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 Pinnacle National Bank, having its office and place of business at 150 3<sup>rd</sup> Avenue South, Suite 900, Nashville, Tennessee 37201 hereinafter designated as the "Owner".

**WHEREAS**, the Spring Hill Planning Commission having approved a subdivision plat entitled Final Plat Section One (1) Pinnacle Commercial dated 07/19/2011 and prepared by Stanford & Associates, Inc.  
and

**WHEREAS**, said plat designates certain public improvements consisting of All Street infrastructure including but not limited to Paving, Base, Subgrade; Sidewalks; Curb & Gutter; Pavement Striping; Traffic Signs; Storm Sewer including Catch Basin assembly, Pipes, Headwalls, Weirs; Sanitary Sewer Collector Lines and Manholes; Sanitary Sewer Force Main including pressure relief assembly; Sanitary Sewer Service Lines to Street Right of Way; Sewer Lift Station; Water Main including all valves, Fire Hydrants and Service Lines to Street Right of Way 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 Owner, shall have a \$15,000 1-year bond posted with the City for maintenance. Dedication by Owner and Acceptance by City of said improvements occurs upon recording of the above noted Final Plat;

**WHEREAS**, the Owner, is desirous of offering for dedication the said improvements and land to the City more particularly described above;

**WHEREAS**, the Owner shall deliver 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 Owner and other good and valuable consideration, it is mutually **AGREED** as follows:

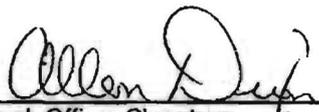
- A. The Owner herewith delivers to the City deeds of conveyance for the premises described and shown on Construction Plans and Final Plat, said delivery being a formal offer of dedication to the City until the acceptance or rejection of such offer of dedication by the City.
- B. The Owner agrees that said formal offer of dedication is irrevocable and shall be accepted by the City at or before recording of the Final Plat.
- C. The Owner has completed the construction of the land and improvements pursuant to the requirements of the Spring Hill Planning Commission and any ordinances, regulations, 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.

- D. That this irrevocable offer of dedication shall run with land and shall be binding on all assigns, guarantees, successors, or heirs of the Owner.
- E. The City by action of the Board of Mayor and Aldermen on the \_\_\_ day of \_\_\_\_\_, 20\_\_\_, 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

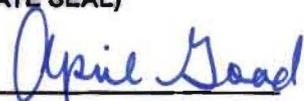
Owner Name:

Finnade National Bank

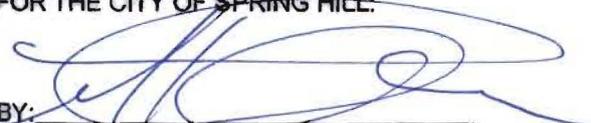
11/9 2011  
Date

  
Bank Officer Signature

(CORPORATE SEAL)

ATTEST: 

FOR THE CITY OF SPRING HILL:

BY: 

Signature

November 22 2011

Michael Dinwiddie  
Printed Name