

RESOLUTION 11-128

**A RESOLUTION TO RELEASE THE EXISTING SURETY BOND FOR
WADES GROVE AMENITY AREA**

WHEREAS, a Maintenance Bond is currently in place for this development; and

WHEREAS, the existing surety is guaranteeing the construction of certain improvements; and

WHEREAS, the following improvements are required pursuant to the Final Plat:

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

WHEREAS, to date, the improvements have been constructed other than the Final Topping required; and

WHEREAS, the developer is requesting to re-establish a Performance Bond and a Maintenance Bond to replace the existing Maintenance Bond; and

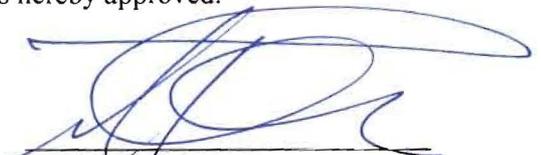
WHEREAS, it is the recommendation of the Planning Commission that the existing Maintenance Bond be released in the amount of \$5,000.00; and

WHEREAS, pursuant to Section 3-103 of the Subdivision Regulations, upon completion of the public improvements listed above, the Developer may be required to file a "maintenance" surety 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.

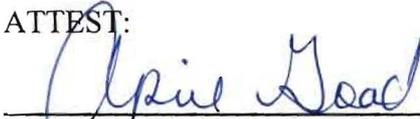
WHEREAS, the developer is required under Article III, Section 3-102.201 of the Subdivision Regulations to submit an "as-built" survey of the public improvements including storm drainage; and

NOW, THEREFORE BE IT RESOLVED, by the Spring Hill Board of Mayor and Aldermen that the existing Letter of Credit for Wades Grove Amenity Area in the amount of \$5,000.00 is hereby approved.

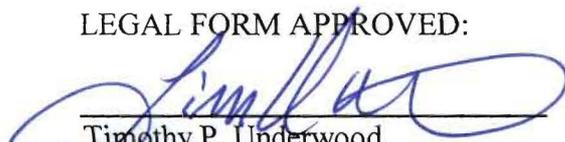
Passed and adopted this 19th day of December, 2011.


Michael Dinwiddie, Mayor

ATTEST:


April Good, City Recorder

LEGAL FORM APPROVED:


Timothy P. Underwood
City Attorney

**RESOLUTION 11-36 OF THE
PLANNING COMMISSION
OF THE CITY OF SPRING HILL, TENNESSEE**

**A RESOLUTION TO RELEASE THE EXISTING SURETY BOND FOR
WADES GROVE AMENITY AREA**

WHEREAS, a Maintenance Bond is currently in place for this development; and

WHEREAS, the existing surety is guaranteeing the construction of certain improvements; and

WHEREAS, the following improvements are required pursuant to the Final Plat:

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

WHEREAS, to date, the improvements have been constructed other than the Final Topping required; and

WHEREAS, the developer is requesting to re-establish a Performance Bond and a Maintenance Bond to replace the existing Maintenance Bond; and

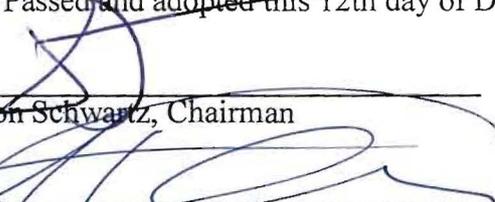
WHEREAS, it is the recommendation of the Codes Department that the existing Maintenance Bond be released in the amount of \$5,000.00; and

WHEREAS, pursuant to Section 3-103 of the Subdivision Regulations, upon completion of the public improvements listed above, the Developer may be required to file a "maintenance" surety 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.

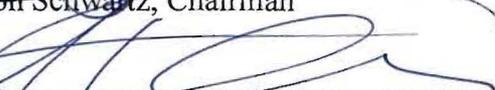
WHEREAS, the developer is required under Article III, Section 3-102.201 of the Subdivision Regulations to submit an "as-built" survey of the public improvements including storm drainage; and

NOW, THEREFORE BE IT RESOLVED, by the Spring Hill Planning Commission that the existing Letter of Credit for Wades Grove Amenity Area in the amount of \$5,000.00 is hereby recommended for release to the Board of Mayor and Aldermen.

Passed and adopted this 12th day of December, 2011.



Jonathon Schwartz, Chairman



Michael Dinwiddie, Secretary

CHECKLIST

Information for Planning Commission Packets

Deadline: Nov. 14, 2011

Development: Wades Grove Amenity Area

- | | | |
|---------------------------------|-------------------------------------|--|
| Draft Resolution | <input checked="" type="checkbox"/> | 11-34, 11-35, 11-36 |
| Bond Information Sheet | <input type="checkbox"/> | |
| Copy of Bond | <input checked="" type="checkbox"/> | |
| Copy of Recorded Plat or Aerial | <input checked="" type="checkbox"/> | NA ✓ |
| Developer Request for Reduction | <input type="checkbox"/> | NA |
| Cost Estimate for Reduction | <input type="checkbox"/> | NA |
| Correspondence | <input type="checkbox"/> | Developer's bank has requested 2 separate bonds. |
| Initial Letter | <input type="checkbox"/> | |
| Bond Recon Complete | <input type="checkbox"/> | NA |
| Bond Application Form | <input type="checkbox"/> | - letter from Developer |
| Inspection Log (for new bonds) | <input type="checkbox"/> | NA |
| Copies of Packet Completed | <input checked="" type="checkbox"/> | |



Arthur J. Gallagher Risk Management Services, Inc.

November 17, 2011

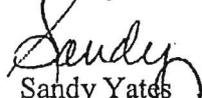
City of Spring Hill
Attn: Chris Brooks, Director of Codes

RE: John Maher Builders
Wades Grove Amenity Area

Please be advised we have received authorization from NGM Insurance Company to issue a Maintenance Bond in the amount of \$2982.50 and a Performance Bond in the amount of \$4831.20.

We will need the return of previously issued bond #S641692 in the amount of \$5,000.

Thank you.


Sandy Yates
Account Manager

5500 Maryland Way, Suite 330
Brentwood, TN 37027
Main 615.661.7500
Toll Free 888.661.7501
Fax 615.377.5101

SITE IMPROVEMENT / SUBDIVISION BOND

KNOW ALL MEN BY THESE PRESENTS, THAT, John Maher Builders, Inc.,

as Principal, and NGM Insurance Company, as Surety, are held and firmly bound unto the

City of Spring Hill, as Obligee, in the full and just sum of Five Thousand Dollars and no/100 (\$5,000.00) for the payment of which sum, well and truly to be made, the said Principal and Surety bind themselves, and their respective heirs, administrators, executors, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal is the owner of a certain tract of land in Wades Grove, more particularly described as follows: Wades Grove Amenity Site

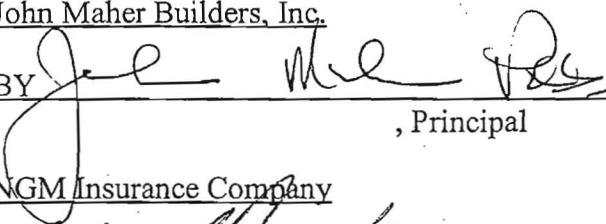
WHEREAS, The Principal has entered into an agreement with the Obligee, wherein the Principal agrees to construct the following: Wades Crossings Pool, 180 feet of road frontage in said tract.

NOW, THEREFORE, the condition of this obligation is such that, if the Principal shall faithfully perform the terms of said agreement on its part shall fully indemnify and save harmless the Obligee from all cost and damage which the Obligee may suffer by reason of failure so to do and shall fully reimburse and repay the Obligee all outlay and expense which the Obligee may incur in making good and such default, then this obligation shall be null and void, otherwise it shall remain in full force and effect.

IN WITNESS WHEREOF, the said Principal and Surety have signed and sealed this instrument this

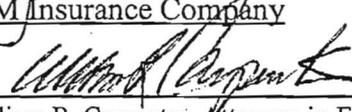
1st day of August, 2011.

John Maher Builders, Inc.

BY  _____

, Principal

NGM Insurance Company

BY  _____

William R. Carpenter, Attorney-in-Fact



KNOW ALL MEN BY THESE PRESENTS: That NGM Insurance Company, a Florida corporation having its principal office in the City of Jacksonville, State of Florida, pursuant to Article IV, Section 2 of the By-Laws of said Company, to wit:

"Article IV, Section 2. The board of directors, the president, any vice president, secretary, or the treasurer shall have the power and authority to appoint attorneys-in-fact and to authorize them to execute on behalf of the company and affix the seal of the company thereto, bonds, recognizances, contracts of indemnity or writings obligatory in the nature of a bond, recognizance or conditional undertaking and to remove any such attorneys-in-fact at any time and revoke the power and authority given to them."

does hereby make, constitute and appoint **Allen D Eubank, Sandra Yates, William R Carpenter, Christie L Reeves** -----

its true and lawful Attorneys-in-fact, to make, execute, seal and deliver for and on its behalf, and as its act and deed, bonds, undertakings, recognizances, contracts of indemnity, or other writings obligatory in nature of a bond subject to the following limitation:

- 1. No one bond to exceed Five Million Dollars (\$5,000,000.00).

and to bind NGM Insurance Company thereby as fully and to the same extent as if such instruments were signed by the duly authorized officers of the NGM Insurance Company; the acts of said Attorney are hereby ratified and confirmed.

This power of attorney is signed and sealed by facsimile under and by the authority of the following resolution adopted by the Directors of NGM Insurance Company at a meeting duly called and held on the 2nd day of December 1977

Voted: That the signature of any officer authorized by the By-Laws and the company seal may be affixed by facsimile to any power of attorney or special power of attorney or certification of either given for the execution of any bond, undertaking, recognizance or other written obligation in the nature thereof; such signature and seal, when so used being hereby adopted by the company as the original signature of such office and the original seal of the company, to be valid and binding upon the company with the same force and effect as though manually affixed.

IN WITNESS WHEREOF, NGM Insurance Company has caused these presents to be signed by its Senior Vice President, General Counsel and Secretary and its corporate seal to be hereto affixed this 1st day of August, 2009.

NGM INSURANCE COMPANY By:

Susan E Mack
Susan E Mack
Senior Vice President, General
Counsel and Secretary

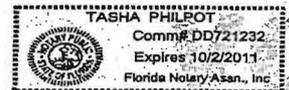


State of Florida,
County of Duval

On this August 1, 2009 before the subscriber a Notary Public of State of Florida in and for the County of Duval duly commissioned and qualified, came Susan E Mack of the NGM Insurance Company, to me personally known to be the officer described herein, and who executed the preceding instrument, and he acknowledged the execution of same, and being by me fully sworn, deposed and said that he is an officer of said Company, aforesaid: that the seal affixed to the preceding instrument is the corporate seal of said Company, and the said corporate seal and her signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Company; that Article IV, Section 2 of the By-Laws of said Company is now in force.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Jacksonville, Florida this 1st day of August, 2009

Tasha Philrot



I, Brian J Beggs, Vice President of the NGM Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney executed by said Company which is still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Company at Jacksonville, Florida this
1st day of August, 2011

Brian J Beggs

WARNING: Any unauthorized reproduction or alteration of this document is prohibited.

TO CONFIRM VALIDITY of the attached bond please call 1-800-225-5646. TO SUBMIT A CLAIM: Send all correspondence to 55 West Street, Keene, NH 03431

Attn: Bond Claims.

WADES GROVE AMENITY BOND SUMMARY

RCA 11/01/11

IN THE PROCESS OF SECURING A BOND FOR THE WADES GROVE AMENITY SITE, A DISCREPANCY AROSE WITH OUR BONDING COMPANY. CHRIS BROOKS, CODES DIRECTOR, REQUESTED THE CONSTRUCTION COST BREAKDOWN FOR THE ROAD CONSTRUCTION OF 180' OF WADES CROSSING WHICH ADJOINS THE AMENITY SITE AT ITS ENTRANCE THIS SECTION OF WADES CROSSING WAS COMPLETED IN OCTOBER, 2007. CHRIS ESTABLISHED A BOND AMOUNT OF \$5000 WHICH IS ROUGHLY 25% OF THE CONSTRUCTION COST. ON AUGUST 15th, 2011, THE CITY PASSED RESOLUTION 11-74 ESTABLISHING THE BOND AMOUNT AT \$5000. THE BOND COMPANY REQUIRED A CITY OFFICIAL DETERMINE THE TYPE OF BOND. CHRIS BROOKS ISSUED A LETTER ON JULY 29, 2011 STATING THE BOND WOULD HAVE TO BE A PERFORMANCE BOND. THIS PERFORMANCE BOND WAS ISSUED FOLLOWING THE RESOLUTION PASSAGE. WHEN THE BOND WAS ISSUED,

WE DISCOVERED THAT THE BOND COMPANY ESTABLISHED THE PREMIUM ON THE ENTIRE CONSTRUCTION COST \$16,392.05 RATHER THAN \$5000 THAT THE CITY REQUIRED. THIS RESULTED IN A SIGNIFICANT PREMIUM INCREASE AFTER CONSULTING WITH THE BOND COMPANY IT WAS DETERMINED THAT THE BOND WAS CLASSIFIED INCORRECTLY BECAUSE THE ROAD HAS BEEN CONSTRUCTED. THE ONLY WORK REMAINING IS THE FINAL TOPPING IN THE AMOUNT OF \$4392, TO BE TECHNICALLY CORRECT THERE SHOULD BE TWO BONDS. A MAINTENANCE BOND FOR 25% OF THE COMPLETED CONSTRUCTION ($\$11,930 \times .25 = \2982.5 MAIN. BOND) AND A PERFORMANCE BOND FOR 100% OF THE FINAL TOPPING NOT COMPLETE IN THE AMOUNT 4392.00. THE TOTAL AMOUNT BONDED WOULD INCREASE TO \$7374.50.

<u>Subdivision</u>	<u>Section</u>	<i>CURRENT</i> <u>Type</u>	<u>Bond #</u>	<u>Amount</u>		<u>Start Date & Type of Bond Required</u>	<u>Reduced Date & Type of Bond Required</u>	<u>Expires:</u>
ades Grove	3A & 3B	performance bond	S641544Y	\$ 53,000.00	1 yr	8/22/2007 (maintenance)	10/19/2009 (performance)	9/12/2012
ades Grove	3A & 3B	performance bond	S641683	\$ 51,822.89	1 yr	7/17/2006 (maintenance)	10/19/2009 (performance)	10/19/2012
ades Grove	5A	performance bond	S641685	\$ 61,058.78	2 yr	1/21/2008 (maintenance)	12/21/2009 (performance)	12/20/2011
ades Grove	Amenity	performance bond	S641692	\$ 5,000.00	1 yr	8/1/2011 (performance)	N/A	8/12/2012
Williams Park	1	performance bond	S641684	\$ 62,222.76	1 yr	12/4/2006 (maintenance)	10/19/2009 (performance)	10/19/2012
Williams Park	2A	maintenance bond	S641680	\$ 64,141.40	1 yr	9/10/2008 (maintenance)	N/A	9/10/2012
Williams Park	3A	maintenance bond	S641678	\$ 65,600.00	2 yr	8/12/2008 (maintenance)	N/A	8/12/2012



July 29, 2011

To Whom It May Concern:

This is in regards to the Performance Bond for Wades Crossings Pool, 180 feet of road frontage. The Performance Bond will need to be set at \$5000.00 to be auto renewable each year until a City of Spring Hill Official releases the Performance Bond. I have attached an application with this letter that you will need to fill out and return. I have received the estimate for 180 feet of road replacement for \$16392.05, the Performance Bond will be set at 25% of this amount rounded up to \$5000.00 . If there are any questions please call.

Chris Brooks

Chris Brooks
Director of Codes
931-486-2252 Ext.214



199 TownCenter Parkway
P.O. Box 789
Spring Hill Tn. 37174

Phone 931-486-2252 Ext.214
Fax 931-486-3596
www.Springhilltn.org



Wades Grove Amenity Area

We will need a Performance Bond and Maintenance Bond, I would like for the two Bonds to be tied together under the same Bond number if possible. Information below

Work Completed (Maintenance Bond)

Base Stone	\$5072.00
Binder	\$5053.03
Extruded Curbs	<u>\$1805.00</u>
Total:	\$11930.03 @ 25%
Total:	\$2985.50 Maintenance Bond

Work to Complete (Performance Bond)

Final Topping	\$4392.00 @ 100% Plus 10% (Sub-Regs 2-103.5)
Total:	\$4831.12 Performance Bond

Maintenance Bond set at: \$3947.35
Performance Bond set at: \$4831.12

Chris Brooks

Chris Brooks
Director of Codes
931-486-2252 Ext.214
cbrooks@springhilltn.org



199 TownCenter Parkway
P.O. Box 789
Spring Hill Tn. 37174

Phone 931-486-2252 Ext.214
Fax 931-486-3596
www.Springhilltn.org

WG Amen

①

SITE PERFORMANCE LLC

Add: P.O. box 682827
Franklin, Tn 37068
P.H # 615-207-5598

Attn:Randy
Job: Wades Crossing Road construction cost
Adjoining amenity center site
From: Wayne Raymond
Date:7-24-11
Description of work: Grading/Paving

Grading: Rough Grading 211 CY @ 5.00 ----- \$ 1,055.00
Fine Grading Rd 5,320 Sf @ .17 ----- \$ 904.40
Back fill curbs 380 lf @ 5.00 ----- \$ 1,900.00

Total Grading \$ 3,859.40

Paving: 8 inch base stone: 634sy @ 8.00 ----- \$ 5,072.00
Binder 2" : 591 Sy @ 8.55 ----- \$ 5,053.05
Extruded curbs 380 Lf @ 4.75 ----- \$ 1,805.00
Surface 1.5": 549 Sy 8.00 ----- \$ 4,392.00

Total Paving \$ 16,322.05

WORK COMPLETE

WORK NOT COMPLETE

CERTIFICATION OF OWNERSHIP AND DEDICATION
 I (we) hereby certify that I am (we are) the owner (s) of the property shown and described hereon as evidenced in Book R1512 of the County Register's Office, and that I (we) hereby dedicate this plan of subdivision with my (our) free consent, establish the minimum building restriction lines, and that offer of irrevocable dedication for all public ways, utilities, and other facilities have been filed.

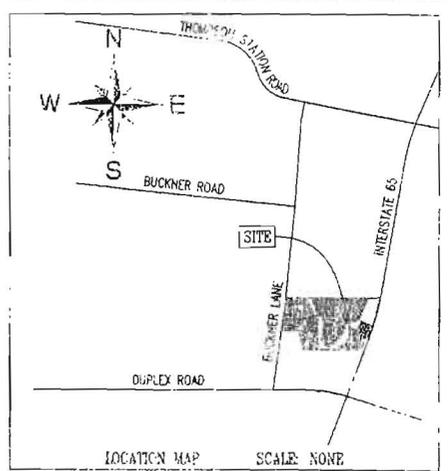
Date: 7-25-11
 Comm: Joe McRae

PERMITS AND APPROVAL OF WATER & SEWER SYSTEM
 I hereby certify that the Water and Sewer system outlined or indicated on the preliminary plat subdivision plat entitled Wades Grove Subdivision Section 5A has been installed in accordance with current local and state government requirements, or a sufficient bond or other security has been filed to guarantee said installation.

Date: 7-26-11
 Title: Agency of Authorized Approving Agent

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: 8-11-11
 Secretary of Planning Commission



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 hereon that this is a class "B" Land Survey as defined in the Code of Tennessee, Tennessee Code Annotated, and that the error of this survey is greater than or equal to 1:10,000.

Date: 07/21/2011
 Registered Land Surveyor

CERTIFICATE OF APPROVAL OF PUBLIC WAYS OR BOND POSTING
 I hereby certify that the proposed public ways on this final subdivision plat have been provided in an acceptable manner and according to the requirements of the City of Spring Hill Subdivision Regulations, or (2) that a performance bond in full compliance with the planning commission's resolution of all required improvements in case of default.

Date: 8-10-2011
 Title: Agency of Authorized Approving Agent

CURVE	DELTA	RADIUS	ARC	TANGENT	CHORD BEARING	CHORD
C1	91°01'25"	25.00'	39.72'	25.45'	N44°16'53"E	35.67'
C2	90°00'00"	25.00'	39.27'	25.00'	N46°13'49"W	35.36'
C3	117°5'20"	1008.67'	198.15'	99.39'	S84°34'44"E	197.83'
C4	8°33'41"	1038.67'	155.20'	77.74'	N85°55'34"W	155.06'

NOTES:
 1. The Homeowners' Association of Wades Grove Subdivision 2007 is responsible for the Maintenance of Open Space and Amenities in Wades Grove Subdivision 2007 LOT 411 as shown on this Plat.
 2. THIS PLAT IS NOT INCLUDED WITHIN AREAS DESIGNATED AS FLOOD HAZARD ZONE ON THE LATEST NATIONAL FLOOD INSURANCE RATE MAPS AVAILABLE TO ME AS OF THIS DATE.
 3. The purpose of this plat is to create 1 new building lot for the subdivision.

STREET ADDRESS

424	425	416	415	414	413	412	411	410	409	408	407	406	405	404	403	402	401	400	399	398	397	396	395	394	393	392	391	390	389	388	387	386	385	384	383	382	381	380	379	378	377	376	375	374	373	372	371	370	369	368	367	366	365	364	363	362	361	360	359	358	357	356	355	354	353	352	351	350	349	348	347	346	345	344	343	342	341	340	339	338	337	336	335	334	333	332	331	330	329	328	327	326	325	324	323	322	321	320	319	318	317	316	315	314	313	312	311	310	309	308	307	306	305	304	303	302	301	300	299	298	297	296	295	294	293	292	291	290	289	288	287	286	285	284	283	282	281	280	279	278	277	276	275	274	273	272	271	270	269	268	267	266	265	264	263	262	261	260	259	258	257	256	255	254	253	252	251	250	249	248	247	246	245	244	243	242	241	240	239	238	237	236	235	234	233	232	231	230	229	228	227	226	225	224	223	222	221	220	219	218	217	216	215	214	213	212	211	210	209	208	207	206	205	204	203	202	201	200	199	198	197	196	195	194	193	192	191	190	189	188	187	186	185	184	183	182	181	180	179	178	177	176	175	174	173	172	171	170	169	168	167	166	165	164	163	162	161	160	159	158	157	156	155	154	153	152	151	150	149	148	147	146	145	144	143	142	141	140	139	138	137	136	135	134	133	132	131	130	129	128	127	126	125	124	123	122	121	120	119	118	117	116	115	114	113	112	111	110	109	108	107	106	105	104	103	102	101	100	99	98	97	96	95	94	93	92	91	90	89	88	87	86	85	84	83	82	81	80	79	78	77	76	75	74	73	72	71	70	69	68	67	66	65	64	63	62	61	60	59	58	57	56	55	54	53	52	51	50	49	48	47	46	45	44	43	42	41	40	39	38	37	36	35	34	33	32	31	30	29	28	27	26	25	24	23	22	21	20	19	18	17	16	15	14	13	12	11	10	9	8	7	6	5	4	3	2	1
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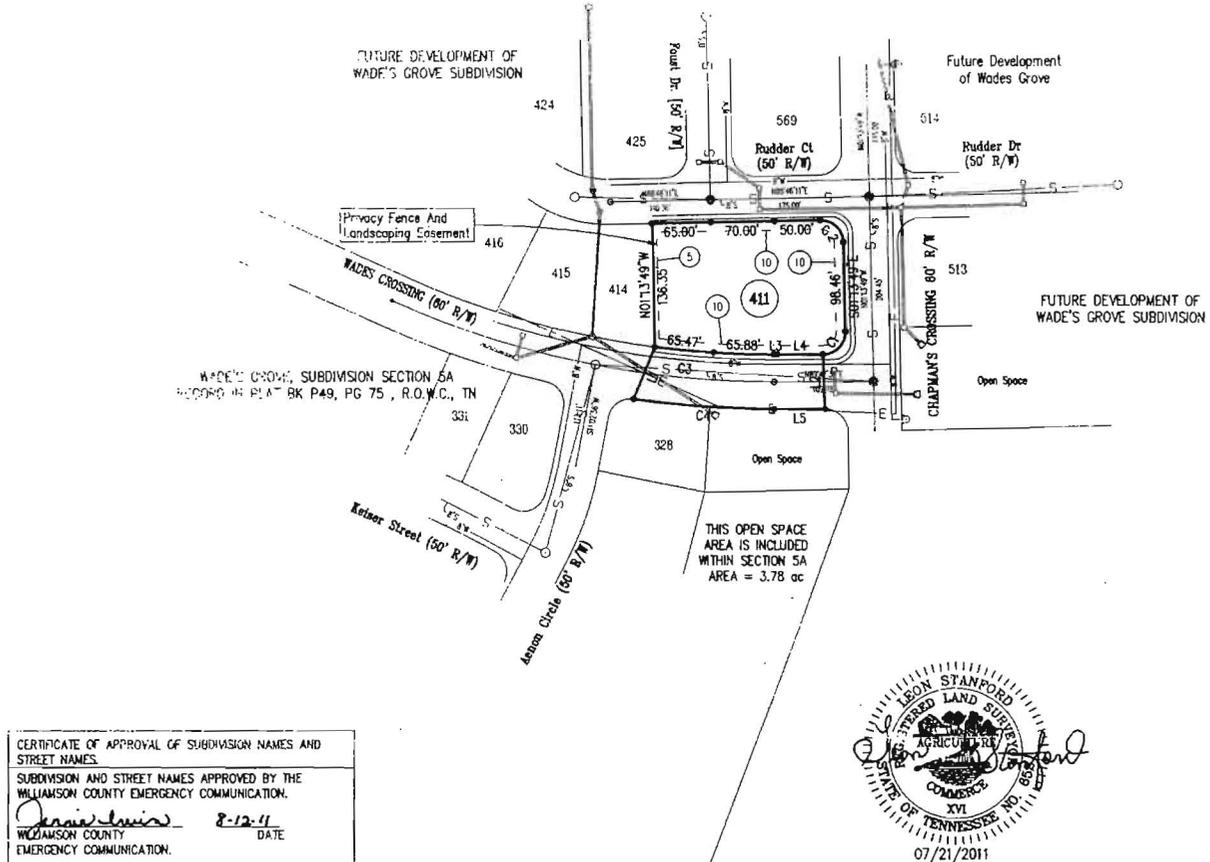
LINE	BEARING	DISTANCE
L1	N22°15'49"E	61.93'
L2	S02°04'58"E	60.03'
L3	S89°47'36"W	4.22'
L4	S89°47'36"W	49.56'
L5	N89°47'36"E	55.75'

BUILDING SETBACK REQUIREMENTS

- Minimum Lot Size = 7,059 sq ft
- Minimum Side Setback (Adjacent Lots) = 5 feet
- Minimum Spacing Between Structures = 15 feet
- Minimum Setback From Street R/W = 20 feet
- Minimum Rear Yard = 30 feet

LEGEND

- WATER MAIN
- SEWER LINE
- DRAINAGE STRUCTURE
- LOT NUMBER 12
- 5' PUBLIC UTILITY & DRAINAGE EASEMENT
- 10' PUBLIC UTILITY & DRAINAGE EASEMENT



CERTIFICATE OF APPROVAL OF SUBDIVISION NAMES AND STREET NAMES
 SUBDIVISION AND STREET NAMES APPROVED BY THE WILLIAMSON COUNTY EMERGENCY COMMUNICATION.

Date: 8-12-11
 Williamson County Emergency Communication

P54/89

08/12/2011 - 04:19:15 PM
 11026839
 1 POS. AL PLAT
 BATCH: 223734
 PLAT BOOK: P54
 PAGE: 89
 REC FEE 11.30
 DP FEE 2.00
 TOTAL 17.00
 G690
 STATE OF TENNESSEE, WILLIAMSON COUNTY
 SADIE WADE

THE CROSSING AT WADE'S GROVE

TOTAL ACRES = 0.966
 NEW BUILDING LOTS = 1
 MILES NEW ROADS = 0.037
 ACRES NEW PAVES = 0.272

DATE: 07/21/2011
 SCALE: 1" = 100'
 CLOSURE: 1/10,000
 PROPERTY MAP 166, PARCEL 21; DEED BK R-1513, PG 681

