

**RESOLUTION 11-74**

**A RESOLUTION TO ESTABLISH A LETTER OF CREDIT FOR  
WADES GROVE AMENITY SITE**

**WHEREAS**, a Letter of Credit is required to be established for this development prior to recording of a Final Plat; and

**WHEREAS**, the 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 not been completed and/or accepted by the City and therefore a surety is required; and

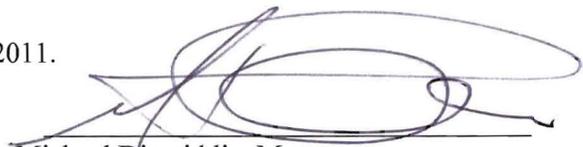
**WHEREAS**, it is the recommendation of the Spring Hill Municipal Planning Commission that a Letter of Credit be established for twelve (12) months, in the amount of \$5000.00; and

**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**, 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 establishment of a Letter of Credit for Wades Grove Amenity Site, in the amount of \$5000.00 is hereby approved.

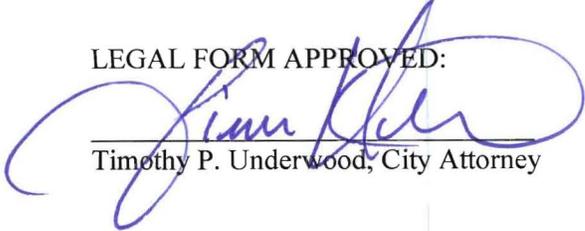
Passed and adopted this 15th day of August, 2011.

  
Michael Dinwiddie, Mayor

ATTEST:

  
April Goad, City Recorder

LEGAL FORM APPROVED:

  
Timothy P. Underwood, City Attorney

**RESOLUTION 11-22 OF THE  
PLANNING COMMISSION  
OF THE CITY OF SPRING HILL, TENNESSEE**

**A RESOLUTION TO ESTABLISH A LETTER OF CREDIT FOR  
WADES GROVE AMENITY SITE**

**WHEREAS**, a Letter of Credit is required to be established for this development prior to recording of a Final Plat; and

**WHEREAS**, the 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 not been completed and/or accepted by the City and therefore a surety is required; and

**WHEREAS**, it is the recommendation of the Codes Department that a Letter of Credit be established for twelve (12) months, in the amount of \$5000.00; 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**, 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 establishment of a Letter of Credit for Wades Grove Amenity Site, in the amount of \$5000.00 is hereby recommended to the Board of Mayor and Aldermen.

Passed and adopted this 8th day of August, 2011.

\_\_\_\_\_  
Jonathon Schwartz, Chairman

\_\_\_\_\_  
Michael Dinwiddie, Secretary

**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

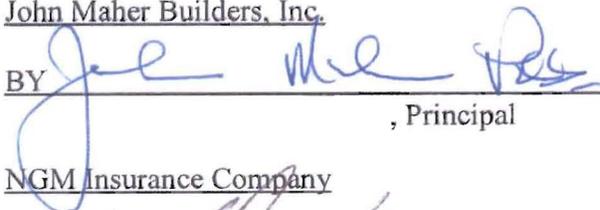
WHEREAS, The Principal has entered into an agreement with the Obligee, wherein the Principal agrees to construct the following: Wades Crossings Pool, 180 feet of road frontage in said tract.

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 



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 Philpot*



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.