

RESOLUTION 12-51

**A RESOLUTION TO RENEW THE EXISTING PERFORMANCE BOND
FOR PORT ROYAL ESTATES - SECTION 1 & SECTION 2**

WHEREAS, there is an existing performance bond via a Restricted Cash Account letter of credit that is currently in place for this development; and

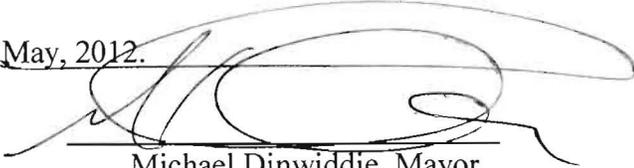
WHEREAS, the following guarantee attached RCA letter of credit is a guarantee of all infrastructure completed, public improvements, and 1 ½ inch of final topping of asphalt, and

WHEREAS, it is the recommendation of the Planning Commission that the performance bond via Restricted Cash Account be renewed for an additional twelve (12) months, for the sum of \$288,000.00, and;

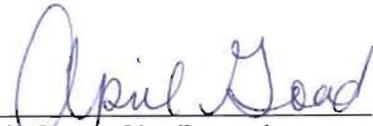
WHEREAS, upon completion of the public improvements listed above, the Developer may be required to file a maintenance bond with the Planning Commission prior to the dedication and acceptance of such public improvements by the Board of Mayor and Aldermen.

NOW, THEREFORE BE IT RESOLVED, by the Board of Mayor and Aldermen of the City of Spring Hill that the Performance Bond via a Restricted Cash Account for Port Royal Estates - Section 1 & Section 2 be renewed in the amount of \$288,000.00, is hereby approved.

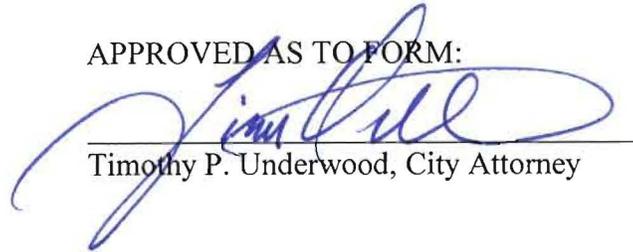
Passed and adopted this 21st day of May, 2012.


Michael Dinwiddie, Mayor

ATTEST:


April Goad, City Recorder

APPROVED AS TO FORM:


Timothy P. Underwood, City Attorney

CHECKLIST

Information for Planning Commission Packets

Deadline: _____

Development: Port Royal Estates Ph. 1 & Ph 2

- | | |
|---------------------------------|-------------------------------------|
| Draft Resolution | <input checked="" type="checkbox"/> |
| Bond Information Sheet | <input checked="" type="checkbox"/> |
| Copy of Bond | <input checked="" type="checkbox"/> |
| Copy of Recorded Plat or Aerial | <input checked="" type="checkbox"/> |
| Developer Request for Reduction | <input checked="" type="checkbox"/> |
| Cost Estimate for Reduction | <input checked="" type="checkbox"/> |
| Correspondence | <input type="checkbox"/> |
| Initial Letter | <input checked="" type="checkbox"/> |
| Bond Recon Complete | <input checked="" type="checkbox"/> |
| Bond Application Form | <input checked="" type="checkbox"/> |
| Inspection Log (for new bonds) | <input type="checkbox"/> NA |
| Copies of Packet Completed | <input checked="" type="checkbox"/> |

BOND INFORMATION SHEET

Site Name: Port Royal Estates Ph. 1 and Ph. 2

Type of Bond:	CASH	Original Bond Amount:	\$288,000	<u>Type of Action Requested:</u>
Bond #:	3002619	Current Bond Amount:		Bond Renewal <input checked="" type="checkbox"/>
Bond Issued:	26-Apr-06	25% of Original Amount:	\$72,000	Bond Reduction <input type="checkbox"/>
Expiration Date:		(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:	No	
Curb Installed:	Yes	
Street Lights Installed:	Yes	No
Street Signs Installed:	Yes	
Final Topping installed:	No	
Side Walks Required:	Yes	

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

Storm Water Drainage System		
System Installed:	Yes	
"As Built" Drawings Submitted:	Yes	
Meets City Specifications:	Yes	

Water		
Water Line Installed:	Yes	
Water Line Tested:	Yes	
"As Built" Drawings Submitted:	Yes	
Meets City Specifications:	Yes	

BOND INFORMATION SHEET

Site Name: Port Royal Estates Ph. 1 and Ph. 2

Miscellaneous Site Information

Total Number of Lots: Ph.1 39 Ph.2 71 110 Developer: James W. Carell

Current Number of Available Building Lots: Ph.1 16 Ph.2 69 85 In Bankruptcy: No

Amenities: Complete:

1 NA

2

3

Staff Comments:

1

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.

Staff Recommendation:

Chris Brooks
Director of Codes
City of Spring Hill

**RESOLUTION 12-09 OF THE
PLANNING COMMISSION
OF THE CITY OF SPRING HILL, TENNESSEE**

**A RESOLUTION TO RENEW
THE EXISTING PERFORMANCE BOND
FOR PORT ROYAL ESTATES - PHASE 1 & PHASE 2**

WHEREAS, there is an existing performance bond via a Restricted Cash Account letter of credit that is currently in place for this development; and

WHEREAS, the following guarantee attached RCA letter of credit is a guarantee of all infrastructure completed, public improvements, and 1 ½ inch of final topping of asphalt, and

WHEREAS, it is the recommendation of the Codes Department that the performance bond via Restricted Cash Account be renewed for an additional twelve (12) months, for the sum of \$288,000.00, and;

WHEREAS, upon completion of the public improvements listed above, the Developer may be required to file a maintenance bond with the Planning Commission prior to 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 Performance Bond via a Restricted Cash Account for Port Royal Estates - Phase 1 & Phase 2 be renewed in the amount of \$288,000.00, with such renewal contingent upon Board of Mayor and Aldermen approval.

Passed and adopted this 14th day of May, 2012.

Jonathan Schwartz, Chairman

Michael Dinwiddie, Secretary

- NOTICE**
1. THE INFORMATION CONTAINED HEREIN IS FOR THE INFORMATION OF THE PUBLIC AND IS NOT TO BE USED AS A BASIS FOR ANY OTHER PURPOSE.
 2. THE INFORMATION CONTAINED HEREIN IS NOT TO BE USED AS A BASIS FOR ANY OTHER PURPOSE.
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GENERAL NOTES

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PROPERTY INFORMATION

PROPERTY SITED AS 1818 P.A.S.A. (ORACALY)
 TOTAL LOT AREA 112,000 S.F.
 TOTAL AREA OF OPEN SPACE 3.13 ACRES
 TOTAL AREA OF IMPROVEMENTS 11,000 S.F.
 TOTAL AREA OF IMPROVEMENTS 11,000 S.F.
 TOTAL AREA OF IMPROVEMENTS 11,000 S.F.

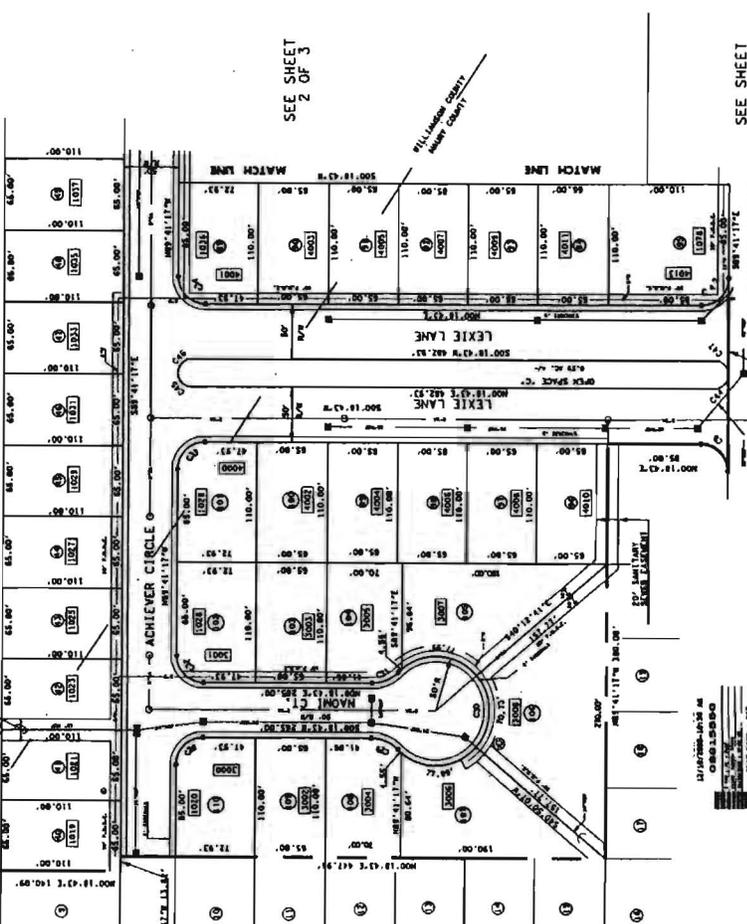
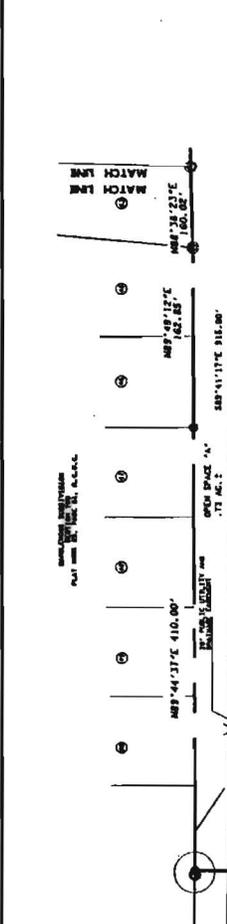


KEY MAP
 1/4 SECTION 10, T10N, R10E, S10E
 1/4 SECTION 11, T10N, R10E, S10E
 1/4 SECTION 12, T10N, R10E, S10E
 1/4 SECTION 13, T10N, R10E, S10E
 1/4 SECTION 14, T10N, R10E, S10E
 1/4 SECTION 15, T10N, R10E, S10E
 1/4 SECTION 16, T10N, R10E, S10E
 1/4 SECTION 17, T10N, R10E, S10E
 1/4 SECTION 18, T10N, R10E, S10E
 1/4 SECTION 19, T10N, R10E, S10E
 1/4 SECTION 20, T10N, R10E, S10E

SHEET 1 OF 3
SECTION TWO
Port Royal Estates
 A PLANNED UNIT DEVELOPMENT
 CITY OF SPRING HILL
 THIRD CIVIL DISTRICT HANCOCK COUNTY
 ELEVENTH CIVIL DISTRICT WILLIAMSON COUNTY

SAVINGS LAND SUBDIVISION, LLC
 1117 W. 10th St.
 Oklahoma City, Oklahoma 73106
 (405) 241-1111
 www.savingsland.com

SAVINGS LAND SUBDIVISION, LLC
 1117 W. 10th St.
 Oklahoma City, Oklahoma 73106
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 www.savingsland.com



SEE SHEET 2 OF 3

SEE SHEET 3 OF 3

ACHIEVER CIRCLE

LEXIE LANE

MATCH LINE

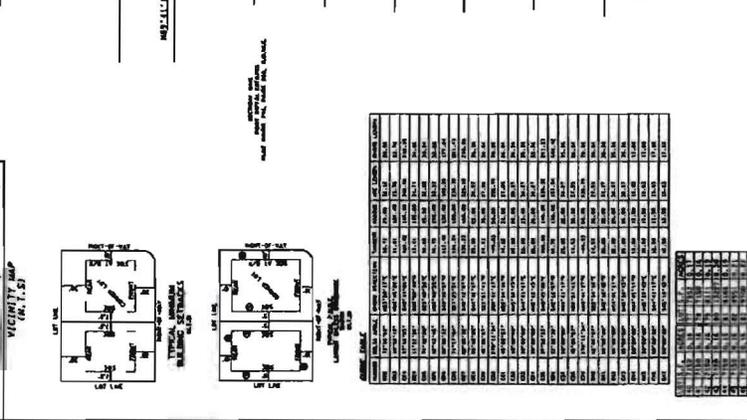
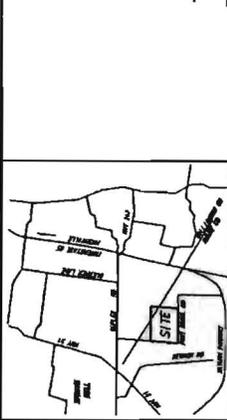
WILLIAMSON COUNTY

HANCOCK COUNTY

DEVELOPER'S CERTIFICATE
 I, the undersigned, being the owner of the above described property, do hereby certify that the information contained herein is true and correct to the best of my knowledge and belief, and that the same has been prepared in accordance with the provisions of the Oklahoma Uniform Subdivision Act, Title 101, Section 10-101, et seq., of the Oklahoma Statutes.

DATE: _____

SIGNATURE: _____



SEE SHEET 2 OF 3

SEE SHEET 3 OF 3

ACHIEVER CIRCLE

LEXIE LANE

MATCH LINE

WILLIAMSON COUNTY

HANCOCK COUNTY

DEVELOPER'S CERTIFICATE
 I, the undersigned, being the owner of the above described property, do hereby certify that the information contained herein is true and correct to the best of my knowledge and belief, and that the same has been prepared in accordance with the provisions of the Oklahoma Uniform Subdivision Act, Title 101, Section 10-101, et seq., of the Oklahoma Statutes.

DATE: _____

SIGNATURE: _____

LOT NO.	AREA (S.F.)	AREA (AC.)
1	110.00	2.52
2	110.00	2.52
3	110.00	2.52
4	110.00	2.52
5	110.00	2.52
6	110.00	2.52
7	110.00	2.52
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9	110.00	2.52
10	110.00	2.52
11	110.00	2.52
12	110.00	2.52
13	110.00	2.52
14	110.00	2.52
15	110.00	2.52
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96	110.00	2.52
97	110.00	2.52
98	110.00	2.52
99	110.00	2.52
100	110.00	2.52

LOT NO.	AREA (S.F.)	AREA (AC.)
1	110.00	2.52
2	110.00	2.52
3	110.00	2.52
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6	110.00	2.52
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SEE SHEET 2 OF 3

SEE SHEET 3 OF 3

ACHIEVER CIRCLE

LEXIE LANE

MATCH LINE

WILLIAMSON COUNTY

HANCOCK COUNTY

DEVELOPER'S CERTIFICATE
 I, the undersigned, being the owner of the above described property, do hereby certify that the information contained herein is true and correct to the best of my knowledge and belief, and that the same has been prepared in accordance with the provisions of the Oklahoma Uniform Subdivision Act, Title 101, Section 10-101, et seq., of the Oklahoma Statutes.

DATE: _____

SIGNATURE: _____

Achlever Development Corporation

February 23, 2012

Costs Associated with Port Royal Estates, Spring Hill

Roadways	\$ 419,763.28
Storm Drain	\$ 432,690.32
Sewer	\$ 301,695.33
Water Lines	<u>\$ 158,453.00</u>
Total	\$1,312,601.93
Bid for Top Coat	\$ 139,798.34



March 28, 2012

City of Spring Hill
ATTN: Chris Brooks, Director of Codes
199 Town Center Parkway
Spring Hill, TN 37174
FAX: 931-486-3596 or
EMAIL: cbrooks@springhilltn.org

RE: Port Royal Estates Restriction letter dated 3/28/2012

To Whom It May Concern:

James W. Carell has \$288,000.00 that is withheld for the City of Spring Hill, TN Port Royal Estates Phase 1 and Phase 2 for the guarantee of all infrastructure completed, Improvements, and the 1 1/2 inch of final topping of asphalt to be completed in the future for Phase 1 and phase 2 of Port Royal Estates Subdivision. The account number to reference is 3002619. The account is restricted until further notice that the items mentioned in the aforementioned letter have been completed and approved/accepted by the City of Spring Hill at which time the city will require a One year Maintenance Bond be established. Upon completion and approval by the city, please send notification so that the restriction may be removed.

Our system requires a restriction expiration date. The bank has changed that date until April 21, 2020, which is the maximum length that is allowed by the system.

Please free to call me with questions regarding this issue.

Regards,



James T. Kuntz
SVP



City of Spring Hill
199 Town Center Parkway
P.O. Box 789
Spring Hill, TN 37174
Phone: 931.486.2252 ext. 214
Fax: 931.486.3596



For additional information, send inquiries to:
Chris Brooks (cbrooks@springhilltn.org)

APPLICATION FOR SURETY

PROJECT NAME: Port Royal Estates PHASE: _____ SECTION: _____
OF LOTS APPROVED: 110 # OF LOTS REMAINING: 87
SURETY TYPE: _____ MAINTENANCE PERFORMANCE _____ RESTORATION
POSTED WITH: _____ LETTER OF CREDIT _____ PERFORMANCE BOND CASH
SURETY AMOUNT: \$ 290,143.73 EXPIRATION DATE: 4/21/12
AUTOMATIC RENEWAL CLAUSE INCLUDED WITH SURETY: Y N
PURPOSE OF SURETY: Performance

NAME OF FINANCIAL INSTITUTION: TBT SURETY #: 3002619
CONTACT PERSON: Travis Anderson EMAIL: TANDERSON@TBHGLOBALASSET.COM
ADDRESS: _____ CITY, STATE, ZIP: _____
PHONE NUMBER: 615-538-7018 FAX NUMBER: _____

NAME OF OWNER/DEVELOPER OR REPRESENTATIVE: Achiever Development Corp.
ADDRESS: PO Box 210098 CITY, STATE, ZIP: Nashville, TN 37221
PHONE NUMBER: 615.630.7036 FAX NUMBER: 615.630.6633
EMAIL: TACARELL@AOL.COM

ACTION REQUEST

I (WE) REQUEST THAT THE FOLLOWING ACTION BE TAKEN:

- _____ ESTABLISH NEW SURETY
- _____ REQUEST FINAL INSPECTION AND RELEASE OF SURETY
- REQUEST REDUCTION OF SURETY AMOUNT
- _____ REQUEST EXTENSION OF SURETY FOR (1) YEAR
(PLEASE PROVIDE PROOF OF DIFFICULTY BELOW)

EXPLANATION FOR PROOF OF DIFFICULTY: _____

Chris Brooks 2/23/12
Applicant Signature / Date

Could not Reduce,
Had to add Phase 2
to Bond, credit line
CB

City of Spring Hill
Public Works Department

SUBDIVISION PORT ROYAL ESTATES PH 2				
Preconstruction Meeting				
Developer: JIM CARROL			Contractor: JOHNNY RING	
Procedure	Date	Results	Inspector	Comments
SEWER				
WPC 05-1130				
Lines Installed		YES		
Backfill Material		YES		Gravel or Compacted Dirt
Compaction Results		YES		
Air Test	5/29/2007	PASS	JACKIE	
Mandrel Test	5/29/2007	PASS	JACKIE	
Vacuum Test M.H.s	5/29/2007	PASS	JACKIE	
Mark Service Lines				
AS BUILT Drawings				
WATER				
State Approved Plans Received #WS 05-1610				
Lines Installed		YES		
Pressure Test	6/7/2006	PASS	BJ	
Bacteriological Test	6/11/2007	PASS	JACKIE	
Wire Continuity	8/29/2008	pass	bernie	
Locate Valve Boxes	7/17/2007	OK	JACKIE	
Stake Meter Boxes				
Fire Hydrant Grade	7/16/2007	OK	JACKIE	
STREETS				
Proof Roll Subgrade	5/15/2007	PASS	JACKIE	
Proof Roll Base Stone	5/29/2007	pass	JACKIE	
Check M.H. Castings	6/5/2007	OK	JACKIE	
Binder Installed	5/29/2007	ok	JACKIE	
Curb Installed				
Sidewalk Frame Inspected				Each Lot and common areas.
Sidewalks Installed				Each Lot and common areas.
Traffic & Street Signs				
Street Lights				
Topping Installed				

City of Spring Hill
Public Works Department

SUBDIVISION PORT ROYAL ESTATES					_____ PHASE 3
Preconstruction Meeting					
Developer:			Contractor:		
Procedure	Date	Results	Inspector	Comments	
SEWER					
State Approved Plans Received #					
Lines Installed					
Backfill Material				Gravel or Compacted Dirt	
Compaction Results					
Air Test					
Mandrel Test					
Vacuum Test M.H.s					
Mark Service Lines					
AS BUILT Drawings					
WATER					
State Approved Plans Received #					
Lines Installed					
Pressure Test	6/7/2006	PASS	BJ		
Bacteriological Test					
Wire Continuity					
Locate Valve Boxes					
Stake Meter Boxes					
Fire Hydrant Grade					
STREETS					
Proof Roll Subgrade					
Proof Roll Base Stone					
Check M.H. Castings					
Binder Installed					
Curb Installed					
Sidewalk Frame Inspected				Each Lot and common areas.	
Sidewalks Installed				Each Lot and common areas.	
Traffic & Street Signs					
Street Lights					
Topping Installed					

