

RESOLUTION 12-93

**A RESOLUTION TO ESTABLISH A LETTER OF CREDIT FOR
COBBLESTONE VILLAGE SUBDIVISION – PHASE 1; SECTION 1 & 1B**

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

WHEREAS, the Letter of Credit has a “shall be deemed automatically extended, without written amendment” clause so
it will only be terminated on written notification from Bank or by request of the City of Spring Hill; and

WHEREAS, the Letter of Credit is guaranteeing the construction of certain improvements for 18 lots; and

WHEREAS, the following Public Improvements are required pursuant to the Final Plat:

*All Public Improvements including Water, Sewer, Storm Water Drainage and Basins, Streets and
Curbs, Sidewalks, Street Lights and final topping to all streets with 1 ½ inches of hot mix asphalt;
and*

WHEREAS, to date, some improvements have not been constructed and/or accepted by the City and therefore a Letter
of Credit is required; and

WHEREAS, it is the recommendation of the Spring Hill Municipal Planning Commission that a Irrevocable Letter of
Credit be established for twelve (12) months, in the amount of \$72,908.00; and

WHEREAS, it is anticipated that the date of completion for the above referenced improvements will be within the
twelve (12) month period from the date of this resolution and in case such improvements are not completed in a timely
manner, then the City of Spring Hill shall pursue other measures to ensure completion; 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 City of Spring Hill Board of Mayor and Aldermen, that the
establishment of a Letter of Credit for Cobblestone Village Subdivision Phase 1; Section 1 & 1B in the amount of
\$72,908.00 is hereby approved.

**Passed and adopted by the Board of Mayor and Aldermen of the City of Spring Hill, Tennessee on the 17st
day of September, 2012.**


Michael Dinwiddie, Mayor

ATTEST:


April Goad, City Recorder

LEGAL FORM APPROVED:


Timothy P. Underwood, City Attorney

**RESOLUTION 12-21 OF THE
PLANNING COMMISSION
OF THE CITY OF SPRING HILL, TENNESSEE**

**A RESOLUTION TO ESTABLISH A LETTER OF CREDIT FOR
COBBLESTONE VILLAGE SUBDIVISION – PHASE 1; SECTION 1 & 1B**

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

WHEREAS, the Letter of Credit has a “shall be deemed automatically extended, without written amendment” clause so it will only be terminated on written notification from Bank or by request of the City of Spring Hill; and

WHEREAS, the Letter of Credit is guaranteeing the construction of certain improvements for 18 lots; and

WHEREAS, the following Public Improvements are required pursuant to the Final Plat:
All Public Improvements including Water, Sewer, Storm Water Drainage and Basins, Streets and Curbs, Sidewalks, Street Lights and final topping to all streets with 1 ½ inches of hot mix asphalt; and

WHEREAS, to date, some improvements have not been constructed and/or accepted by the City and therefore a Letter of Credit is required; and

WHEREAS, it is the recommendation of the Codes Department that a Irrevocable Letter of Credit be established for twelve (12) months, in the amount of \$72,908.00; 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 Cobblestone Village Subdivision Phase 1; Section 1 & 1B in the amount of \$72,908.00 is hereby recommended to the Board of Mayor and Aldermen.

Passed and adopted this 10th day of September, 2012.

Jonathon Schwartz, Chairman

Michael Dinwiddie, Secretary



COMMUNITY FIRST BANK & TRUST

Expect more from your bank.

501 S. James M. Campbell Blvd.
Columbia, TN 38401

Date: August 20, 2012
Letter of Credit No: 61004648
Expiration: August 20, 2013

Town of Spring Hill
199 Town Center Parkway
Spring Hill, TN 37174

Re: Irrevocable Standby Letter of Credit for
Golden Excavating & Utilities, LLC
Cobblestone Village Phase I Section I being lots 46, 47, 48, 49, 50, 61, 28, 44, 45, 47, 78, 79, 80
Cobblestone Village Phase I Section IB being lots 51, 81, 82, 83, 84

We hereby establish an Irrevocable Letter of Credit for the account of Golden Excavating & Utilities, LLC, developer of Cobblestone Village Phase I, Section I and IB, a residential subdivision in Spring Hill, TN, in the amount of **Seventy Two Thousand Nine Hundred Eight Dollars and no/100 (\$72,908.00)** available by draft at sight for payment in full for completion of the water system (with satisfactory bacteriological water sample tests), completion of the sanitary sewer system (including vacuum testing), installation of storm water drainage system (includes soils stabilization), asphalt binder, asphalt topping and concrete curbing with backfill, seed & straw /matting of right- of-way. Upon completion of these items, you should notify the City and request an inspection of the infrastructure items.

In the event of the failure of the Developer to complete the water system, sewer system and installation of storm water drainage system, asphalt binder, and concrete curbing with backfill, seed & straw/matting of right-of-way, as required by the Town of Spring Hill prior to the expiration date of this instrument the Town of Spring Hill shall notify the Bank in writing. Upon such notification, the Bank shall either renew the Letter of Credit for a term acceptable to the Town of Spring Hill or pay the amount set forth above to the Town of Spring Hill. In case of default, Community First Bank & Trust hereby irrevocably agrees to pay the sum of **Seventy Two Thousand Nine Hundred Eight Dollars and no/100 (\$72,908.00)** for the improvements to be completed on behalf of the Town of Spring Hill in conjunction with this Project. The Town of Spring Hill agrees to refund to Community First Bank & Trust any amounts not expended by the Town of Spring Hill to complete the unfinished requirements of the said Project.

It is understood and agreed that this in no way limits the liability of the developer for any costs in addition to **Seventy Two Thousand Nine Hundred Eight Dollars and no/100 (\$72,908.00)**.

It is a condition of this Letter of Credit that it shall be deemed automatically extended, without amendment for a one (1) year period from the expiration date shown here on, or any future expiration date unless at least sixty (60) days prior to any expiration date we send notice to the Town of Spring Hill by Registered Mail that we elect not to renew this Letter of Credit for any such additional period.

The Bank agrees with you that your drafts under and in strict compliance with the terms of this letter of credit will be duly honored if properly presented to this Bank before the above expiration date.

Sincerely,

Jim Bratton
Senior Vice President
Chief Credit Officer

Except as otherwise expressly stated herein, this credit is subject to the Uniform Customs and Practice for Documentary Credits (1993 Revision). Internal Chamber of Commerce Publication No. 500.

BOND INFORMATION SHEET

Site Name: Cobblestone Subdivision

| | | | |
|--------------------------------|--------------------------------|---------------------------|-------------------------------------|
| Type of Bond: Letter of Credit | Original Bond Amount: \$72,908 | Type of Action Requested: | |
| Bond #: 61004648 | Current Bond Amount: \$72,809 | Establish Bond | <input checked="" type="checkbox"/> |
| Bond Issued: 8/20/2012 | | Bond Renewal | <input type="checkbox"/> |
| Expiration Date: 8/20/2013 | | Bond Reduction | <input type="checkbox"/> |
| Auto-Renewal | | 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 |
| Final Topping installed: | No |
| Street Signs Installed: | Yes |
| Street Lights Required: | Yes |
| Side Walks Required: | Yes |

| | |
|--------------------------------|------------|
| Sewer | |
| Sewer Line Installed: | Yes |
| Sewer Line Tested: | 11/24/2012 |
| 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: | 1/29/2010 |
| "As Built" Drawings Submitted: | Yes |
| Meets City Specifications: | Yes |

** If stone base is installed, compaction testing is not required

BOND INFORMATION SHEET

Site Name: Cobblestone Subdivision

| Miscellaneous Site Information | | | |
|--|-----------|----------------|-------------------------------|
| Total Number of Lots: | 18 | Developer: | Golden Excavation & Utilities |
| Current Number of Available Building Lots: | 18 | In Bankruptcy: | No |
| Amenities: | Complete: | | |
| 1 | | | |
| 2 | | | |
| 3 | | | |

Staff Comments:

1. See inspection log for details
2. A final walk through inspection will need to be requested and completed prior to release of the Letter of Credit and establishment of a maintenance bond.
3. Final Plat to be recorded after receipt of bond by Codes Dept.
4. Bond is set at 25% utilities & 110 % top coat, Letter of Credit can not be reduced.

Staff Recommendation:

Establish letter of credit for Cobblestone Subdivision, Phase 1; Section 1 & 1B

Chris Brooks
Director of Codes
City of Spring Hill

City of Spring Hill
Public Works Department

| | | | | |
|---------------------------------|----------------|----------------|-------------------|----------------------------|
| Subdivision: Cobblestone | | Ph. 1&2 | | |
| Golden Excavation | | | | |
| B | | | | |
| Procedure | Date | Results | E.Ragsdale | Comments |
| Pre con meetinn | 4/27/2009 | | | |
| SEWER | | | | |
| State Approved Plans Received # | | | | |
| Lines Installed | 10/15/2009 | | | compacted material |
| Backfill Material | STONE | | | Gravel or Compacted Dirt |
| Compaction Results | | | | |
| Air Test | 11-19-09,11-24 | PASSED | CB, ER | phase 1 sec 1 4/27/12 pass |
| Mandrel Test | 11/24/2009 | PASSED | ER | phase 1 sec 1 4/27/12 pass |
| Vacuum Test M.H.s | 1/4/2010 | PASSED | ER | phase 1 sec 1 4/27/12 pass |
| Mark Service Lines | 1/20/2010 | | ER | ok |
| AS BUILT Drawings | 2/4/2010 | | E,JV | 7/27/12 to jim |
| WATER | | | | |
| State Approved Plans Received # | | | | |
| Lines Installed | 12/15/2009 | | | PH.2 SEC 1 ONLY |
| Pressure Test | 1/29/2010 | PASSED | ER | |
| Bacteriological Test | 2/5/2010 | PASSED | ER,TCN | |
| Wire Continuity | | | | |
| Locate Valve Boxes | 1/20/2010 | | | 7/5/12 ok |
| Stake Meter Boxes | 1/20/2010 | | | |
| Fire Hydrant Grade | 1/20/2010 | | | ok |
| STREETS | | | | |
| Proof Roll Subgrade | 11/3/2009 | PASSED | ER | |
| Proof Roll Base Stone | 12/21/2009 | PASSED | ER | 6/14/12 PHASE 1 SEC 1 OK |
| Check M.H. Castings | | | | |
| Binder Installed | 12/22/2009 | | ER | 6/22/12 PHASE 1 SEC 1 OK |
| Curb Installed | 1/19/2010 | | ER | 6/29/12 PHASE 1 SEC 1 OK |
| Sidewalk Frame Inspected | | | | Each Lot and common areas. |
| Sidewalks Installed | | | | Each Lot and common areas. |
| Traffic & Street Signs | 2/3/2010 | | | |
| Street Lights | | | | |
| Topping Installed | | | | |

