

RESOLUTION 20-166

A RESOLUTION AUTHORIZING ACCEPTANCE OF OFFER OF DEDICATION OF ROAD RIGHTS-OF-WAY AND PUBLIC IMPROVEMENTS SHOWN ON THE EXISTING PLAT FOR BRIXWORTH PHASE 4, SECTION 2

WHEREAS, developer Smart Living, LLC has a recorded Final Plat for Brixworth Phase 4, Section 2 in Williamson County Plat Book P68, Page 138; and

WHEREAS, said Plat shows 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 has been furnished by the City of Spring Hill indicating that through inspections of the road rights-of-way, the design intent has been achieved; and

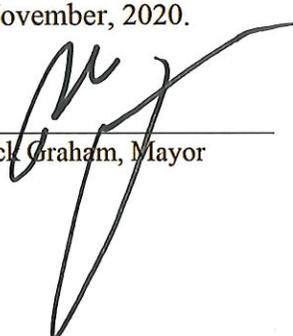
WHEREAS, the developer is required to submit an "as-built" survey of the public improvements including water, sewer and drainage; and

WHEREAS, on October 12, 2020, the City of Spring Hill Planning Commission recommended the Road Rights-of-Way and Public Improvements for Brixworth Phase 4, Section 2 be accepted; and

WHEREAS, 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 and Public Improvements be accepted and the same become a part of the public systems of the City of Spring Hill.

NOW, THEREFORE BE IT RESOLVED, by the City of Spring Hill Board of Mayor and Aldermen that dedication and acceptance of Road Rights-of Way and Public Improvements within Brixworth Phase 4, Section 2 as shown on the recorded plat is hereby approved.

Passed and adopted this 16th day of November, 2020.



Rick Graham, Mayor

ATTEST:



April Goad, City Recorder

LEGAL FORM APPROVED:



Patrick Carter, City Attorney

**FORM FOR OFFER OF
IRREVOCABLE DEDICATION**

AGREEMENT made this 16th day of NOVEMBER 2020, 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 SMART LIVING, LLC, a LIMITED LIABILITY COMPANY having its office and place of business at 2101 W. CLINTON AVENUE, STE. 201 hereinafter designated as the "developer". HUNTSVILLE, AL

WHEREAS, the Spring Hill Planning Commission is in the process of approving a subdivision plat entitled BRIXWORTH PHASE 4, dated 9-12-16 and prepared by WES ENGINEERS and SECTION 2 SURVEYORS §

WHEREAS, said plat designates certain public improvements consisting of Roads, Right of Way, water lines, sewer lines, storm drain, curbs, and sidewalks 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 Developer, simultaneously herewith, shall post a performance surety with the City for the construction, maintenance, and dedication of said improvements, if required;

WHEREAS, the Developer is desirous of offering for dedication the said improvements and land to the City more particularly described in Schedule PLATS attached hereto;

WHEREAS, the Developer has delivered Documents or 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 Developer and other good and valuable consideration, it is mutually **AGREED** as follows:

- A. The Developer herewith delivers to the City Documents or Deeds of conveyance for the premises described in Schedule PLATS attached hereto, 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 Developer agrees that said formal offer of Dedication is irrevocable and can be accepted by the City at any time.
- C. The Developer agrees to complete the construction and maintenance of the land and improvements pursuant to the performance surety and the requirements of the Spring Hill Planning Commission and any ordinances, regulations, requirements, covenants, and agreements that may be 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 and shall furnish to the City a check for all necessary fees and taxes to record the Documents heretofore delivered.
- D. That this irrevocable offer of dedication shall run with land and shall be binding on all assigns, guarantees, successors, or heirs of the Developer.
- E. The City by action of the Board of Mayor and Aldermen on the 16th day of NOVEMBER, 2020, 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

Developer Company Name:

SMART LIVING LLC

Developer Signature

Date 10/29 2020

(CORPORATE SEAL)

ATTEST:

FOR THE CITY OF SPRING HILL:

BY:

Signature

Printed Name

STATE OF TENNESSEE ALABAMA

(COUNTY OF MAISON)

On this 29 day of OCTOBER 2020, before me personally appeared LOUIS W. BEARD to me known, who, being by me first duly sworn, did depose and say that he resides in FLORIDA; that he is the MANAGER of SMART LIVING LLC the corporate seal affixed to said instrument is such corporate seal; that it was so affixed by order and authority of the Board of Directors of said corporation, and that he signed his name thereto by like order and authority.



INDIVIDUAL



REQUEST: *Approval of Resolution 20-166*
SUBMITTED BY: Tom Wolf, City Engineer
DATE: November 2, 2020
RE: Acceptance of Road ROW & Public Improvements for
Brixworth Phase 4, Section 2
ATTACHMENTS: Resolution 20-166, Certificate of Satisfactory Completion, Final
Plat

PURPOSE:

The purpose of this memo is to provide information regarding a resolution to accept the dedication of road rights-of-way and public improvements for Brixworth Phase 4, Section 2 as recommended by the Planning Commission.

BACKGROUND:

The Planning Commission recommends accepting the road rights-of-way and public improvements for Brixworth Phase 4, Section 2, per PC Resolution 20-80 passed by the Planning Commission on October 12, 2020. The one year for the maintenance bond has been fulfilled and City staff has issued certificates of satisfaction for this phase.

STAFF RECOMMENDATION:

Staff recommends approval of the request.



CERTIFICATE OF SATISFACTORY COMPLETION

Date: 9/22/20

Smart Living, LLC

Brixworth

Phase 4 Section 2

Development Name: Brixworth

Phase or Section of Construction: Phase 4 Section 2

Public Improvements: Water, sewer, storm water drainage and basins, streets, curbs, sidewalks, street signs, street lights, final topping

I hereby certify that I have supervised and inspected the improvements to ensure that the design intent has been achieved.

Record Drawings have been submitted by Applicant's engineer to the City pursuant to ordinance requirements.

Michael W. SA
City of Spring Hill Utility Inspector (signature)

Michael W. Stephens
Printed name

Approved By:

S.K.T.
City of Spring Hill Engineering Dept.

SARAH KATHERINE TOTTY
Printed name

199 TOWN CENTER PARKWAY

P.O. BOX 789

SPRING HILL, TN 37174

PHONE (931)486-2252 NASHVILLE LINE (615)248-6307 WILLIAMSON CO. (615)599-2614 FAX (931)486-0516

CERTIFICATE OF OWNERSHIP AND DEDICATION
 I, the undersigned, being the owner of the above described property, do hereby certify that the same is being dedicated to the public use and purpose of the property as shown on the attached plat, and that the same is being dedicated to the public use and purpose of the property as shown on the attached plat, and that the same is being dedicated to the public use and purpose of the property as shown on the attached plat.

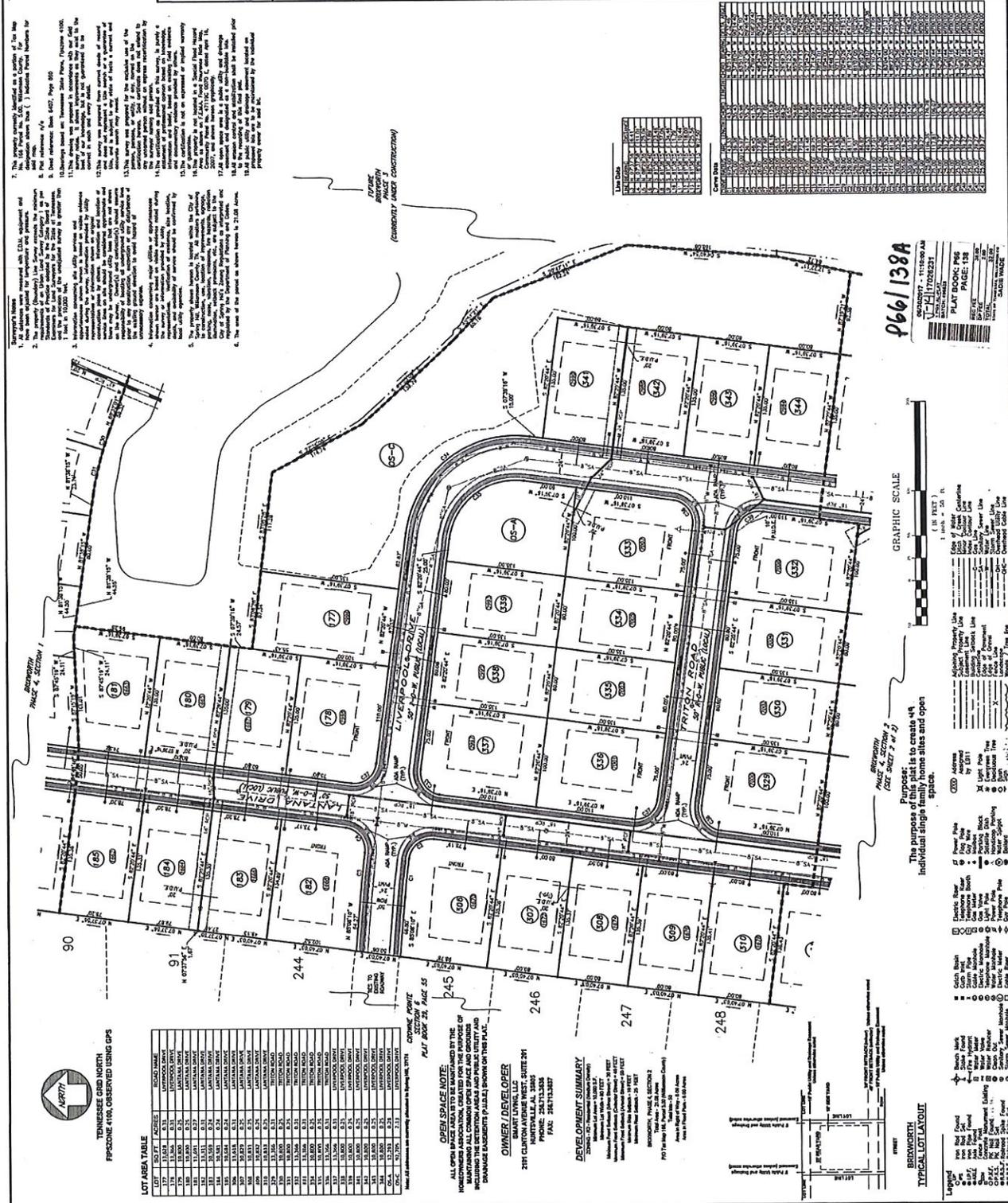
CERTIFICATE OF APPROVAL FOR WATER SYSTEM
 I, the undersigned, being the owner of the above described property, do hereby certify that the same is being dedicated to the public use and purpose of the property as shown on the attached plat, and that the same is being dedicated to the public use and purpose of the property as shown on the attached plat, and that the same is being dedicated to the public use and purpose of the property as shown on the attached plat.

CERTIFICATE OF APPROVAL FOR SEWER SYSTEM
 I, the undersigned, being the owner of the above described property, do hereby certify that the same is being dedicated to the public use and purpose of the property as shown on the attached plat, and that the same is being dedicated to the public use and purpose of the property as shown on the attached plat, and that the same is being dedicated to the public use and purpose of the property as shown on the attached plat.

CERTIFICATE OF APPROVAL FOR COMMON AREAS DEDICATION
 I, the undersigned, being the owner of the above described property, do hereby certify that the same is being dedicated to the public use and purpose of the property as shown on the attached plat, and that the same is being dedicated to the public use and purpose of the property as shown on the attached plat, and that the same is being dedicated to the public use and purpose of the property as shown on the attached plat.

CERTIFICATE OF APPROVAL FOR SUBDIVISION NAMES AND STREET NAMES
 I, the undersigned, being the owner of the above described property, do hereby certify that the same is being dedicated to the public use and purpose of the property as shown on the attached plat, and that the same is being dedicated to the public use and purpose of the property as shown on the attached plat, and that the same is being dedicated to the public use and purpose of the property as shown on the attached plat.

CERTIFICATE OF SURVEY ACCURACY
 I, the undersigned, being the owner of the above described property, do hereby certify that the same is being dedicated to the public use and purpose of the property as shown on the attached plat, and that the same is being dedicated to the public use and purpose of the property as shown on the attached plat, and that the same is being dedicated to the public use and purpose of the property as shown on the attached plat.



LOT AREA TABLE

LOT	SQ. FT.	ACRES	ROAD NAME
17	11,800	0.27	LIVERPOOLS DRIVE
18	11,800	0.27	LIVERPOOLS DRIVE
19	11,800	0.27	LIVERPOOLS DRIVE
20	11,800	0.27	LIVERPOOLS DRIVE
21	11,800	0.27	LIVERPOOLS DRIVE
22	11,800	0.27	LIVERPOOLS DRIVE
23	11,800	0.27	LIVERPOOLS DRIVE
24	11,800	0.27	LIVERPOOLS DRIVE
25	11,800	0.27	LIVERPOOLS DRIVE
26	11,800	0.27	LIVERPOOLS DRIVE
27	11,800	0.27	LIVERPOOLS DRIVE
28	11,800	0.27	LIVERPOOLS DRIVE
29	11,800	0.27	LIVERPOOLS DRIVE
30	11,800	0.27	LIVERPOOLS DRIVE
31	11,800	0.27	LIVERPOOLS DRIVE
32	11,800	0.27	LIVERPOOLS DRIVE
33	11,800	0.27	LIVERPOOLS DRIVE
34	11,800	0.27	LIVERPOOLS DRIVE
35	11,800	0.27	LIVERPOOLS DRIVE
36	11,800	0.27	LIVERPOOLS DRIVE
37	11,800	0.27	LIVERPOOLS DRIVE
38	11,800	0.27	LIVERPOOLS DRIVE
39	11,800	0.27	LIVERPOOLS DRIVE
40	11,800	0.27	LIVERPOOLS DRIVE
41	11,800	0.27	LIVERPOOLS DRIVE
42	11,800	0.27	LIVERPOOLS DRIVE
43	11,800	0.27	LIVERPOOLS DRIVE
44	11,800	0.27	LIVERPOOLS DRIVE
45	11,800	0.27	LIVERPOOLS DRIVE
46	11,800	0.27	LIVERPOOLS DRIVE
47	11,800	0.27	LIVERPOOLS DRIVE
48	11,800	0.27	LIVERPOOLS DRIVE

OPEN SPACE NOTE
 ALL OPEN SPACE SHOWN ON THIS PLAN IS TO BE MAINTAINED AS OPEN SPACE AND NOT TO BE USED FOR ANY OTHER PURPOSE.

OWNER / DEVELOPER
 SMART LANE LLC
 2111 CLAYTON AVENUE, SUITE 201
 HUNTSVILLE, AL 35895
 PHONE: 256-233-1333

DEVELOPMENT SUMMARY
 TOTAL LOTS: 48
 TOTAL ACRES: 11.136
 TOTAL SQ. FT.: 1,300,800

BRAYBORN SUBDIVISION
 PHASE 4, SECTION 2
 PLAT BOOK: PBE PAGE: 138

