

RESOLUTION 21-112

A RESOLUTION REQUESTING ADHERANCE TO THE CONDITIONS OF APPROVAL FOR NEIGHBORHOOD CONCEPT PLAN 489-2018.

WHEREAS, the City of Spring Hill Planning Commission has been granted the authority to regulate development within the City of Spring Hill as described under Tennessee state law TCA 13-7-201; and

WHEREAS, in 2015 the Board of Mayor and Alderman approved the rezone of real property located along Kedron Road for the development of a single family home community that would become known as Southern Springs; and

WHEREAS, Pulte Homes is the developer of Southern Springs; and,

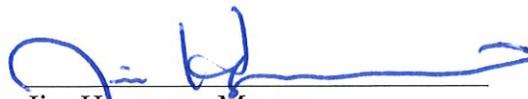
WHEREAS, in April 2018 Pulte Homes submitted an application for a Neighborhood Concept Plan (NCP) for phase 7 & 8 of Southern Springs as required by the Spring Hill Zoning Ordinance; and,

WHEREAS, approval of NCP 489-2018 in April 2018 by the Spring Hill Planning Commission included condition of approval number four which reads "Modify the access note on Sheet 1 and elsewhere to read: The emergency access roadway from Hardin Place to Kedron Road shall be provided by the developer if the adjacent commercial site to the east does not develop and provide such access prior to the development of Phase 7. The emergency access is to be constructed to city street standards; including construction and dedication"; and

WHEREAS, to date, Pulte Homes has failed to adhere to the required conditions of the approved Neighborhood Concept Plan.

NOW, THEREFORE BE IT RESOLVED, that the City of Spring Hill Board of Mayor and Aldermen hereby request that Pulte Homes adhere to condition of approval number four for Neighborhood Concept Plan 489-2018 and that the emergency access roadway from Hardin Place to Kedron Road shall be provided by the developer.

Passed and adopted by the Board of Mayor and Aldermen of the City of Spring Hill, Tennessee on the 19th day of July, 2021.


Jim Hagaman, Mayor

ATTEST:

April Goad

April Goad, City Recorder

LEGAL FORM APPROVED:

Patrick Carter

Patrick Carter, City Attorney



Date: July 6, 2021

Memo To: Board of Mayor and Aldermen

From: Matt Fitterer, Alderman

RE: Resolution requesting adherence to Neighborhood Concept Plan condition of approval

Recently, staff has become aware that Pulte Homes has failed to adhere to a previously approved condition of approval during the early stages of the entitlement process for phase 7 and 8 of the Southern Springs development.

During the NCP step for phase 7 & 8 of the Southern Springs development, the Spring Hill Planning Commission, as a condition of approval, required Pulte Homes to construct a secondary access point between Kedron Rd and phase 7 of the development in the event the proposed commercial construction to the east failed to materialize prior to the recording of the phase 7 final plat. While Pulte provided easements for this secondary access on subsequent preliminary and final plat applications, the prescriptive nature of the condition was excluded and missed by the Planning Department Staff and Planning Commission at the time.

This lack of adherence to the condition of approval is to the detriment of the health, safety and welfare of Southern Springs residents, and Spring Hill at large.

Unfortunately, there does not appear to be a legislative solution to correct this predicament and at this point Pulte's compliance would be voluntary. Approving the enclosed Resolution would serve to formally provide notice to Pulte of the breach and request remedy.

13. **ADM 488-2018:** Submitted by Stacy Santoro for Hampton Springs. The property is zoned R-2, Medium Density Residential, PUD, and contains approximately 25.48 acres. The applicant requests a minor modification.

Staff Recommendations and Conditions:

Assistant City Manager:

1. Should the Planning Commission permit the applicant to post a bond in lieu of constructing the amenity feature as required in the condition of approval, the applicant shall provide a detailed construction plan and associated cost estimate in order to properly determine a construction valuation for the improvements to determine an appropriate bond amount to cover the construction of all required amenity features including landscaping.

Commissioner Benne made a motion to defer **ADM 488-2018**. Motion seconded by Commissioner Graham. Motion to defer passed 6/1.

14. **NCP 489-2018:** Submitted by ESP Associates for Southern Springs Phases 7 & 8. The property is zoned B-4, Central Business district and contains approximately 90 acres. The applicant requests a neighborhood concept plan approval for 201 single family residential lots.

Staff Recommendations and Conditions:

Planning Department:

1. Approval of the neighborhood concept plan shall be valid for a period of three (3) years during which time a preliminary plat application must be submitted for Planning Commission review and approval.
2. Modifications to the approved neighborhood concept plan may require Planning Commission approval prior to submittal of a preliminary plat application.
3. Walking trails to be a minimum of 8 feet wide and a hard stable walking surface.
4. Modify the access note on Sheet 1 and elsewhere to read: The emergency access roadway from Hardin Place to Kedron Road shall be provided by the developer if the adjacent commercial site to the east does not develop and provide such access prior to the development of Phase 7. The emergency access is to be constructed to city street standards; including construction and dedication.

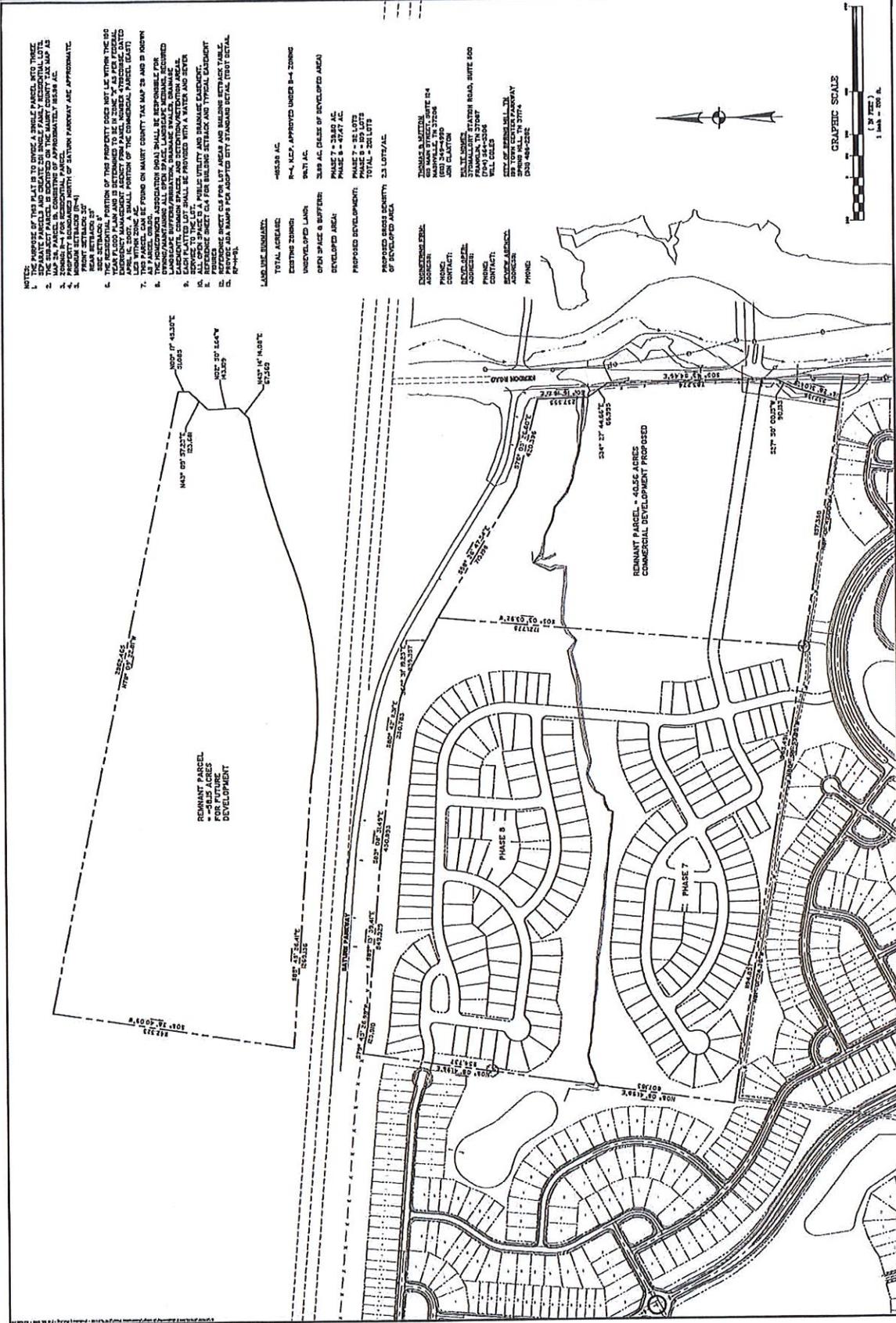
Assistant City Manager:

1. In addition to installing a berm along the property line adjoining the right-of-way of Saturn Parkway, the applicant shall preserve and protect the existing tree line along the entire northern property edge fronting along Saturn Parkway as an added landscaping and screening measure.

Alderman Fitterer made a motion to approve **NCP 489-2018** with staff provided conditions. Motion seconded by Commissioner Graham. Motion passed 7/0.

OTHER BUSINESS.

1. **ORD 18-12:** Submitted by the City of Spring Hill to amend Title 14, Section 2 of the Spring Hill Municipal Code by removing 1.1(1) of Article VII (Provisions Governing Business Districts).



- NOTES:**
1. THE PURPOSE OF THIS PLAT IS TO DIVIDE A SINGLE PARCEL INTO THREE SEPARATE PARCELS AND CREATE SIX SINGLE-FAMILY RESIDENTIAL LOTS.
 2. THE LOTS ARE TO BE USED FOR SINGLE-FAMILY RESIDENTIAL PURPOSES AS SHOWN ON THE PLAT.
 3. THE LOTS ARE TO BE USED FOR SINGLE-FAMILY RESIDENTIAL PURPOSES AS SHOWN ON THE PLAT.
 4. THE LOTS ARE TO BE USED FOR SINGLE-FAMILY RESIDENTIAL PURPOSES AS SHOWN ON THE PLAT.
 5. THE LOTS ARE TO BE USED FOR SINGLE-FAMILY RESIDENTIAL PURPOSES AS SHOWN ON THE PLAT.
 6. THE LOTS ARE TO BE USED FOR SINGLE-FAMILY RESIDENTIAL PURPOSES AS SHOWN ON THE PLAT.
 7. THE PLAT CAN BE FOUND ON MANY COUNTY TAX MAPS AND IS IDENTIFIED AS PHASE 7.
 8. THE PLAT CAN BE FOUND ON MANY COUNTY TAX MAPS AND IS IDENTIFIED AS PHASE 8.
 9. THE PLAT CAN BE FOUND ON MANY COUNTY TAX MAPS AND IS IDENTIFIED AS PHASE 9.
 10. THE PLAT CAN BE FOUND ON MANY COUNTY TAX MAPS AND IS IDENTIFIED AS PHASE 10.
 11. THE PLAT CAN BE FOUND ON MANY COUNTY TAX MAPS AND IS IDENTIFIED AS PHASE 11.
 12. THE PLAT CAN BE FOUND ON MANY COUNTY TAX MAPS AND IS IDENTIFIED AS PHASE 12.
 13. THE PLAT CAN BE FOUND ON MANY COUNTY TAX MAPS AND IS IDENTIFIED AS PHASE 13.
 14. THE PLAT CAN BE FOUND ON MANY COUNTY TAX MAPS AND IS IDENTIFIED AS PHASE 14.
 15. THE PLAT CAN BE FOUND ON MANY COUNTY TAX MAPS AND IS IDENTIFIED AS PHASE 15.
 16. THE PLAT CAN BE FOUND ON MANY COUNTY TAX MAPS AND IS IDENTIFIED AS PHASE 16.
 17. THE PLAT CAN BE FOUND ON MANY COUNTY TAX MAPS AND IS IDENTIFIED AS PHASE 17.
 18. THE PLAT CAN BE FOUND ON MANY COUNTY TAX MAPS AND IS IDENTIFIED AS PHASE 18.
 19. THE PLAT CAN BE FOUND ON MANY COUNTY TAX MAPS AND IS IDENTIFIED AS PHASE 19.
 20. THE PLAT CAN BE FOUND ON MANY COUNTY TAX MAPS AND IS IDENTIFIED AS PHASE 20.

LAND USE SUMMARY:

TOTAL ACRES:	40.56 AC.
DEVELOPED LAND:	0.00 AC.
UNDEVELOPED LAND:	40.56 AC.
DEVELOPED AREA:	0.00 AC.
UNDEVELOPED AREA:	40.56 AC.
PROPOSED DEVELOPMENT:	PHASE 7 - 20.00 AC. PHASE 8 - 20.56 AC.
REMANANT PARCEL:	40.56 AC.

THOMAS & HUTTON
 415 N. Main Street • Suite 101
 High Ridge, TN 37226 • 615.916.4990
 www.thomashutton.com

PHASE 7:
 DEVELOPER: PULTE HOMES
 ADDRESS: 415 N. MAIN STREET, SUITE 101
 HIGH RIDGE, TN 37226
 PHONE: 615.916.4990

PHASE 8:
 DEVELOPER: PULTE HOMES
 ADDRESS: 415 N. MAIN STREET, SUITE 101
 HIGH RIDGE, TN 37226
 PHONE: 615.916.4990

Overall site



NO.	REVISION	DATE
1	PRELIMINARY	05/15/20
2	REVISED	05/15/20
3	REVISED	05/15/20

THOMAS A. HUTTON
 4115 N. STATE ST. SUITE 101
 TAMPA, FL 33610
 TEL: 813.241.4100
 FAX: 813.241.4101
 WWW.THOMASHUTTON.COM

PULTE HOMES
 1700 N. W. 13th Ave. Suite 100
 Ft. Lauderdale, FL 33304
 TEL: 954.575.1100
 FAX: 954.575.1101

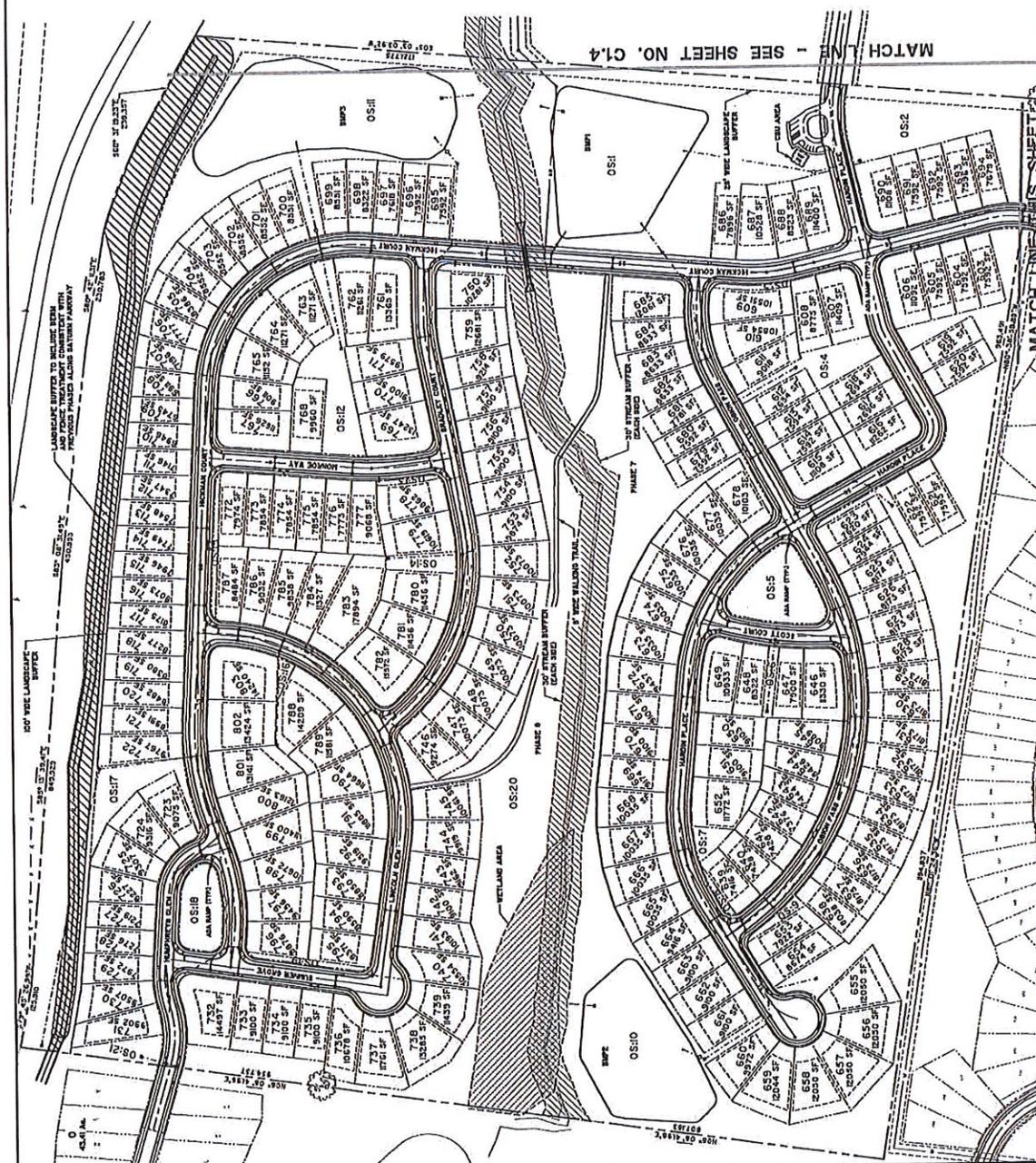
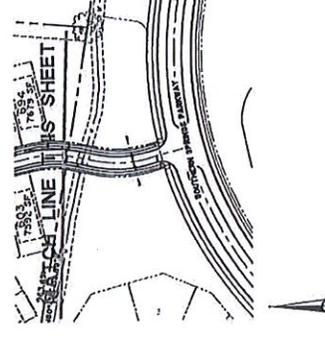
C1.3
 SOUTHERN SPRINGS - PHASES 7 & 8
 PHASES 7 & 8
 PHASES 7 & 8

- NOTES:**
1. THE PURPOSE OF THIS PLAN IS TO DIVIDE A SINGLE PARCEL INTO THREE (3) LOTS AND TO PROVIDE FOR THE CONSTRUCTION OF A PAVEMENTED DRIVEWAY AND DRIVEWAY TREATMENT CONDUIT WITH PRELIMINARY DESIGN FOR A 15' WIDE LANDSCAPE BUFFER AND 15' WIDE LANDSCAPE BUFFER.
 2. THE LOTS SHALL BE CONVEYED TO THE COUNTY OF DADE AS PHASE 7 AND PHASE 8 FOR RESIDENTIAL USE.
 3. THE LOTS SHALL BE CONVEYED TO THE COUNTY OF DADE AS PHASE 7 AND PHASE 8 FOR RESIDENTIAL USE.
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 10. THE LOTS SHALL BE CONVEYED TO THE COUNTY OF DADE AS PHASE 7 AND PHASE 8 FOR RESIDENTIAL USE.
 11. THE LOTS SHALL BE CONVEYED TO THE COUNTY OF DADE AS PHASE 7 AND PHASE 8 FOR RESIDENTIAL USE.
 12. THE LOTS SHALL BE CONVEYED TO THE COUNTY OF DADE AS PHASE 7 AND PHASE 8 FOR RESIDENTIAL USE.

LAND USE SUMMARY:

TOTAL ACRES: 1.25
 EXISTING ZONING: R-4, A-2, APPROVED UNDER R-4 ZONING
 UNDEVELOPED LAND: 0.25 AC.
 OPEN SPACE & BUFFER: 0.25 AC. (SEE DISCUSSION OF DEVELOPED AREA)
 DEVELOPED AREA: 0.75 AC.
 PROPOSED DEVELOPMENTS:
 PHASE 7 - 0.25 AC.
 PHASE 8 - 0.25 AC.
 TOTAL: 0.50 AC.
 PROPOSED BUFFER SECURITY: 2.5 LOTS/AC.
 OF DEVELOPED AREA.

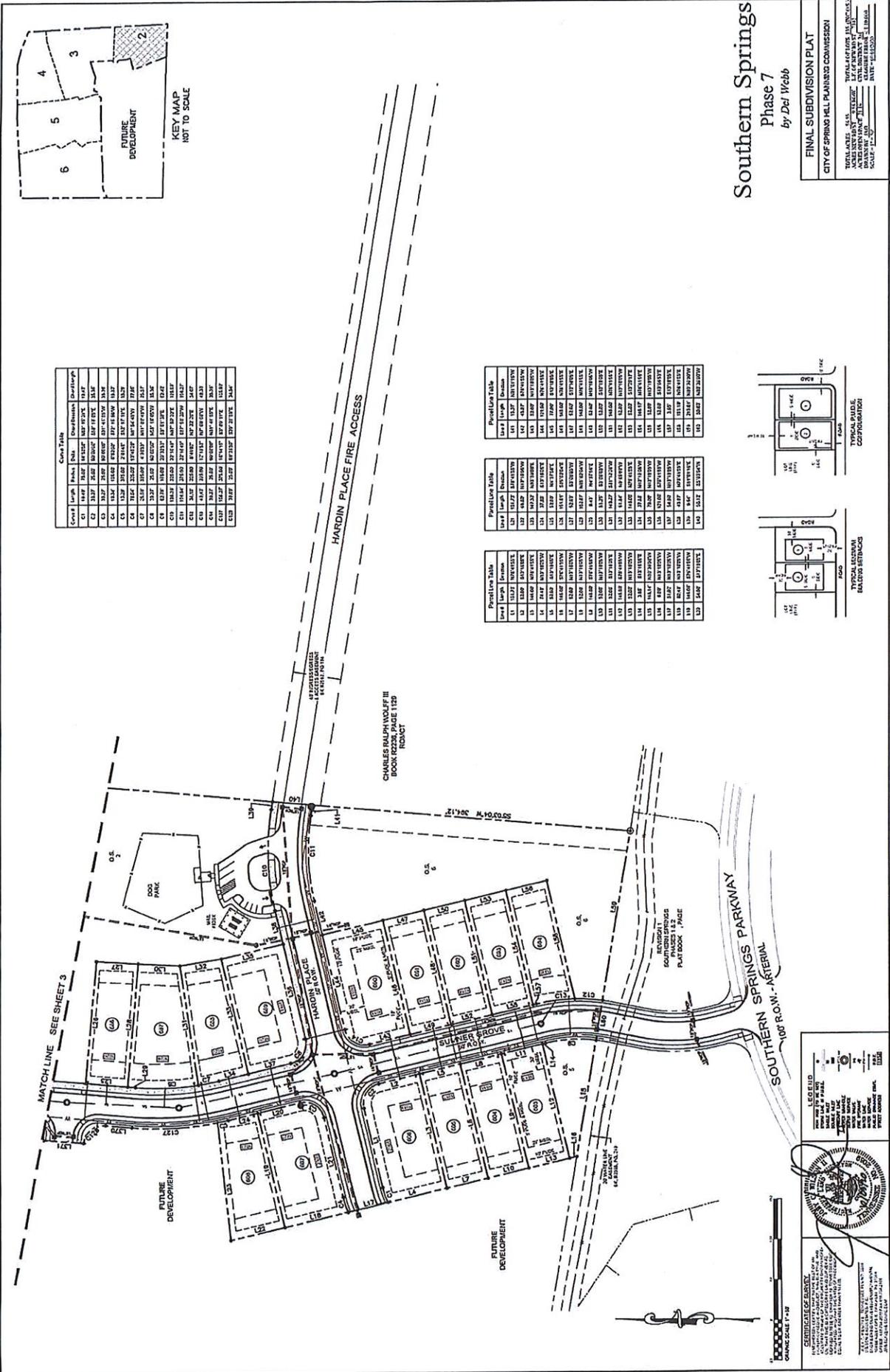
PREPARED BY: THOMAS A. HUTTON
APPROVED: THOMAS A. HUTTON
DATE: 05/15/20
PROJECT: SOUTHERN SPRINGS - PHASES 7 & 8
CLIENT: PULTE HOMES
ADDRESS: 1700 N. W. 13th Ave. Suite 100, Ft. Lauderdale, FL 33304
PHONE: 954.575.1100
FAX: 954.575.1101
EMAIL: thutton@thomashutton.com



MATCH LINE - SEE SHEET NO. C1.4

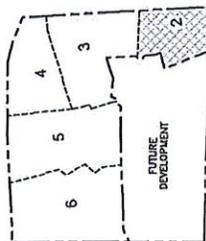
MATCH LINE - SEE SHEET NO. C1.2

Preliminary Plat



Comp Table

Comp	Length	Area	Perimeter	Development
C1	10.00	10.00	10.00	10.00
C2	10.00	10.00	10.00	10.00
C3	10.00	10.00	10.00	10.00
C4	10.00	10.00	10.00	10.00
C5	10.00	10.00	10.00	10.00
C6	10.00	10.00	10.00	10.00
C7	10.00	10.00	10.00	10.00
C8	10.00	10.00	10.00	10.00
C9	10.00	10.00	10.00	10.00
C10	10.00	10.00	10.00	10.00
C11	10.00	10.00	10.00	10.00
C12	10.00	10.00	10.00	10.00
C13	10.00	10.00	10.00	10.00
C14	10.00	10.00	10.00	10.00
C15	10.00	10.00	10.00	10.00
C16	10.00	10.00	10.00	10.00
C17	10.00	10.00	10.00	10.00
C18	10.00	10.00	10.00	10.00
C19	10.00	10.00	10.00	10.00
C20	10.00	10.00	10.00	10.00
C21	10.00	10.00	10.00	10.00
C22	10.00	10.00	10.00	10.00
C23	10.00	10.00	10.00	10.00
C24	10.00	10.00	10.00	10.00
C25	10.00	10.00	10.00	10.00
C26	10.00	10.00	10.00	10.00
C27	10.00	10.00	10.00	10.00
C28	10.00	10.00	10.00	10.00
C29	10.00	10.00	10.00	10.00
C30	10.00	10.00	10.00	10.00
C31	10.00	10.00	10.00	10.00
C32	10.00	10.00	10.00	10.00
C33	10.00	10.00	10.00	10.00
C34	10.00	10.00	10.00	10.00
C35	10.00	10.00	10.00	10.00
C36	10.00	10.00	10.00	10.00
C37	10.00	10.00	10.00	10.00
C38	10.00	10.00	10.00	10.00
C39	10.00	10.00	10.00	10.00
C40	10.00	10.00	10.00	10.00
C41	10.00	10.00	10.00	10.00
C42	10.00	10.00	10.00	10.00
C43	10.00	10.00	10.00	10.00
C44	10.00	10.00	10.00	10.00
C45	10.00	10.00	10.00	10.00
C46	10.00	10.00	10.00	10.00
C47	10.00	10.00	10.00	10.00
C48	10.00	10.00	10.00	10.00
C49	10.00	10.00	10.00	10.00
C50	10.00	10.00	10.00	10.00
C51	10.00	10.00	10.00	10.00
C52	10.00	10.00	10.00	10.00
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C56	10.00	10.00	10.00	10.00
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C58	10.00	10.00	10.00	10.00
C59	10.00	10.00	10.00	10.00
C60	10.00	10.00	10.00	10.00
C61	10.00	10.00	10.00	10.00
C62	10.00	10.00	10.00	10.00
C63	10.00	10.00	10.00	10.00
C64	10.00	10.00	10.00	10.00
C65	10.00	10.00	10.00	10.00
C66	10.00	10.00	10.00	10.00
C67	10.00	10.00	10.00	10.00
C68	10.00	10.00	10.00	10.00
C69	10.00	10.00	10.00	10.00
C70	10.00	10.00	10.00	10.00
C71	10.00	10.00	10.00	10.00
C72	10.00	10.00	10.00	10.00
C73	10.00	10.00	10.00	10.00
C74	10.00	10.00	10.00	10.00
C75	10.00	10.00	10.00	10.00
C76	10.00	10.00	10.00	10.00
C77	10.00	10.00	10.00	10.00
C78	10.00	10.00	10.00	10.00
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C80	10.00	10.00	10.00	10.00
C81	10.00	10.00	10.00	10.00
C82	10.00	10.00	10.00	10.00
C83	10.00	10.00	10.00	10.00
C84	10.00	10.00	10.00	10.00
C85	10.00	10.00	10.00	10.00
C86	10.00	10.00	10.00	10.00
C87	10.00	10.00	10.00	10.00
C88	10.00	10.00	10.00	10.00
C89	10.00	10.00	10.00	10.00
C90	10.00	10.00	10.00	10.00
C91	10.00	10.00	10.00	10.00
C92	10.00	10.00	10.00	10.00
C93	10.00	10.00	10.00	10.00
C94	10.00	10.00	10.00	10.00
C95	10.00	10.00	10.00	10.00
C96	10.00	10.00	10.00	10.00
C97	10.00	10.00	10.00	10.00
C98	10.00	10.00	10.00	10.00
C99	10.00	10.00	10.00	10.00
C100	10.00	10.00	10.00	10.00



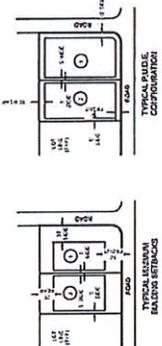
Point/Line Table

Point/Line	Length	Area	Perimeter	Development
L1	10.00	10.00	10.00	10.00
L2	10.00	10.00	10.00	10.00
L3	10.00	10.00	10.00	10.00
L4	10.00	10.00	10.00	10.00
L5	10.00	10.00	10.00	10.00
L6	10.00	10.00	10.00	10.00
L7	10.00	10.00	10.00	10.00
L8	10.00	10.00	10.00	10.00
L9	10.00	10.00	10.00	10.00
L10	10.00	10.00	10.00	10.00
L11	10.00	10.00	10.00	10.00
L12	10.00	10.00	10.00	10.00
L13	10.00	10.00	10.00	10.00
L14	10.00	10.00	10.00	10.00
L15	10.00	10.00	10.00	10.00
L16	10.00	10.00	10.00	10.00
L17	10.00	10.00	10.00	10.00
L18	10.00	10.00	10.00	10.00
L19	10.00	10.00	10.00	10.00
L20	10.00	10.00	10.00	10.00
L21	10.00	10.00	10.00	10.00
L22	10.00	10.00	10.00	10.00
L23	10.00	10.00	10.00	10.00
L24	10.00	10.00	10.00	10.00
L25	10.00	10.00	10.00	10.00
L26	10.00	10.00	10.00	10.00
L27	10.00	10.00	10.00	10.00
L28	10.00	10.00	10.00	10.00
L29	10.00	10.00	10.00	10.00
L30	10.00	10.00	10.00	10.00
L31	10.00	10.00	10.00	10.00
L32	10.00	10.00	10.00	10.00
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L35	10.00	10.00	10.00	10.00
L36	10.00	10.00	10.00	10.00
L37	10.00	10.00	10.00	10.00
L38	10.00	10.00	10.00	10.00
L39	10.00	10.00	10.00	10.00
L40	10.00	10.00	10.00	10.00
L41	10.00	10.00	10.00	10.00
L42	10.00	10.00	10.00	10.00
L43	10.00	10.00	10.00	10.00
L44	10.00	10.00	10.00	10.00
L45	10.00	10.00	10.00	10.00
L46	10.00	10.00	10.00	10.00
L47	10.00	10.00	10.00	10.00
L48	10.00	10.00	10.00	10.00
L49	10.00	10.00	10.00	10.00
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L67	10.00	10.00	10.00	10.00
L68	10.00	10.00	10.00	10.00
L69	10.00	10.00	10.00	10.00
L70	10.00	10.00	10.00	10.00
L71	10.00	10.00	10.00	10.00
L72	10.00	10.00	10.00	10.00
L73	10.00	10.00	10.00	10.00
L74	10.00	10.00	10.00	10.00
L75	10.00	10.00	10.00	10.00
L76	10.00	10.00	10.00	10.00
L77	10.00	10.00	10.00	10.00
L78	10.00	10.00	10.00	10.00
L79	10.00	10.00	10.00	10.00
L80	10.00	10.00	10.00	10.00
L81	10.00	10.00	10.00	10.00
L82	10.00	10.00	10.00	10.00
L83	10.00	10.00	10.00	10.00
L84	10.00	10.00	10.00	10.00
L85	10.00	10.00	10.00	10.00
L86	10.00	10.00	10.00	10.00
L87	10.00	10.00	10.00	10.00
L88	10.00	10.00	10.00	10.00
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L90	10.00	10.00	10.00	10.00
L91	10.00	10.00	10.00	10.00
L92	10.00	10.00	10.00	10.00
L93	10.00	10.00	10.00	10.00
L94	10.00	10.00	10.00	10.00
L95	10.00	10.00	10.00	10.00
L96	10.00	10.00	10.00	10.00
L97	10.00	10.00	10.00	10.00
L98	10.00	10.00	10.00	10.00
L99	10.00	10.00	10.00	10.00
L100	10.00	10.00	10.00	10.00

Southern Springs Phase 7

by Del Webb

FINAL SUBDIVISION PLAT
 CITY OF SPRING HILL PLANNING COMMISSION
 SCALE: 1" = 40' (SEE SHEET 17-48)
 DATE: 11/14/2014
 DRAWN BY: J. W. WILSON
 CHECKED BY: J. W. WILSON
 SCALE: 1" = 40'



MATCH LINE SEE SHEET 3

SOUTHERN SPRINGS PARKWAY
 100' R.O.W. - ARTERIAL

CHARLES RALPH WOLFF III
 BOOK 02208, PAGE 1129
 RECORD

LEGEND

- SEE SHEET 17-48
- SEE SHEET 17-49
- SEE SHEET 17-50
- SEE SHEET 17-51
- SEE SHEET 17-52
- SEE SHEET 17-53
- SEE SHEET 17-54
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CERTIFICATE OF SURVEY
 I, J. W. WILSON, Surveyor, do hereby certify that the above is a true and correct copy of the original plat as filed in the office of the County Clerk of Spring Hill, Alabama, on this 11th day of November, 2014.

J. W. WILSON
 SURVEYOR

