

RESOLUTION 22-243

**A RESOLUTION TO AUTHORIZE MAYOR TO EXECUTE AN ESCROW AGREEMENT WITH GRIFFIN SATURN CROSSINGS OWNER, LLC, FOR OFFSITE TRAFFIC IMPROVEMENTS**

WHEREAS, the City of Spring Hill Tennessee ("City") desires to enter into an escrow agreement with Griffin Saturn Crossings Owner ("Developer") (A copy of which is attached hereto) regarding the development of 19.503-acre warehouse site; and

WHEREAS, City's Planning Commission passed a motion on February 14, 2022 that included the following condition:

"The applicant will enter into an escrow agreement with the City of Spring Hill for no less of \$65,000 to be utilized for offsite traffic improvements. No permits will be issued until such an agreement is reached."; and

WHEREAS, developer has agreed to and provided such an escrow agreement to the Spring Hill Board of Mayor and Alderman for consideration and approval; and

1. EXHIBIT A: Escrow Agreement
2. EXHIBIT B: STP 1090-2021 Planning Commission Approval Letter

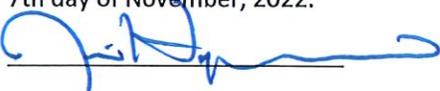
NOW, THEREFORE, BE IT RESOLVED, that the Board of Mayor and Aldermen of the City of Spring Hill authorizes the following actions:

1. Approval of the escrow agreement for 65,000 and as written in the attached Exhibit A.
2. To authorize the Mayor to execute the agreement with Griffin Saturn Crossings Owner, LLC, a Delaware limited liability company.

The following EXHIBITS are included as part of this resolution:

1. EXHIBIT A – Escrow Agreement
2. EXHIBIT B – Planning Commission Approval Letter STP 1090-2021

Passed and adopted by the Board of Mayor and Aldermen of the City of Spring Hill, Tennessee on this 7th day of November, 2022.



Jim Hagaman, Mayor

ATTEST: 

April Goad, City Recorder

LEGAL FORM APPROVED: 

Patrick Carter, City Attorney

## ESCROW AGREEMENT

This ESCROW AGREEMENT ("Agreement") is made and entered into on October \_\_\_\_, 2022 (the "Effective Date"), by and between the CITY OF SPRING HILL, TENNESSEE, a municipal corporation hereinafter referred to as "City", and GRIFFIN SATURN CROSSING OWNER, LLC, a Delaware limited liability company, hereinafter referred to as "Developer".

WHEREAS, Developer is developing that certain 19.503 acres of real property located in Spring Hill, Maury County, Tennessee (the "Development");

WHEREAS, Site plan approval included a provision that requires the applicant to enter into an escrow agreement with the City of Spring Hill to offsite necessary traffic improvements;

WHEREAS, The payment of the Funds by the Developer satisfies one of the conditions of approval, which is necessary for the release of City permits for the Development. The approval letter associated with the development has been attached as Exhibit A.

NOW, THEREFORE, IT IS AGREED between the parties as follows:

1. As of the Effective Date, Developer has deposited with the City the sum of Sixty-Five Thousand Dollars (\$65,000.00) cash (the "Funds"). The Funds constitute the Developer's proportionate share of funds necessary for the desired road repairs by the City. Confirmation of payment and receipt of the Funds is attached hereto as Exhibit B.
2. The City intends to use the Funds to improve the roadways adjacent to the Development. In the event the costs of the repairs exceed the Funds, Developer shall have no obligation to pay additional funds to the City for such increased costs. Likewise, in the event that the costs of the repairs is less than the Funds, the City has no obligation to return the unused Funds to the Developer.
3. This Agreement shall be binding upon and inure to the benefit of the parties hereto, their respective legal representatives, successors and assigns, shall be governed by and construed in accordance with the laws of the State of Tennessee and may not be modified or amended in any manner other than by a written agreement signed by the party to be charged therewith.
4. This Agreement may be executed in counterparts, each of which shall be an original and all of which counterparts taken together shall constitute one and the same agreement.

*[Signature Pages Follow]*

Executed as of the Effective Date.

**CITY:**

**CITY OF SPRING HILL, TENNESSEE**

By:   
Name: Jim Hagaman  
Title: Mayor  
11-07-2022

**DEVELOPER:**

**GRIFFIN SATURN CROSSING OWNER, LLC,**  
a Delaware limited liability company

By:   
Name: Edward Griffin  
Title: Vice President

**Exhibit A**

**Site Plan Approval Letter STP 1090-2021**

(attached)



March 2, 2022

Stacey Cox  
CEC Consultants Inc.  
117 Seaboard Lane, Suite E-100  
Franklin, TN 37067

RE: STP 1090-2021 (Timberline Dr Warehouses)

Ms. Cox:

We are pleased to inform you that your application STP 1090-2021 was approved by the Spring Hill Planning Commission on February 14, 2022 with the following condition(s):

1. *Tilt-up concrete panels account for more than 60% of the façade on each elevation. With the approval of STP 1090-2021 the Design Review Commission grants approval of the building elevations and exterior façade materials as shown on the Architectural plans submitted on February 14, 2022.*
2. *A dedication plat is required for the dedication of right-of-way for Timberline Drive prior to the issuance of building permits for vertical construction.*
3. *The applicant will enter into an escrow agreement with the City of Spring Hill for no less of \$65,000 to be utilized for offsite traffic improvements. No permits will be issued until such an agreement is reached.*
4. *The applicant shall make all improvements as identified in the traffic impact study at their sole expense.*
5. *The applicant must provide the final revised site plan as approved by the Planning Commission within 30 calendar days of PC approval to the Planning Department in a digital format.*
6. *Approval of this site plan shall be valid for a period of three (3) years from the date of Planning Commission approval. Modification to the approved site plan may require Planning Commission Approval.*

Please contact the Planning Department if you have any questions or require further assistance at 931-486-2252 ext. 255.

Sincerely,

City of Spring Hill Planning Commission

**Exhibit B**

**Payment and Receipt of Funds**

(attached)

# INVOICE

BILLING CONTACT  
Stacey Cox  
Civil & Environmental Consultants, Inc



INVOICE NUMBER	INVOICE DATE	INVOICE DUE DATE	INVOICE STATUS	INVOICE DESCRIPTION
00017703	06/03/2022	06/03/2022	Due	NONE

REFERENCE NUMBER	FEE NAME	TOTAL
PLN-001221-2022	Site Plan - Nonresidential	\$65,000.00
Saturn Parkway Spring Hill, TN 37174		SUB TOTAL \$65,000.00

TOTAL 

\$65,000.00
-------------



March 2, 2022

Stacey Cox  
CEC Consultants Inc.  
117 Seaboard Lane, Suite E-100  
Franklin, TN 37067

RE: STP 1090-2021 (Timberline Dr Warehouses)

Ms. Cox:

We are pleased to inform you that your application **STP 1090-2021** was approved by the Spring Hill Planning Commission on February 14, 2022 with the following condition(s):

- 1. Tilt-up concrete panels account for more than 60% of the façade on each elevation. With the approval of STP 1090-2021 the Design Review Commission grants approval of the building elevations and exterior façade materials as shown on the Architectural plans submitted on February 14, 2022.*
- 2. A dedication plat is required for the dedication of right-of-way for Timberline Drive prior to the issuance of building permits for vertical construction.*
- 3. **The applicant will enter into an escrow agreement with the City of Spring Hill for no less of \$65,000 to be utilized for offsite traffic improvements. No permits will be issued until such an agreement is reached.***
- 4. **The applicant shall make all improvements as identified in the traffic impact study at their sole expense.***
- 5. The applicant must provide the final revised site plan as approved by the Planning Commission within 30 calendar days of PC approval to the Planning Department in a digital format.*
- 6. Approval of this site plan shall be valid for a period of three (3) years from the date of Planning Commission approval. Modification to the approved site plan may require Planning Commission Approval.*

Please contact the Planning Department if you have any questions or require further assistance at 931-486-2252 ext. 255.

Sincerely,

City of Spring Hill Planning Commission