CHU46745-6

EXHIBIT A
To Permanent Rules of Order of the Board of County Commissioners of Shelby County, Tennessee

SHELBY COUNTY BOARD OF COMMISSIONERS
AGENDA ROUTE SHEET

Referred to Commission Committee LAND USE

For Commission Action on September 8, 2008

DESCRIPTION OF ITEM:

RESOLUTION TO APPROVE THE AGREEMENT TO SECURE THE IMPROVEMENTS TO THE STONEBRIAR P.D. AREA 10, PHASE 6-STREET IMPROVEMENTS (P.D. 03-335 CC) AND AUTHORIZE RECORDING OF THE PLAT

CHECK ALL THAT APPLY BELOW:

__X__ This Action does NOT require expenditure of funds.

_____ This Item requires/approves expenditure of funds as follows (complete all that apply):

County General Funds: $_____ ; County CIP Funds- $_____

State Grant Funds: $_____; State Gas Tax Funds: $_____

Federal Grant Funds: $_____

Other funds (Specify source and amount): $_____

Other pass-thru funds (Specify source and amount): $ _____

Originating Department: ENGINEERING
APPROVAL:

Dept. Head:	Michael Oakes 545-4332 (Type your name & phone #.)	MKO (Initials)	8.13.08 (Date)
Elected Official:	(Type your name & phone #.)	(Initials)	(Date)
Division Director:	Ted Fox 545-4266 (Type your name & phone #.)	(Initials)	8-13-08 (Date)
CIP – A&F Director:	(Type your name & phone #.)	(Initials)	(Date)
Finance Dept.	(Type your name & phone #.)	(Initials)	(Date)
County Attorney:	Lisa Kelly 545-4363 (Type your name & phone #.)	LK (Initials)	8-18-08 (Date)
O/Mayor:			

SUMMARY SHEET

I. Description of Item

This resolution is a request by the developer (Pedcor Investment) to approve his standard improvement contract with Shelby County and subsequently Shelby County is to secure a bond amount of $137,800.00 for the improvements. This phase of the project will widen 642 feet of Stateline Road with curb and gutter and sidewalks across their frontage.

II. Source and Amount of Funding

A. Amount Expended/Budget Line Item

N/A

B. All Costs (Direct/Indirect)

N/A

C. Additional or Subsequent Obligations or Expenses of Shelby County

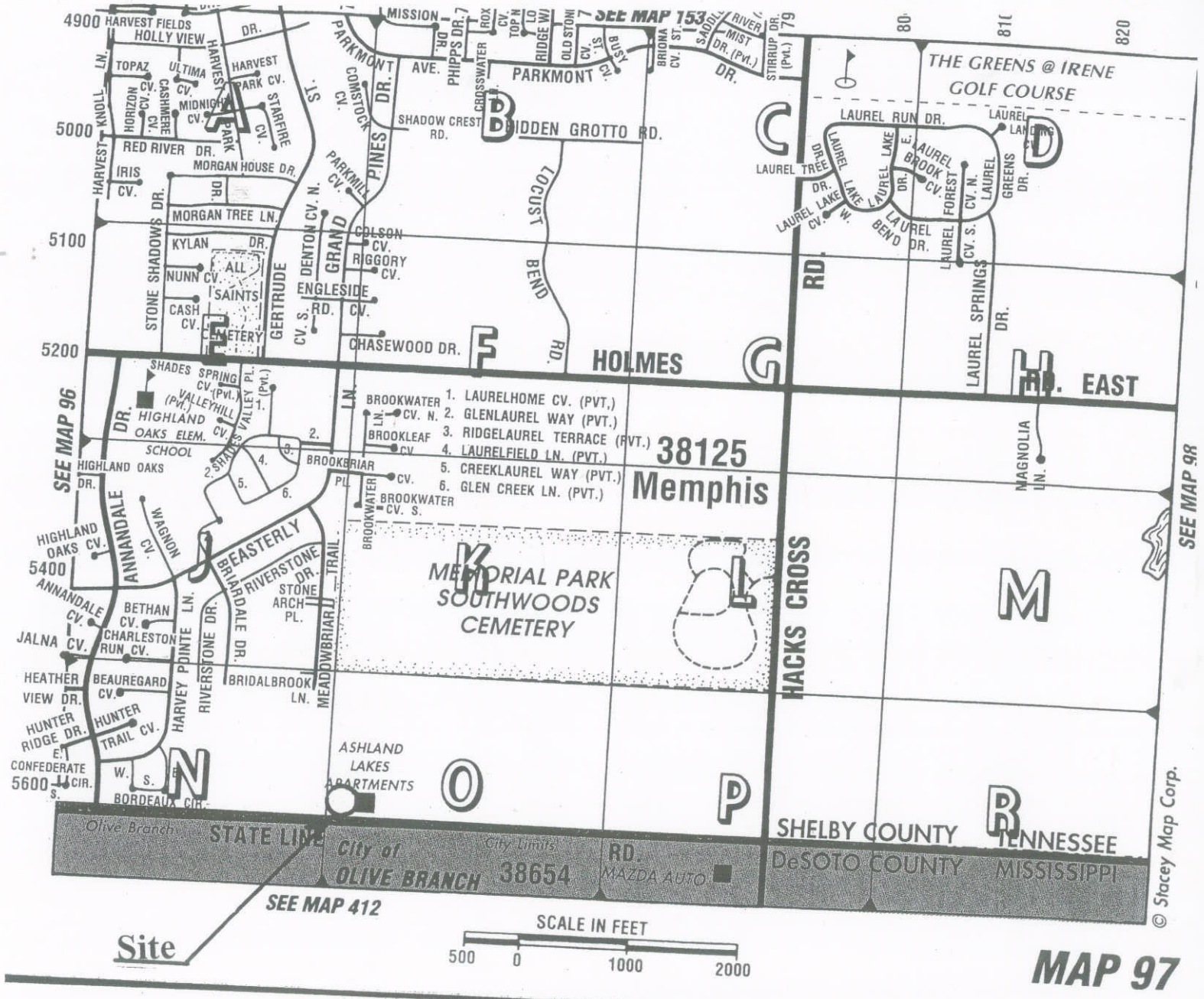
N/A

III. Contract Items

A. Type of Contract	Standard
B. Terms	N/A

IV. Additional Information Relevant to Approval of This Item

The proposed development is to build a 200 unit apartment complex.



STONEBRIAR PD, AREA 10, PHASE 6
PD03-335CC

DEVELOPMENT NAME: **STONEBRIAR PD, AREA 10, PHASE 6 PD03-335CC**

RESIDENTIAL LOTS **200 UNIT APARTMENT COMPLEX**

BOND AMOUNT **$137,800.00**

SCOPE OF CONTRACT

Widen 642 feet of Stateline Road across their frontage.

REMARKS:

- **THE PROJECT IS LOCATED IN THE MEMPHIS ANNEXATION RESERVE AREA**

LAND USE OWNERSHIP DISCLOSURE

Please identify every person who has an ownership interest of 10% or more in the subject application whether they be the current owners, the contract buyers, or the lenders. If current owner or contract buyer are public corporations, please note the fact and list no other owners. Only lenders which are not institutions (banks, saving and loans or credit unions) need be listed.

Project Name: Stonebriar P.D., Area 10, Phase 6 Case# PD 03-335CC

Developer Name: Alison Birge, Pedcor Investments

	NAMES	ADDRESSES
CURRENT OWNERS	Pedcor Investments, A Limited Liability Company	770 Third Avenue, S.W. Carmel, IN 46032
CONTRACT OWNERS/BUYERS	N/A	
NON-INSTITUTIONAL LENDERS INCLUDING SELLER(S) IF THE PENDING SALE IS OWNER FINANCED	N/A	

7. **DESCRIPTION OF THE GRATUITY**

N/A

8. **COST OF THE GRATUITY (If cost is unknown and not reasonably discernible by the person giving the gratuity, then the person giving the gratuity shall report a good faith estimate of the cost of the gratuity.)**

N/A

9. **The information contained in this Gratuity Disclosure Form, and any supporting documentation or materials referenced herein or submitted herewith, is true and correct to the best of my knowledge, information and belief and affirm that I have not given, directly or indirectly, any gratuity to any elected official, employee or appointee (including spouse and immediate family members) that has not been disclosed and I affirm that I have not violated the provisions of the Shelby County Government Code of Ethics.**

Signature **Date** 7/30/08

*

Print Name

*Pedcor Investments-2006-LXXXV, L.P.

By: Stonebriar Housing Company, LLC
Its General Partner

By: Pedcor Investments, A Limited Liability Company
Its Manager

By: Alison S. Birge
Alison S. Birge, Vice President

This disclosure form pertains to Stonebriar PD, Area 10, Phase 6 also known as Ashland Lakes Apartments, Phase I.

A copy of your completed form will be placed on the Shelby County Internet website.

GRATUITY DISCLOSURE FORM

Shelby County Ethics Commission

INSTRUCTIONS: *This form is for all persons receiving any Shelby County Government contract, land use approval or financial grant money to report any gratuity that has been given, directly or indirectly, to any elected official, employee or appointee (including their spouses and immediate family members) who is involved in the decision regarding the contract, land use approval, or financial grant of money.*

1. **NAME**

   Alison S. Birge, Pedcor Investments, A Limited Liability Company

2. **DATE OF GRATUITY**

   N/A

3. **NATURE AND PURPOSE OF THE GRATUITY**

   N/A

4. **NAME OF THE OFFICIAL, EMPLOYEE, APPOINTEE, OR FAMILY MEMBER WHO RECEIVED THE GRATUITY**

   N/A

5. **NAME OF THE PERSON OR ENTITY THAT PROVIDED THE GRATUITY**

   N/A

6. **ADDRESS OF THE PERSON OR ENTITY THAT PROVIDED THE GRATUITY**

   N/A

Item_____ Prepared by ERMA HOLMES

Approved by Lisa Kelly

RESOLUTION TO APPROVE THE AGREEMENT TO SECURE THE IMPROVEMENTS TO THE STONEBRIAR P.D. AREA 10, PHASE 6-STREET IMPROVEMENTS (P.D. 03-335 CC) AND AUTHORIZE RECORDING OF THE PLAT SPONSORED BY COMMISSIONER MIKE RITZ

WHEREAS, PEDCOR INVESTMENTS 2006-LXXXV, L.P., is the owner and developer, of certain land labeled as STONEBRIAR P.D. AREA 10, PHASE 6-STREET IMPROVEMENTS (P.D. 03-335 CC), the final plan for which was approved by the County Engineer; and

WHEREAS, PEDCOR INVESTMENTS 2006-LXXXV, L.P., has decided to open up and improve said land and to that end secure the required approval of the County of Shelby; and

WHEREAS, PEDCOR INVESTMENTS 2006-LXXXV, L.P., has agreed to the terms and conditions of the necessary and required construction agreement in accordance with the current policies of Shelby County for the development of subdivisions.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That STONEBRIAR P.D. AREA 10, PHASE 6-STREE IMPROVEMENTS (P.D. 03-335 CC), final plan is hereby approved and the Mayor is hereby authorized to execute the Agreement on behalf of Shelby County, Tennessee, and said Agreement provides for the improvements to STONEBRIAR P.D. AREA 10, PHASE 6-STREET IMPROVEMENTS (P.D. 03-335 CC), and agrees to the terms and conditions required by and in accordance with the current development of subdivisions.

BE IT FURTHER RESOLVED, That Article III, Section 3.06 (c) of the Shelby County Charter allows the County Mayor to assign or delegate certain duties and functions, and Section 3.06 of the aforementioned Charter states that "any function or duty may be assigned or re-assigned by the County Mayor to a major division of County Government".

BE IT FURTHER RESOLVED, That in the absence of the County Mayor, the Director of Public Works be, and the same is hereby authorized to authorize the recording of the plat for the said STONEBRIAR P.D. AREA 10, PHASE 6-STREET IMPROVEMENTS (P.D. 03-334 CC)

BE IT FURTHER RESOLVED, That this action is subject to City approval.

_____
A C Wharton Jr., Shelby County Mayor

Date_____

ATTEST:

_____
Clerk of County Commission

ADOPTED:_____