AGENDA #_____
DATE November 17, 2008

_____A.

SUBDIVISION:	STONEBRIAR PD, PHASE 8, PART OF AREA 7, (P.D. 03-355 CC)
DEVELOPER:	LAND SOLUTIONS, LLC
ACTION:	RESOLUTION TO APPROVE THE AGREEMENT TO SECURE THE IMPROVEMENTS TO STONEBRIAR PD, PHASE 8, PART OF AREA 7, (P.D. 03-355 CC) AND AUTHORIZE THE RECORDING OF THE PLAT WHEN BONDING PROCEDURES HAVE BEEN FULFILLED SPONSORED BY COMMISSIONER MIKE RITZ
LOCATION:	± 2800 FEET SOUTH OF EAST HOLMES ROAD AT GRAND PINE DRIVE

CA096795-8

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 November 17, 2008

DESCRIPTION OF ITEM:

RESOLUTION TO APPROVE THE AGREEMENT TO SECURE THE IMPROVEMENTS TO STONEBRIAR PD, PHASE 8, PART OF AREA 7, (P.D. 03-355 CC) AND AUTHORIZE THE RECORDING OF THE PLAT WHEN BONDING PROCEDURES HAVE BEEN FULFILLED SPONSORED BY COMMISSIONER MIKE RITZ

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:

	(Type your name & phone #.)	(Initials)	(Date)
Dept. Head:	Michael Oakes 545-4332	MWJ	10.23.08
Elected Official:			
Division Director:	Ted Fox 545-4266		10-24-08
CIP – A&F Director:			
Finance Dept.			
County Attorney:	Lisa Kelly 545-4363	LK	10-30-08
CAO/Mayor:			

Item_____ Prepared by: ERMA HOLMES

Approved by Vik Kelly

RESOLUTION TO APPROVE THE AGREEMENT TO SECURE THE IMPROVEMENTS TO STONEBRIAR PD, PHASE 8, PART OF AREA 7, (P.D. 03-355 CC) AND AUTHORIZE THE RECORDING OF THE PLAT WHEN BONDING PROCEDURES HAVE BEEN FULFILLED SPONSORED BY COMMISSIONER MIKE RITZ

WHEREAS, LAND SOLUTIONS, LLC, is the owner and developer of certain land located within the three-mile limit of the City of Memphis as indicated by the plat labeled as STONEBRIAR PD, PHASE 8, PART OF AREA 7, (P.D. 03-355 CC), the final plan for which was approved by the County Engineer; and

WHEREAS, LAND SOLUTIONS, LLC, owner and developer, has decided to open up and improve said land and to that end secure the required approval of the County of Shelby; and

WHEREAS, LAND SOLUTIONS, LLC, owner and developer, 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 PD, PHASE 8, PART OF AREA 7 (P.D. 03-355 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 PD, PHASE 8, PART OF AREA 7 (P.D. 03-355 CC), and agrees to the terms and conditions required by and in accordance with the current development of subdivisions.

BE IT FURTHER RESOLVED, That the Developer has chosen the alternative bonding procedure as set forth in Section 502 of the Memphis and Shelby County Subdivision Regulations therefore, although this subdivision is approved the plat may not be signed and recorded until the aforementioned bonding procedure has been fulfilled.

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 PD, PHASE 8, PART OF AREA 7 (P.D. 03-355 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:_____

SUMMARY SHEET

I. Description of Item

RESOLUTION TO APPROVE THE AGREEMENT TO SECURE THE IMPROVEMENTS TO STONEBRIAR PD, PHASE 8, PART OF AREA 7, (P.D. 03-355 CC) AND AUTHORIZE THE RECORDING OF THE PLAT WHEN BONDING PROCEDURES HAVE BEEN FULFILLED

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	City/County Standard Contract
B.	Terms	N/A

IV. Additional Information Relevant to Approval of This Item

N/A

DEVELOPMENT NAME: **STONEBRIAR PD, PHASE 8, PART OF AREA PD03-335CC**

RESIDENTIAL LOTS **27 LOTS**

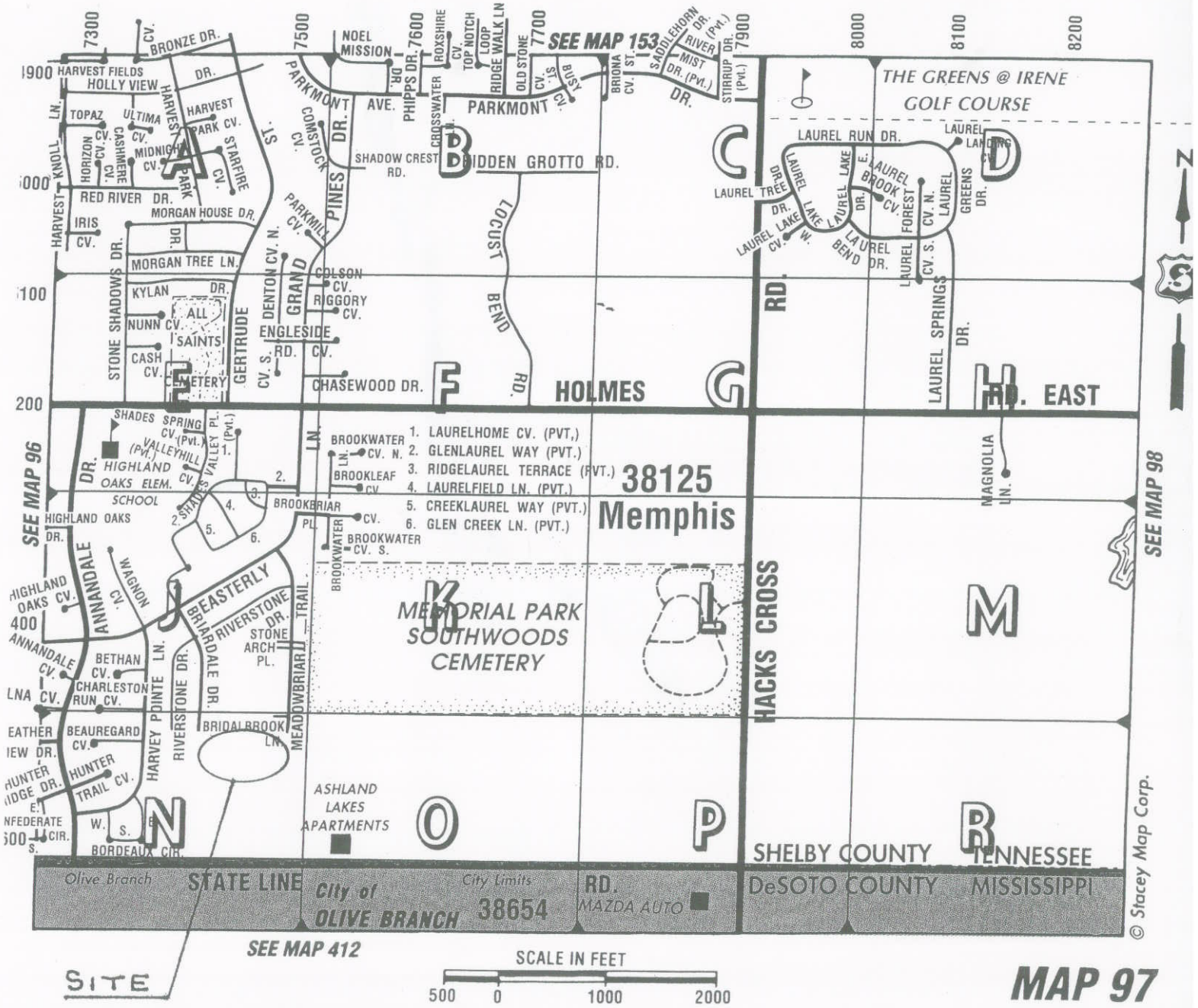
BOND AMOUNT **$ 22,000.00** (ALTERNATIVE BOND)

SCOPE OF CONTRACT

CONSTRUCT RESIDENTIAL PLANNED DEVELOPMENT WITH FULL URBAN IMPROVEMENTS.

REMARKS:

- **STANDARD PUBLIC IMPROVEMENT CONTRACT REQUIRED FOR PUBLIC INFRASTRUCTURE.**
- **THE PROJECT IS LOCATED IN THE MEMPHIS ANNEXATION RESERVE AREA.**
- **THE DEVELOPER WILL PAVE THE SURFACE ASPHALT ON ALL PUBLIC STREETS.**



MAP 97

STONEBRIAR PD, PART OF AREA 7, PHASE 8
PD03 - 335CC

Section 9

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**

   Doyle Ricks, Land Solutions, LLC

2. **DATE OF GRATUITY**

   NA

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

   NA

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

   NA

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

   NA

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

   NA

7. **DESCRIPTION OF THE GRATUITY**

NA

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.)**

NA

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.**

LAND Solutions, LLC

X **Signature** CHIEF MANAGER

X 10-23-08 **Date**

Doyle C. Ricks

X **Print Name**

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

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, phase 8 Case# PD 03-335LC

Developer Name: LAND SOLUTIONS, LLC

	NAMES	ADDRESSES
CURRENT OWNERS	DOYLE C. RICKS AND G.	P.O. BOX 38403, GERMANTOWN TN 38138
	Rotenberry LLC	P.O. BOX 38403, GERMANTOWN, TN 38138
CONTRACT OWNERS/BUYERS	NONE	
NON-INSTITUTIONAL LENDERS INCLUDING SELLER(S) IF THE PENDING SALE IS OWNER FINANCED	NONE	