AGENDA #_____
DATE December 22, 2008

_____A.

SUBDIVISION:	STONEBRIAR PD, PHASE 5 PART OF AREAS 7 & 3, (P.D. 03-335 CC)
DEVELOPER:	LAND SOLUTIONS, LLC
ACTION:	RESOLUTION TO RELEASE THE BOND THAT SECURED THE IMPROVEMENTS TO STONEBRIAR PD, PHASE 5 PART OF AREAS 7 & 3, (P.D. 03-335 CC)
LOCATION:	± 2000 FEET WEST OF HACKS CROSS ROAD AND SOUTH OF HOLMES ROAD. MEMPHIS ANNEXATION AREA

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

47076/45-2

SHELBY COUNTY BOARD OF COMMISSIONERS
AGENDA ROUTE SHEET

Referred to Commission Committee LAND USE

For Commission Action on DECEMBER 22, 2008

DESCRIPTION OF ITEM:

RESOLUTION TO RELEASE THE BOND THAT SECURED THE IMPROVEMENTS TO STONEBRIAR PD, PHASE 5 PART OF AREAS 7 & 3, (P.D. 03-335 CC) 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	MW	11-24-08
Elected Official:			
Division Director:	Ted Fox 545-4266		11-24-08
CIP – A&F Director:			
Finance Dept.			
County Attorney:	Lisa Kelly 545-4363	LK	12/1/08
CAO/Mayor:			

SUMMARY SHEET

I. Description of Item

RESOLUTION TO RELEASE THE BOND THAT SECURED THE IMPROVEMENTS TO STONEBRIAR PD, PHASE 5 PART OF AREAS 7 & 3, (P.D. 03-335 CC)

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

Item_____ Prepared by ERMA HOLMES

Approved by_____

RESOLUTION TO RELEASE THE BOND THAT SECURED THE IMPROVEMENTS TO STONEBRIAR PD, PHASE 5 PART OF AREAS 7 & 3, (P.D. 03-335 CC) SPONSORED BY COMMISSIONER MIKE RITZ

WHEREAS, The improvements in connection with STONEBRIAR P.D., PHASE 5, PART OF AREAS 7 & 3 (P.D. 03-335 CC) have been completed in accordance with the terms of an Agreement by and between LAND SOLUTIONS, LLC, the City of Memphis, and County of Shelby; and

WHEREAS, These required improvements have been inspected by the Office of the County Engineer and were found to be satisfactorily constructed in accordance with the approved plans.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That these improvements in connection with STONEBRIAR P.D., PHASE 5, PART OF AREAS 7 & 3 (P.D. 03-335 CC) be and are hereby accepted for future maintenance.

BE IT FURTHER RESOLVED, That the Land Solutions,LLC Cash Bond, I.D. Number 1077 in the amount of $62,800.00 dated March 28, 2007 and Cash Bond I.D. Number 957 in the amount of $37,000.00 dated March 28, 2006 held as security to guarantee the satisfactory completion of the necessary improvements be and is hereby released to the developer.

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:_____

DEVELOPMENT NAME: **STONEBRIAR PD, PART OF AREA 7 & 3, PHASE 5 PD03-335CC**

RESIDENTIAL LOTS **82 LOTS**

BOND AMOUNT **$99,800.00**

SCOPE OF CONTRACT

CONSTRUCT RESIDENTIAL PLANNED DEVELOPMENT WITH FULL URBAN IMPROVEMENTS.

REMARKS:

- **THE PUBLIC IMPROVEMENTS HAVE BEEN INSPECTED AND ARE HEREBY RECOMMENDED FOR ACCEPTANCE BY THE COUNTY COMMISSION.**
- **BOND RELEASE IS RECOMMENDED**
- **THE PROJECT IS LOCATED IN THE MEMPHIS ANNEXATION RESERVE AREA**
- **SIDEWALKS TO BE INSTALLED BY BUILDING PERMIT HOLDER.**
- **THE COUNTY WILL PAVE THE SURFACE ASPHALT ON ALL PUBLIC STREETS.**

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. Rick

X Print Name

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

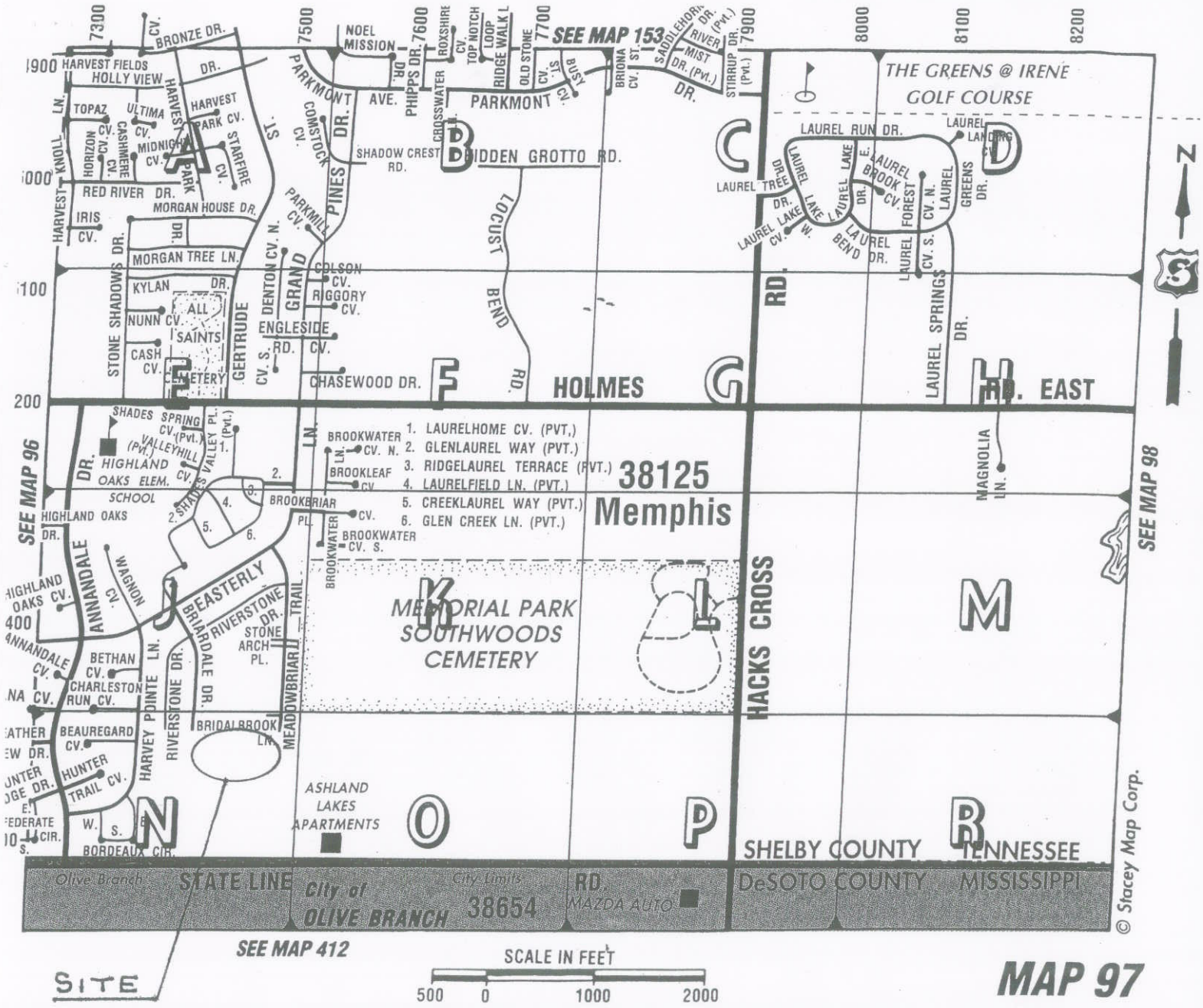
LAND USE OWNERSHIP DISCLOSURE

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	



MAP 97

STONEBRIAR PD, PART OF AREA 7 AND 3 PHASE 5
PD03 - 335CC