



WHITE BLUFF

SUBDIVISION REGULATIONS

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**AMENDMENTS ADOPTED
TO
WHITE BLUFF SUBDIVISION REGULATIONS**

<u>DATE</u>		<u>AMENDMENTS</u>
September 23, 1993	By Resolution	Article IV, <u>Development Prerequisite to Final Approval</u> , Under Section A., <u>Required Improvements</u> , 1., Entitled, <u>Monuments</u> , Amended Subsection a.
April 20, 1998	By Resolution	Article III, <u>General Requirements and Minimum Standards of Design</u> , Section A., <u>Streets</u> , Amended Subsection 4., <u>Street Right-of-Way Widths</u> , in Its Entirety and Replaced with New Subsection 4.
April 20, 1998	By Resolution	Article III, <u>General Requirements and Minimum Standards of Design</u> , Section A., <u>Streets</u> , Added Subsection 17., <u>Access to Lots by Public Way and Private Easement</u> .
September 21, 1998	By Resolution	Article II, A., <u>General</u> , Subsection 2, Added: Subdivision Plat Fees are as follows: Amendment to the Final Plat \$25.00 Fee 1 - 5 Lots \$25.00 Fee Over 5 Lots \$10.00 Fee per Each Additional Lot
June 21, 1999	By Resolution	Article IV, Subsection 7., <u>Water</u> , a., Amended Last Sentence in the Paragraph, Fire hydrants will be no more than seven hundred (700) feet apart. Added: by street, after apart.
September 20, 1999	By Resolution	Article IV, Subsection A., <u>Required Improvements</u> , Subpart 4., <u>Pavement Base and Wearing Surface</u> , Deleted and Replaced.
March 20, 2000	By Resolution	Appendix, Amended by Deleting: Irrevocable Documentary Letter of Credit; Replacing with New Irrevocable Standby Letter of Credit Number _____.
May 15, 2000	By Resolution	Article IV, A, Required Improvements, Amended by Deleting and Replacing Subsections 3, Minimum Pavement Widths; 4, Pavement Base and Wearing Surface; and 5, Curbs and Gutters, Deleted Drawings 1 and 2; Replaced with Drawings A, B, C, and D.

<u>DATE</u>		<u>AMENDMENTS</u>
September 8, 2003	By Resolution	Article II, Section A General Procedures Amended by Adding Subsection 4.
September 11, 2007	By Resolution	Article IV, A, Required Improvements, Section 5 Amended and Section 12. Sidewalks added.
April 11, 2017	By Resolution #2017-01	Article I, Section C General Provisions Amended by Removing 'as established by resolution of the Tennessee State Planning Commission;' Article III, Section A General Requirements and Minimum Standards of Design by clarifying ROW width for Major vs. Minor Arterial Streets; Article IV, Development Prerequisite to Final Approval, Sections A, B, & C Amended by Adding certain language pertaining to public improvements and bonding, and Adding new Sections D, E, F, G, & H Article VI, Adoption and Effective Date to be moved to a new Article VII, and a new Article VI to provide Definitions for terms
August 10, 2021	#2021-01	Article IV, Section A, #2, additional language for required improvements; addition of #13, Protecting and Repairing Existing Streets; Section E, addition of #3; and addition of Section I, Site Development Plan Requirement Appendix, addition of new form for Performance and Maintenance Bond Agreement

SUBDIVISION REGULATIONS

of

White Bluff, Tennessee Planning Commission (hereafter referred to as the planning commission).

ARTICLE I

GENERAL PROVISIONS

A. Purpose

Land subdivision is the first step in the process of community development. Once land has been cut up into streets, lots, and blocks, and publicly recorded, the correction of defects is costly and difficult. Subdivision of land sooner or later becomes a public responsibility, in that roads and streets must be maintained and various public services customary to urban areas must be provided. The welfare of the entire community is thereby affected in many important respects. It is, therefore, to the interest of the public, the developer, and the future owners that subdivisions be conceived, designed, and developed in accordance with sound rules and proper minimum standards.

The following subdivision regulations guiding the planning commission are designed to provide for the harmonious development of the regional area; to secure a coordinated layout and adequate provision for traffic, and also to secure adequate provision for light, air, recreation, transportation, water, drainage, sewer, and other sanitary facilities.

B. Authority

These subdivision regulations are adopted under the authority granted by Section 13-4-301 through 13-4-309, Tennessee Code Annotated. The planning commission has fulfilled the requirements set forth in these statutes as prerequisite to the adoption of such regulations, having filed a certified copy of the official Thoroughfare Plan in the Office of the Registrar of Dickson County, Tennessee.

C. Jurisdiction **(amended by Resolution 2017-01, April 11, 2017)**

These subdivision regulations shall govern all subdivision of land within White Bluff, Tennessee. Within these regulations, the term "subdivision" shall mean the division of a tract or parcel of land into two (2) or more lots, sites, or other divisions requiring new street or utility construction, or any division of five (5) acres or less for the purpose, whether immediate or future, of sale or building development, and includes resubdivision and when appropriate to the context, relates to the process of resubdividing or to the land or area subdivided.

Any owner of land within the city limits of White Bluff, Tennessee, desiring to subdivide land shall submit to the planning commission plats of the subdivision according to the procedures outlined in Article II, which plats shall conform to the minimum requirements set forth in Article III. Improvements shall be installed as required by Article IV, of these regulations.

D. Interpretation

In their interpretation and application, the provisions of these regulations shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.

E. Conflict with Public and Private Provisions

1. Public Provisions

These regulations are not intended to interfere with, abrogate or annul any other ordinance, rule or regulation, statute or other provisions of law. Where any provision of these regulations imposes restrictions different from those imposed by any other ordinance, rule or regulation or other provisions of law, whichever provisions are more restrictive or impose higher standards shall control.

2. Private Provisions

These regulations are not intended to abrogate any easement, covenant or any other private agreement or restriction, provided that where the provision of these regulations are more restrictive or impose higher standards or regulations than such easement, covenant or other private agreement or restriction, the requirements of these regulations shall govern. Where the provisions of the easement, covenant, or private agreement or restriction impose duties and obligations which are more restrictive or of higher standards than the requirements of these regulations or of the determinations of the planning commission or the local government in approving a subdivision or in enforcing these regulations and such private provisions are not inconsistent with these regulations or determinations made thereunder then such private provisions shall be operative and supplemental to these regulations and determinations made thereunder.

F. Severability

Should any article, section, or provision of these regulations be for any reason held to be void or invalid, it shall not affect the validity of any other article, section, or provision hereof, which is not itself void or invalid.

G. Amendments

Any regulations or provisions of this resolution may be changed or amended from time to time by the planning commission by resolution passed after a public hearing, due notice of which has been given as required by law.

ARTICLE II

PROCEDURE FOR PLAT APPROVAL

The procedure for review and approval of a subdivision plat consists of three (3) separate steps. The initial step is the early informal consultation with the planning commission technical staff for advice and assistance. The second step is the preparation and submission to the planning commission of a preliminary sketch plat of the proposed subdivision. The third step is the preparation and submission to the planning commission of a final plat together with required certificates. This final plat becomes the instrument to be recorded in the Office of the County Registrar when duly signed by the secretary of the planning commission.

A. General Procedure

1. Any owner of land lying within the area of jurisdiction of the planning commission who desires to divide such land into two (2) or more lots, sites, or divisions for the purpose, whether immediate or future, of sale or building development, or who wishes to resubdivided for this purpose, shall submit a plan of such proposed subdivision to the planning commission for approval and shall obtain such approval prior to the filing of his subdivision plat for record. Any such plat of a subdivision shall be presented in the manner specified in the following sections of this Article. No plat of a subdivision of land within the city limits of White Bluff, Tennessee, shall be filed or recorded by the Registrar of Dickson County without the approval of the planning commission as specified herein.
2. In order to secure review and approval by the planning commission of a proposed subdivision, the prospective subdivider shall, prior to the making of any street improvements or installations of utilities, submit to the planning commission a preliminary sketch plat as provided in Section B, of this article. On approval of said preliminary sketch plat he may proceed with the preparation of the final plat and other documents required in connection therewith as specified in Section C, of this article, and with the improvements set forth in Article IV. In no case shall a preliminary plat be presented in sections.

Subdivision Plat Fees are as follows: (Added by Resolution, September 21, 1998)

Amendment to the Final Plat	\$25.00 Fee
1 - 5 Lots	\$25.00 Fee
Over 5 Lots	\$10.00 Fee per Each Additional Lot

3. A subdivider may omit the submission of a preliminary plat, submitting only a final plat, if all of the following conditions are met:
 - a. The proposed subdivision does not contain more than five (5) lots, tracts, or divisions.
 - b. All public improvements as set forth in Article IV, are already installed. (Any construction, installation, or improvement of public improvements shall require the submission of a preliminary plat as prescribed in Section B, of Article II).

- c. The subdivider has consulted informally with the planning commission technical staff for advice and assistance, and it is agreed upon by the planning commission that a preliminary plat is unnecessary, prior to submission of the final plat and its formal application for approval.
4. When a subdivision creates no more than two lots and does not involve street or utility construction to serve the subdivision, approval may be endorsed by the Secretary of the Planning Commission provided the planning staff has reviewed the plat and the subdivision complies with all provisions of the Subdivision Regulations and the White Bluff Zoning Ordinance and that no variance to these regulations or other town ordinances or policies has been requested. The staff or Secretary of the Planning Commission reserves the right to require any Subdivision to be reviewed by the full Planning Commission at their next regularly scheduled meeting. **(Added by Resolution, September 8, 2003)**

B. Preliminary Sketch Plat

1. At least ten (10) days prior to the meeting at which it is to be considered, the subdivider shall submit to the secretary of the planning commission seven (7) copies of any required preliminary sketch plat of a proposed subdivision drawn to a scale of not less than one inch equal one hundred (100) feet. At the time of such submission the secretary of the planning commission shall issue a receipt acknowledging said submission. Neither the submission of the preliminary sketch plat to the secretary of the planning commission nor the receipt issued by the secretary of the planning commission shall constitute submission of the preliminary sketch plat for consideration by the planning commission.
2. The preliminary sketch plat shall be presented to the planning commission at its next meeting by the secretary or the acting secretary of the planning commission for approval, disapproval, or approval subject to modification. Failure to present the preliminary sketch plat by the secretary or the acting secretary shall not relieve the planning commission of its responsibility to consider said plat.
3. The sketch plat, which shall meet the minimum standard of design as set forth in Article III and the general requirements for the construction of public improvements as set forth in Article IV, shall give the following information insofar as possible:
 - a. The proposed subdivision's name and location, the name(s) and address(es) of the owners, present tract designation according to official records in the office of the appropriate recorder, and the name of the designer of the plat who shall be a professional engineer or surveyor licensed by the State of Tennessee.
 - b. Date, approximate north point, and graphic scale.
 - c. The location of existing and proposed property lines, streets, water courses, railroads, sewers lines, water lines, drain pipes, bridges, culverts, and easements for existing utilities or other features. Existing features shall be distinguished from those which are proposed. In addition, the present zoning classification of the land

to be subdivided and of adjoining lands and the names of adjoining property owners or subdivisions shall be indicated.

- d. Plans of proposed sewer and water systems showing connections to the existing or any proposed utility systems. When such connections are not practicable, any proposed individual water supply and/or sewage disposal system must be approved by the Dickson County Health Department in writing.
 - e. The proposed street names, and the locations and dimensions of proposed streets, alleys, easements, parks and other open spaces, reservations, lot lines, building setback lines, and utilities.
 - f. Contours at vertical intervals of not more than five (5) feet, except when specifically not required by the planning commission.
 - g. Subsurface conditions and soil types on the tract shall be approved by the Dickson County Health Department.
 - h. If any portion of the land proposed for subdivision lies within a floodable area, as determined by an official TVA or Corps of Engineers Flood Study Map, that portion shall be so indicated.
 - i. The acreage of the land to be subdivided.
 - j. Location sketch map showing relationship of subdivision site to area.
 - k. Any other restrictions which may be detailed in property deeds shall also be filed with the planning commission.
- 4. Within sixty (60) days after submission and official review of the preliminary sketch plat by the planning commission, the planning commission shall take action on it. If a plat is disapproved, reasons for such disapproval shall be stated in writing. If approved subject to modifications, the nature of the required modifications shall be indicated.
 - 5. If a plat is disapproved, a new plat may be presented as though no previous plat had been submitted. If a plat is approved, or approved subject to modifications, and the subdivider desires to make substantial modifications, other than those already required by the planning commission, a new preliminary plat must be submitted and is subject to the same regulations and procedures as though no previous plat has been submitted, except that a certification to the effect that the previous plat has been withdrawn must be submitted.
 - 6. One copy of the preliminary sketch plat will be retained in the planning commission files; one copy shall be returned to the subdivider with any notations at the time of approval or disapproval and the specific changes, if any, required.
 - 7. Failure of the planning commission to act on the preliminary sketch plat within sixty (60) days after being presented at a planning commission meeting in accordance with Subsections B.1 and B.2, of this Article, will be deemed approval of this plat.

8. The approval of the preliminary sketch plat by the planning commission shall not constitute acceptance of the final plat; and such approval shall not be indicated on the preliminary sketch plat.
9. The approval of the preliminary sketch plat shall lapse unless a final plat based thereon is submitted within one year from the date of such approval; provided, however, that an extension of time is not applied for and granted by the planning commission.
10. If the subdivision is to be developed and submitted as final plats in portions or sections of the preliminary plat, the sections must be identified by alphabetical characters, following the name of the subdivision as initially submitted or approved on preliminary.
11. No subdivision shall use the name of an existing subdivision except as noted in Article II, Subsection B, 10.

C. Final Plat

1. The final plat shall conform substantially to any preliminary sketch plat as approved; and, if desired by the subdivider, it may constitute only that portion of the approved preliminary sketch plat which he proposes to record and develop at the time; provided however, that such portion conforms to all requirements of these regulations.
2. If the final plat submitted is a section of the preliminary plat, the final plat shall be titled the same as the preliminary plat followed by an alphabetical section designation.
3. Subsection C, 1, of Article II, shall not apply when a final plat is submitted in accordance with Subsection A, 3, of Article II.
4. At least ten (10) days prior to the meeting at which it is to be considered the subdivider shall submit the original drawing in black drawing ink and seven (7) copies (black and white prints), together with street profiles or other plans that may be required by the planning commission. At the time of such submission the secretary of the planning commission shall issue a receipt acknowledging said submission. Neither the submission of the final plat to the secretary of the planning commission nor the receipt issued by the secretary of the planning commission shall constitute submission of the final plat for consideration by planning commission.
5. The final plat shall be presented to the planning commission at its next meeting by the secretary or the acting secretary of the planning commission for consideration for approval or disapproval. Failure to present the final plat by the secretary or the acting secretary shall not relieve the planning commission of its responsibility to consider said plat.
6. The plat shall be drawn to a scale of one (1) inch equals one hundred (100) feet on sheets not larger than eighteen (18) by twenty-four (24) inches. When more than one sheet is required, an index sheet of the same size shall be filed showing the entire subdivision with the sheets lettered in alphabetical order as a key.
7. When the plat has been approved by the planning commission, one copy shall be returned to the subdivider, with the approval of the planning

commission certified thereon, for filing with the county register as the official plat of record. The original tracing containing all required certifications shall be returned to the subdivider for his records and the other copy shall be retained in the records of the planning commission.

8. The planning commission shall approve or disapprove the final plat within sixty (60) days after its submission for consideration. Failure of the planning commission to act on the final plat within these sixty (60) days shall be deemed approval of it. If the plat is disapproved, the grounds for disapproval shall be stated upon the records of the planning commission.
9. Approval of the final plat by the planning commission shall not constitute the acceptance by the public of the dedication of any streets or other public way or ground.
10. The final plat shall show:
 - a. The lines of all streets and roads; the size and location of any water and sewer mains; alley lines; lot lines, building setback lines; any easements for rights-of-way provided for public services, utilities, and the disposal of surface water; the limitation and/or dimensions of all easements; lots numbered in numerical order; any areas to be dedicated to public use, and any sites for other than residential use, with notes stating their purpose and any limitations.
 - b. Sufficient data to determine readily and reproduce on the ground the location, bearing and length of every street line, lot line, boundary line, block line, and building line whether curved or straight, and including true north point. This shall include the radius, central angle, and tangent distance for the center line of curved streets and curved property lines that are not the boundary of curved streets.
 - c. All dimensions to the nearest hundredth (100th) of a foot and angles to the nearest minute.
 - d. Location and description of monuments.
 - e. The names and locations of adjoining subdivisions and streets and the location and ownership of adjoining unsubdivided property.
 - f. Date, title, name and location of subdivision, graphic scale, and true north point.
 - g. Location sketch map showing site in relation to area.
11. The following certificates shall be presented with the final plat:
 - a. Certification showing the applicant is the landowner and dedicates streets, rights-of-way, and any sites for public use (Form 1-Appendix).
 - b. Certification of surveyor or engineer to accuracy of survey and plat and placement of monuments (Form 2-Appendix).

- c. Certification by authorized approving agent the utility systems, private or otherwise, have been installed in accordance with government requirements (Form 3-Appendix).
- d. Certification by authorized approving agent (Form 4-Appendix) that the subdivider has complied with one of the following alternatives:
 - (1) Installed all improvements in accordance with the requirements of the regulations, or
 - (2) Posted a security bond in sufficient amount to assure such completion of all required improvements.
- e. Certification of approval to be signed by the secretary of the planning commission (Form 5-Appendix).

ARTICLE III

GENERAL REQUIREMENTS AND MINIMUM STANDARDS OF DESIGN

A. Streets

1. Conformity to the Official Thoroughfare Plan

The location and width of all streets and roads shall conform to the latest Official Thoroughfare Plan.

2. Relation to Adjoining Street System

The proposed street system shall extend existing streets or projects. They shall be extended at a width no less than the required minimum width as set forth in this Article or the width of the existing street, whichever is greater.

3. Street Elevation

The planning commission may require where necessary profiles and elevations of streets for area subject to flood. In areas subject to flood, fill may be used for streets provided such fill does not unduly increase flood heights. Drainage openings shall be designed as to not restrict the flow of water and unduly increase flood heights.

4. Street Right-of-Way Widths **(Amended by Resolution 2017-01, April 11, 2017)**

The minimum width of right-of-way, measured from lot line to lot line, shall be as shown on the Official Thoroughfare Plan, or if not shown on such plan, shall be not less than as follows, unless, otherwise, noted by the planning commission:

a. Arterial Streets

as may be required by the planning commission.

Arterial streets are used primarily for fast or heavy traffic.

Major Arterial 100 feet

Minor Arterial 80 feet

b. Collector Streets

60 feet

as may be required by the planning commission.

Collector streets carry local traffic to the arterials.

c. Minor Streets

50 feet

Minor streets are used primarily for accesses to abutting properties, and are designed to discourage through traffic.

d. Dead-End Streets (cul-de-sac)

50 feet

Cul-de-sacs are permanent dead-end streets or courts designed so that they cannot be extended in the future.

In cases where topography or other physical conditions make a street of the required minimum width impracticable, the planning commission may modify the above requirements.

5. Additional Right-of-Way on Existing Streets

Subdivisions that adjoin existing streets shall dedicate additional right-of-way to meet the above minimum street width requirements.

- a. The entire right-of-way shall be provided where any part of the subdivision is on both sides of the existing street.
- b. When the subdivision is located on only one side of an existing street, one-half of the required right-of-way, measured from the centerline of the existing roadway, shall be provided.
- c. An adequate right-of-way shall be dedicated along each side of any important surface drainage course for purposes of constructing, widening, deepening, relocating, improving or maintaining such drainage course. The location of any surface drainage course shall not be changed without the approval of the city engineer and/or county road supervisor.
- d. Subdivisions along existing streets of inadequate right-of-way shall dedicate additional right-of-way to meet the minimum street width specified in these regulations.
- e. Subdivisions with unusual topographic conditions shall provide slope easements along streets right-of-ways where necessary for the sloping of banks or fill.

6. Restriction of Access

When tract fronts on an arterial street or highway, the planning commission may require such lots to be provided with frontage on a marginal access street.

7. Street Grades

Grades on major streets and roads shall not exceed seven (7) percent. Grades on other streets may exceed seven (7) but not more than ten (10) percent. Grades shall not exceed five (5) percent at intersections.

8. Horizontal Curves

When connecting street lines deflect from each other at any one point by more than ten (10) degrees, they shall be connected by a curve with a radius adequate to insure a sight distance of not less than two hundred (200) feet for minor and collector streets, and of such greater radii as the planning commission shall determine for special cases. On streets sixty (60) feet or more in width, the center line radius of curvature shall be not less than three hundred (300) feet; on other streets; not less than one hundred (100) feet.

9. Vertical Curves

Every change in grade shall be connected by a vertical curve constructed so as to afford a minimum sight distance of two hundred (200) feet, said sight distance being measured from the driver's eyes, which are assumed to be four and one-half (4 1/2) feet above the pavement surface, to an object four (4) inches high on the pavement. Profiles of all streets showing natural and finished grades drawn to a scale of not less than one (1) inch equals one hundred (100) feet horizontal, and one (1) inch equals twenty (20) feet vertical, may be required by the planning commission.

10. Intersections

Street intersections shall be as nearly at right angles as is possible, and no intersection shall be at an angle of less than sixty (60) degrees.

Property line radii at street intersections shall not be less than twenty (20) feet and where the angle of street intersection is less than seventy-five (75) degrees, the planning commission may require a greater curb radius. Wherever necessary to permit the construction of a curb having a desirable radius without curtailing the sidewalk at a street corner to less than normal width, the property line at such street corner shall be rounded or otherwise setback sufficiently to permit such construction.

11. Tangents

A tangent of at least one hundred (100) feet in length shall be introduced between reverse curbs on arterial and collector streets.

12. Street Jogs

Street jogs with centerline offsets of less than one hundred twenty-five (125) feet shall not be allowed.

13. Dead-End Streets

a. Minor terminal streets or courts designed to have one end permanently closed shall be no more than six hundred (600) feet long, unless necessitated by topography. They shall be provided at the closed end with a turn-around having an outside roadway diameter of at least eighty (80) feet and a street right-of-way diameter of at least one hundred (100) feet or the planning commission may approve an alternate design.

b. Where, in the opinion of the planning commission, it is desirable to provide for street access to adjoining property, proposed streets shall be extended by dedication to the boundary of such property. Such dead end streets shall be provided with a temporary turn-around having a roadway diameter of at least eighty (80) feet.

14. Private Streets and Reserve Strips

There shall be no private street platted in any subdivision. Every lot in subdivided property shall be served from a publicly dedicated street.

There shall be no reserve strips controlling access to streets, except where the control of such strips is definitely placed with the community under conditions approved by the planning commission.

15. Street Names

Proposed streets which are obviously in alignment with others already existing and named, shall bear the names of existing streets. In no case shall the name for proposed streets duplicate existing street names, irrespective of the use of the suffix street, avenue, boulevard, drive, place or court. The planning commission can assist the subdivider in avoiding duplication.

16. Alleys

Alleys shall be provided to the rear of all lots used for business purposes, and shall not be provided in residential blocks, except where the subdivider produces evidence satisfactory to the planning commission of the need for alleys.

17. Access to Lots by Public Way or Private Easement **(Added by Resolution, April 20, 1998)**

Pursuant to Section 13-4-308, Tennessee Code, no building permit shall be issued and no building or structure shall be erected on any lot within the jurisdictional area, unless the public way giving access to the lot upon which the building or structure is proposed to be placed shall have been accepted or opened or shall have otherwise received the legal status of a public way as provided by law, or unless such lot fronts upon a permanent easement which conforms to the provisions set forth in these regulations.

Provided, further, that when a permanent easement to a public way is used for access to a lot or tract of land having been or being separated by deed or plat from other property, said easement shall meet the following minimum requirements and any special conditions attached by the Planning Commission:

- a. A permanent easement used for access to a lot or tract of land shall be at least fifty (50) feet in width, for the entire distance, from the public way to the lot or tract being served. The Planning Commission may require greater widths if necessary to meet special conditions present on a plat;
- b. A permanent easement providing legal access to more than one lot shall be improved to meet the road construction standards established in the general requirements and minimum standards and development prerequisites to final approval sections of these regulations. This requirement does not apply when a permanent easement is providing access to one or more tracts of land that contain twenty-five (25) acres or more per tract, for the purpose of agriculture use. Any owner/developer subdividing a tract or tracts of land into parcels smaller than twenty-five (25) acres each that are located on a permanent easement shall improve that easement to meet the road construction standards of these regulations;

- c. Permanent easement improvements shall be maintained by the owner/developer by a legally established home owners association or other similar group approved by the Planning Commission. The legal documents establishing the easement and ensuring maintenance of the easement shall be submitted with the final plat for review and approval and shall be recorded with the final plat.
- d. If, at any future date, a permanent easement is submitted for acceptance as a public street or road, it shall be submitted to the Planning Commission for approval. In considering the easement for approval as a public street or road, the Planning Commission shall require the improvements to the easement to meet the minimum street construction standards in effect at the time the request for public acceptance is made.

The above section shall not be construed to prohibit the development of buildings on lots or tracts with permanent access provided by private ways when such development is in the form of condominium ownership of such private improvements which have been approved by the Planning Commission and will be in private ownership and control in perpetuity.

B. Blocks

1. Length

Blocks shall not be less than four hundred (400) feet nor more than fifteen hundred (1,500) feet in length, except as the planning commission considers necessary to secure efficient use of land or desired features of street pattern. In blocks over eight hundred (800) feet in length, the planning commission may require one or more public cross walks of not less than ten (10) feet in width extending entirely across the block at locations deemed necessary.

2. Width

Blocks shall be wide enough to allow two (2) rows of lots, except where reverse fronting on major thoroughfares is provided or where prevented by topographical conditions or size of the property; in which case the planning commission will approve a single row of lots of minimum depth.

C. Lots

1. Adequate Building Sites

Each lot shall contain a building site not subject to flood as defined in Subsection E, of this article and outside the limits of any existing easement or building setback lines required in Subsection 4, of this section.

2. Arrangement

Insofar as practical, side lot lines shall be at right angles to straight street lines or radial to curved street lines. Each lot must front upon a public street or road.

3. Minimum Size

The size, shape, and orientation of lots shall be such as the planning commission deems appropriate for the type of development and use contemplated. Where a public sanitary sewer and/or a public water supply system are reasonably accessible, the subdivider shall connect with such system or systems and provide connections to each lot. Where such systems are not available, as determined in accordance with Subsections A, 6 and A, 7, of Article IV, an alternate method of sewage disposal, or water supply may be used, if it meets all applicable public health regulations.

Lots within the city limits of White Bluff, Tennessee, shall comply with the minimum standards as established in the **Zoning Ordinance of White Bluff, Tennessee**, dated, **June 5, 1990**.

4. Building Setback Lines

The depth of building setback lines for front, side and rear yards shall comply with the minimum standards as established in the Zoning Ordinance of White Bluff, Tennessee, dated, June 5, 1990.

In the case of electric transmission lines where easement widths are not definitely established there shall be a minimum building setback line from the center of the transmission line as follows:

<u>Voltage of Line</u>	<u>Minimum Building Setback</u>
46 KV	37 1/2 feet
69 KV	50 feet
161 KV and over	75 feet

D. Public Use and Service Areas

Due consideration shall be given to the allocation of areas suitably located and of adequate size for playgrounds and parks for local or neighborhood use as well as for use as public service areas.

1. Public Open Spaces

Where a school, neighborhood park, or recreation area or public access to water frontage, shown on an official map or in a plan made and adopted by the planning commission, is located in whole or in part in the applicant's subdivision, the planning commission may require the dedication or reservation of such open space within the subdivision up to a total of ten (10) percent of the gross area or water frontage of the plot, for park, school, or recreation purposes.

2. Easements for Utilities

Easements of at least ten (10) feet in width shall be provided on each side of all rear lot lines and five (5) feet in width on each side of all side lot lines for drainage, poles, wires, conduits, storm and sanitary sewers, gas,

water, or other utilities. Easements of greater width may be required along rear lot lines or across lots where necessary for the extension of major utility lines or where more than one utility occupies the same easement. A five (5) foot easement shall be provided on one side of an alley to accommodate pole lines.

3. Community Assets

In all subdivisions due regard shall be shown for all natural features such as large trees and water courses, and for historical spots and similar community assets which, if preserved, will add attractiveness and value to the property.

E. Suitability of the Land

Land subject to flooding, as determined by an official TVA or Corps of Engineers Flood Study Map, and land deemed to be topographically unsuitable due to slope, soil type, sink holes, etc., shall not be platted for residential occupancy, or for any other uses that may increase flood hazards, endanger health, safety, life, or property; or aggravate erosion. Such land within the plat shall be set aside for such uses such as recreational areas, open space areas, etc., as shall not be endangered by periodic or occasional inundation or shall not produce unsatisfactory living conditions.

Fill shall not be used to raise land in areas subject to flood, unless the fill proposed does not restrict the flow of water and unduly increase flood heights.

F. Large Tracts or Parcels

When land is subdivided into larger parcels than ordinary building lots, such parcels shall be arranged so as to allow for the opening of streets in the future and for logical further resubdivision.

G. Variances

Variances may be granted under the following conditions:

1. Where the subdivider can show that strict adherence to these regulations would cause unnecessary hardship, or
2. Where the planning commission decides that there are topographical or other conditions peculiar to the site, and a departure from these regulations will not destroy their intent. Any variance thus authorized shall be stated in writing in the minutes of the planning commission with the reasoning on which the departure is justified as set forth.

H. Other Regulations

Whenever there is a discrepancy between the minimum regulations noted herein and those contained in other official regulations, the highest standard shall apply.

ARTICLE IV

DEVELOPMENT PREREQUISITE TO FINAL APPROVAL

A perfectly prepared and recorded subdivision or plat means little to a prospective lot buyer until he can see actual physical transformation of raw acreage into lots suitable for building purposes and human habitation. Improvements by the subdivider spare the community of a potential tax liability. The following tangible improvements, or provision for their estimated cost, are required before final plat approval in order to assure the physical reality of a subdivision which approval and recordation will establish legally.

A. Required Improvements **(Amended by Resolution 2017-01, April 11, 2017)**

Every subdivision developer shall be required to grade and improve streets and alleys, and to install monuments, sewers, storm water inlets, and water mains in accordance with specifications established by the White Bluff Planning Commission.

Before the final subdivision plat is signed by the Secretary of the Planning Commission as specified in Article II of these regulations, all applicants shall complete, in accordance with the Planning Commission's decision and to the satisfaction of the appropriate governmental representative, all public way, sanitary, and other improvements, including lot improvements on the individual lots of the subdivision, as required in these regulations and approved by the Planning Commission, and shall dedicate such improvements to the governing body free and clear of all liens and encumbrances on the property and public improvements thus dedicated.

1. Monuments

- a. Concrete monuments four (4) inches in diameter or four (4) inches square, three (3) feet long, with a flat top shall be set at all street corners, at all points where the street lines intersect the exterior boundaries of the subdivision, and at angle point and points of curve in each street, except where there are no more than two lots comprising the subdivision of land. In such cases, iron pins or pipes as defined in Article IV, A, 1, b, below, shall be used to mark all the pre-cited points as described herein in Article IV, A, 1, a. **(Amended by Resolution, September 23, 1993)**
- b. All other lot corners shall be marked with iron pipe not less than three-fourths inches in diameter and twenty-four (24) inches long and driven so as to be flush with the finished grade.

2. Grading and Soil Preservation, Lot Drainage, Erosion Control, and Seeding **(Amended by Resolution #2021-01, August 10, 2021)**

The full width of the right-of-way shall be graded including the subgrade of the areas to be paved. All grading in the subdivision shall be related to the topography of the surrounding area. All street improvements shall be raised at least two (2) feet above the 100-year floodplain as established by the U.S. Army Corps of Engineers or local officials.

Grading and Soil Preservation

Except as required for the building site, topsoil shall not be removed from residential lots or used as spoil but shall be redistributed so as to provide cover on the lots. Upon lots served by individual sewage disposal systems, grading shall be performed in strict accordance with requirements of the local office of the State Department of Environment and Conservation.

Lot Drainage

Lots shall be laid out so as to provide positive drainage away from all buildings, and individual lot drainage shall be coordinated with the general storm drainage pattern for the area which includes subsurface drainage. Drainage shall be so designed so as to avoid concentration of storm drainage water from each lot to adjacent lots.

The Planning Commission reserves the right to require the developer's engineer to set minimum elevations on all floors, patios, and building equipment. This prerogative to establish elevation exists in addition to any ordinances that refer to floodplain elevation requirements. The content of the preceding paragraph is to give the Planning Commission summary review powers over any calculated or historical evidence of storm water presence in overland or channel conditions.

The subdivision developer will ensure that all artesian ground waters of a permanent or temporary nature encountered within the right-of-way will be intercepted and carried away to primary drainage conduits along swaled ditches or in underground pipes on property line easements. Regardless of the location of property lines, intercept will be allowed at the point of artesian surfacing. The intent of this paragraph is to perform this work upon evidence of artesian water for a period of one (1) year following acceptance of all roads and utilities.

Any sinkhole or natural channel which serves or has served as a means of moving or storing ground water shall be protected as may be required by the Town's engineering consultant.

Erosion and Sediment Control

There shall be a minimization of changes in the rate of natural erosion and sedimentation which result from the development process. An erosion and sediment control plan shall be presented with the construction plans submitted in conformance with Section 5-103, of these regulations. Such plans shall incorporate the following principals:

- clearing and grading shall be integrated with layout design;
- clearing shall be minimized and existing vegetation shall be preserved to the maximum feasible degree;
- grading shall be strictly limited to those areas involved in current construction activities;
- disturbed areas shall be protected and stabilized as soon as possible;
- structural and vegetative measures to control the velocity and volume of runoff shall be required;
- sediment basins and traps shall be required as necessary;
- adequate maintenance of all planting and structures measures shall be assured.

Seeding

Any seeding and sodding needs within an area of public infrastructure or private property shall likewise be included as replaceable/repairable items during the construction phase.

3. **Minimum Pavement Widths** **(Amended by Resolution, May 15, 2000)**

	<u>Ditch Section (Required)</u>	<u>Curb and Gutter (Optional)</u>
a. Minor Residential Street 4-foot shoulders	20 feet, plus two	24 feet
b. Collector Residential Street 6 foot shoulders	24 feet, plus two	28 feet
c. Collector Commercial- Industrial Street	24 feet, plus two 10 foot shoulders	30 feet
d. Alley 18 feet		NA
e. Cul-de-sac Turn-A-Rounds with a Permanent Type Edge	80 feet	80 feet

For definitions and functions of the various types of streets listed above, refer to Article III, Section A, Subsection 4.

Streets in industrial, commercial or office subdivisions may be required to have greater widths as directed by the planning commission.

4. **Pavement Base and Wearing Surface** **(Amended by Resolution, May 15, 2000)**

a. **Base Stone**

The base stone shall be graded and rolled while it is still moist from the pugmill mix. If the enforcing officer determines that the mix is too dry, water shall be added with a distributor tank truck while the stone is being graded and rolled. The compacted thickness shall be no less than six (6) inches. Compaction shall be uniform for the entire width of the roadway until a density of ninety-eight (98) percent of the solid volume has been achieved. The enforcing officer shall approve placement and compaction of each layer before materials for the next successive layer are placed.

No pavement shall be placed until the enforcing officer has approved the stone base.

b. **Binder Course**

A binder course of asphalt shall be applied upon completion of the prime coat. The binder mix shall be asphalt concrete "B" modified of a minimum of two (2) inch thickness. The binder course shall be considered as described in Section 903.11, Standard Specifications – Standard Specifications for Road and Bridge Construction, Tennessee

Department of Transportation, Bureau of Highways, Nashville, Tennessee, March 1, 1995 and subsequent revisions and additions.

c. Tack Coat

A tack coat shall be applied to old or existing pavement surface or to a previously prepared base or surface to provide bond for an overlaid course. The tack coat shall be applied at the rate of one-tenth (1/10) gallon per square yard using materials and methods of installation set forth in Section 403, Standard Specifications.

d. Wearing Surface

Upon completion of the application of the tack coat, an asphaltic concrete surface (hot mix) shall be applied. The wearing surface shall be a minimum of one and one-half (1 1/2) inch thickness. All materials and methods of installation shall conform to the technical specifications set forth in Section 411, Standard Specifications, for asphaltic concrete surface. The wearing surface shall be constructed of "CW" Mix, described in Section 903.11, Standard Specifications, and shall utilize asphaltic cement Grade RT-4 or 5, or TRCB-5 or 6, as set forth in Section 904, Standard Specifications.

e. Shoulders

Shoulder construction shall be completed by blading, moistening as necessary, and by thoroughly compacting. The shoulders shall be the width and thickness shown on the typical section as required herein and covered with the typical section as required herein and covered with a double bituminous surface treatment. The surface shall be prepared as directed in advance of the surface construction.

f. Testing

The developer will provide proper testing and inspection of asphalt material at the plant and at the project site at his expense. Certification that the asphalt meets regulations will be supplied to the White Bluff Street Superintendent.

g. Drawings

The four (4) drawings that follow show the specific combinations of pugmill mix, "CW" mix and "B" modified depending upon the type of road being constructed. These combinations shall be followed according to the type of road being constructed.

5. Curbs and Gutters **(Amended by Resolution, September 11, 2007)**

All new streets within the Town of White Bluff shall utilize curb and gutter type construction. All such construction shall conform to the drawing and specifications contained in these regulations.

6. Sewers

- a. Each property or lot shall be connected to a public sanitary sewer system if such system adjoins the proposed subdivision or is run by a public authority (or district utility system) to the proposed subdivision. The developer shall supply to the planning commission a written statement from the applicable public authority stating sewage is available adjacent to the property or that it will not run a sewer main to the property. Any pumps or other equipment necessary to move the sewage will be the developer's responsibility.
- b. If sewer system is not required as above, then individual disposal systems approved by the county health department shall be provided on each lot, or as an alternate, a disposal plant or plants may be provided as approved by the State Water Pollution Control Board and the county health department.
- c. Sanitary sewers shall not be used to carry storm or surface water.
- d. All principal sanitary sewer lines shall be located within the street right-of-way or public easements.

7. Water

- a. Where adequate public water supply is available, the subdivider shall construct a system of water mains including a water stub terminal outside curb lines for each lot which shall connect with such public water supply and serve adequately all lots and tracts within the subdivision. Water line additions within the subdivision shall be a minimum of six (6) inches in diameter with fire hydrants installed. Fire hydrants will be no more than seven hundred (700) feet apart by street. **(Amended by Resolution, June 21, 1999.)**
- b. The installation of the aforementioned improvements shall be under the supervision and inspections of the building inspector and appropriate utility district or their representatives.

8. Drainage and Storm Sewers

a. General Requirements

The planning commission shall not approve any plat of subdivision which does not make adequate provision for storm or floodwater runoff channels or basins. The storm water system shall be separate and independent of any sanitary sewer system.

1. The review and approval of drainage plans for proposed subdivisions shall be the responsibility of the planning commission and such approvals shall be based on applicable statutes, rules, regulations, and adopted master plans for storm water management.
2. Where all or part of a proposed subdivision is affected by periodic flooding, planning commission reviews and approval of the subdivision shall be subject to the restrictions for adequate handling of these conditions as shown by the developer.

3. The review and approval of drainage plans should generally include the following:

- a. The type of drainage facilities needed (i.e., open drainage vs. storm sewers).
- b. The off-site impacts both upstream and down stream from the subdivision, including the need for off-site or on-site improvements to offset adverse off-site impacts.
- c. On-site improvements necessary to accommodate upstream drainage.
- d. Possible problems due to localized poor drainage or features such as sinkholes.

b. Dedication of Drainage Easements

Where a subdivision is traversed by a watercourse, drainageway, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially to the lines of such watercourse, and of such width and construction as will be adequate for the purpose. Whenever possible, it is desirable that the drainageway be maintained by an open channel with landscaped banks and adequate width for maximum potential flow.

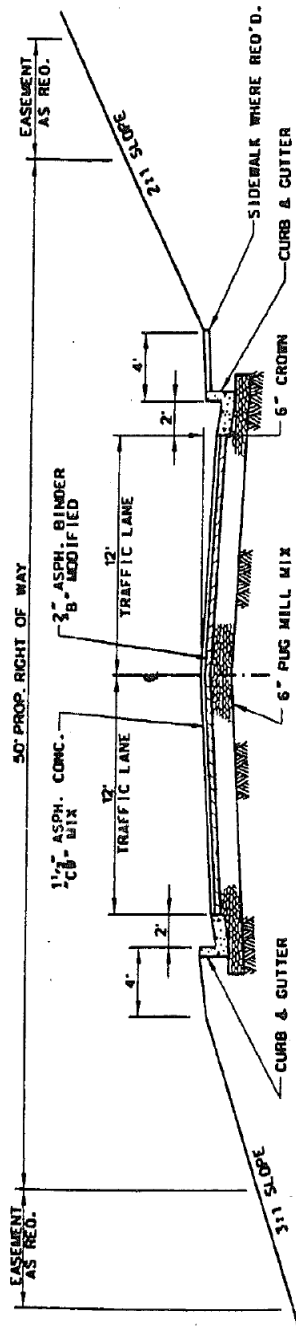
c. Drainage Easements

1. Where topography or other conditions make the inclusion of drainage facilities within the road right-of-way impractical, perpetual unobstructed easements of appropriate width for such drainage facilities shall be provided across property outside the road lines and with satisfactory access to the road. Easements shall be carried from the road to a natural watercourse or to other drainage facilities.
2. The developer shall dedicate, by drainage easement, land on both sides of existing watercourses, to a distance to be determined by the planning commission.
3. Along waterways, low-lying land subject to flooding or periodic overflow during storm periods, whether or not included in areas for dedication, shall be preserved and retained in their natural state as areas for drainage.

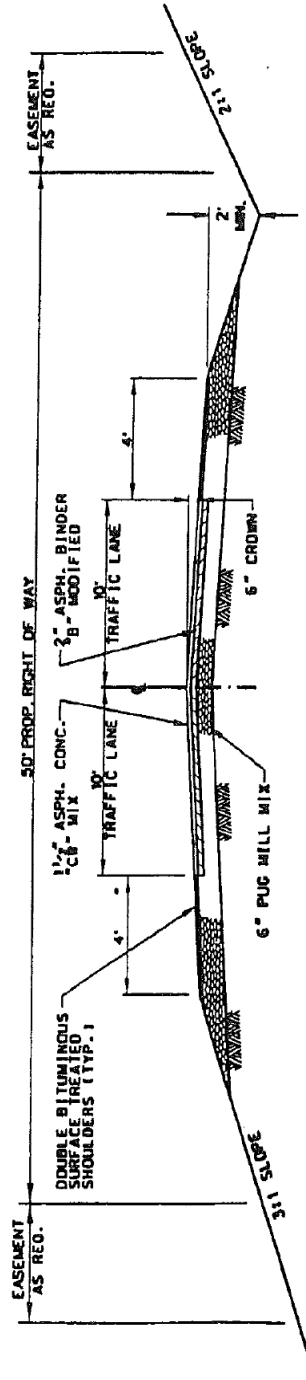
9. Street Lights

Location of future street lighting may be required to be shown on all final plats.

CURB AND GUTTER SECTION (OPTIONAL)

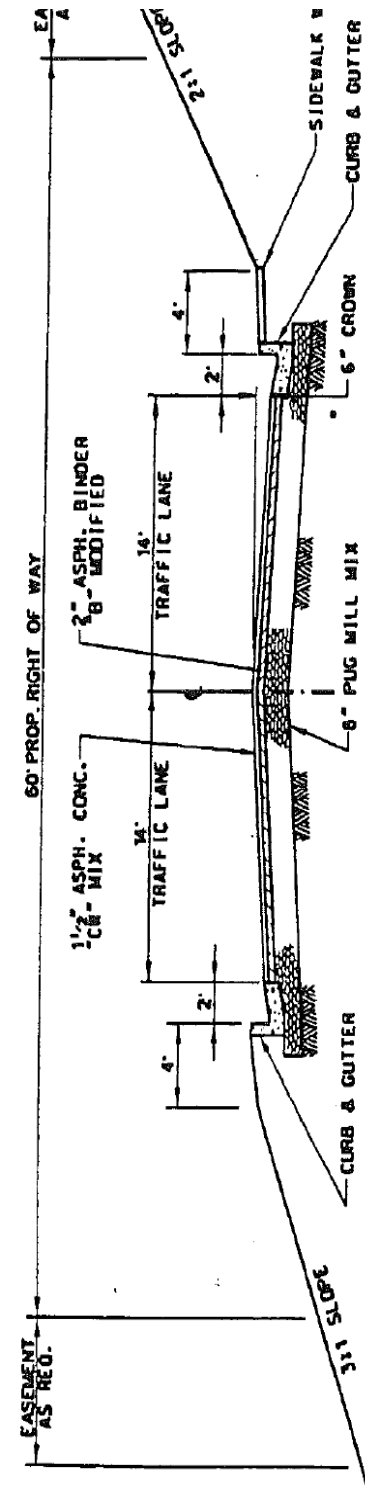


DITCH SECTION (REQUIRED)

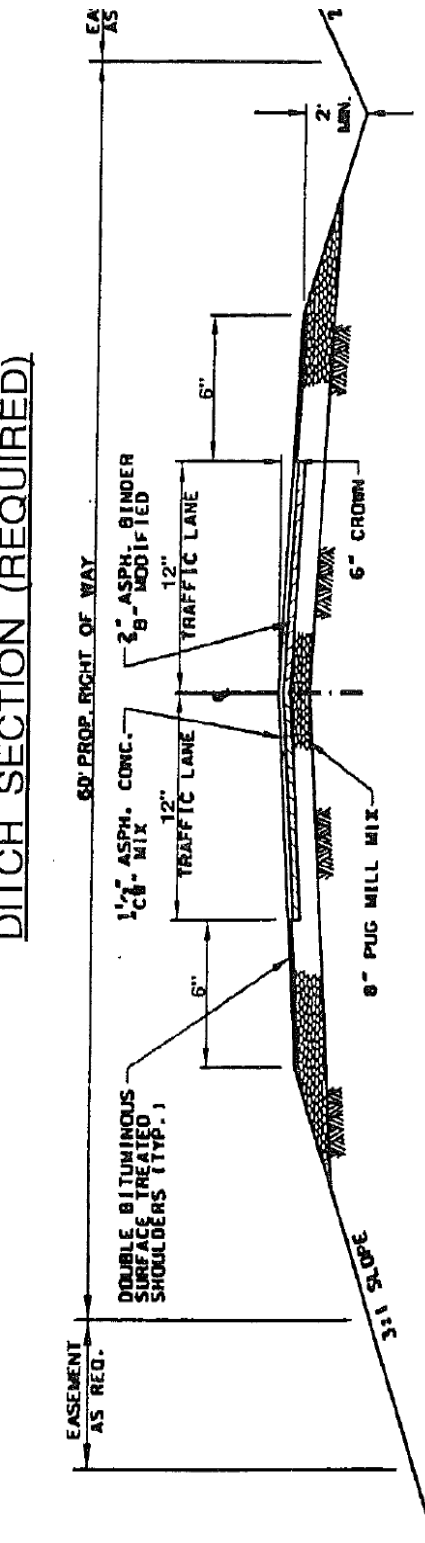


DRAWING A
MINOR RESIDENTIAL STREET
 NOT TO SCALE

CURB & GUTTER SECTION (OPTIONAL)

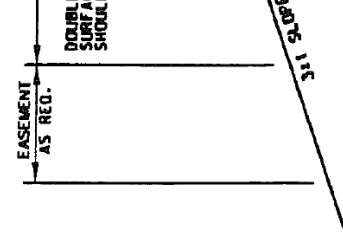
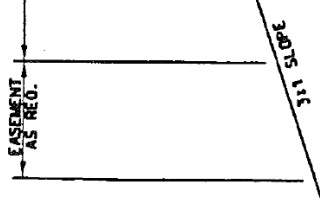


DITCH SECTION (REQUIRED)



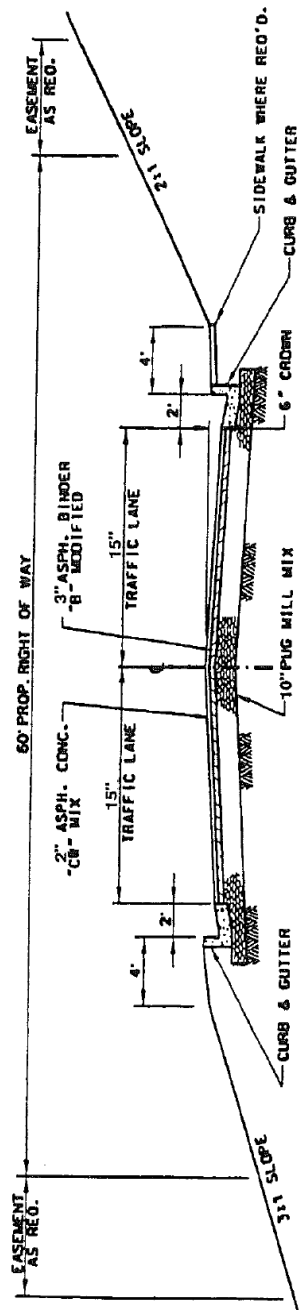
DRAWING B COLLECTOR RESIDENTIAL STREET

NOT TO SCALE

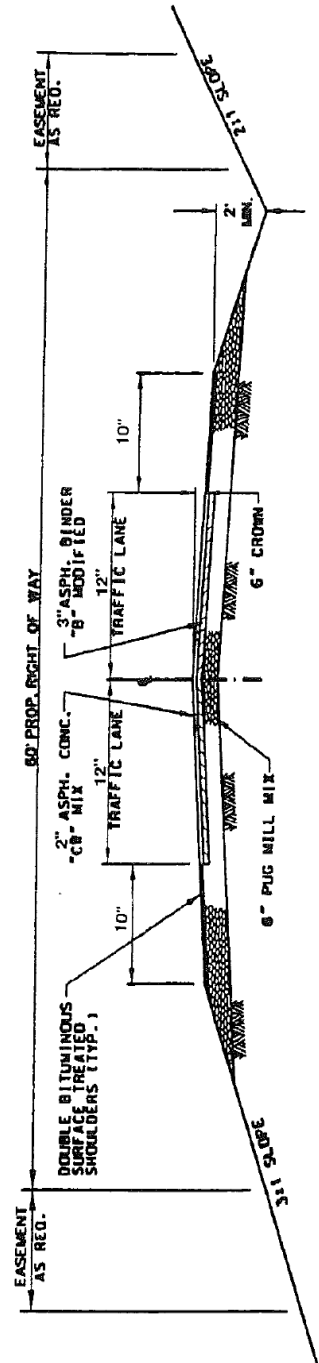


COLLECTOR

CURB & GUTTER SECTION (OPTIONAL)



DITCH SECTION (REQUIRED)



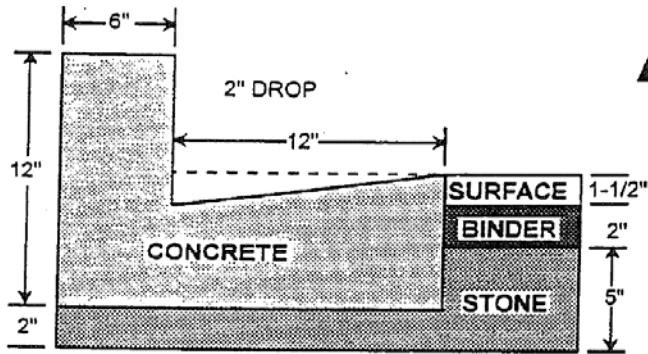
DRAWING C

COLLECTOR COMMERCIAL - INDUSTRIAL STREET

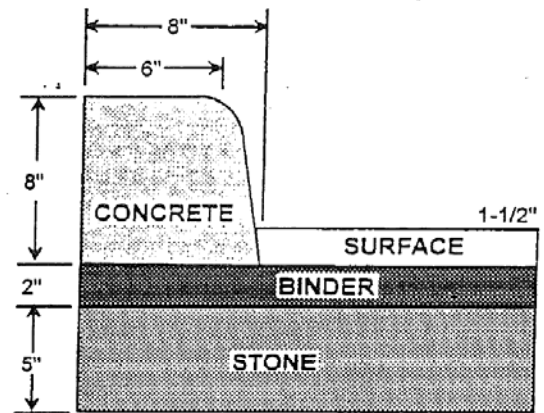
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DRAWING D

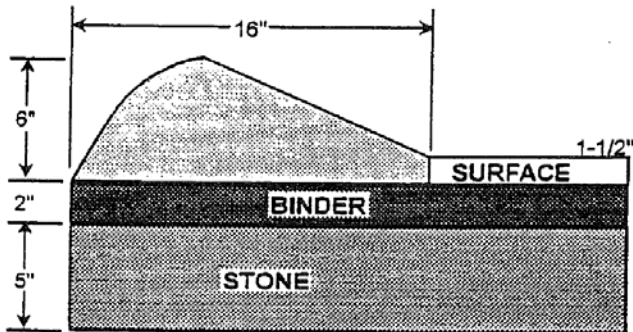
CURB DESIGN ALTERNATIVES



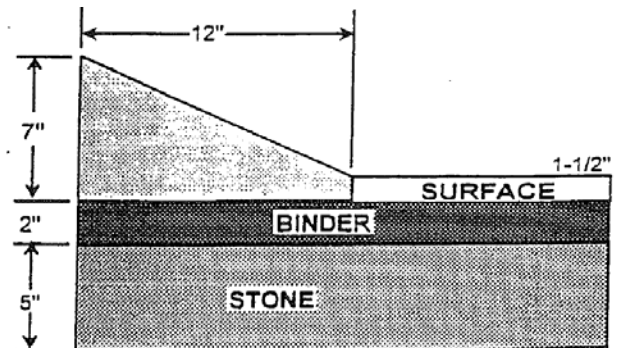
CONCRETE ONLY



CONCRETE ONLY



CONCRETE OR ASPHALT



CONCRETE OR ASPHALT

10. Street Name Signs

A four-way metal street sign shall be installed at each street intersection. The letters shall be at least three and one-half (3 1/2) inches high. The post shall be two and one-half (2 1/2) inches outside diameter, of galvanized iron or equal, ten (10) feet long. It shall be installed at a height of not less than seven (7) feet, and shall be placed not less than two (2) feet nor more than ten (10) feet from the edge of the pavement. The post shall be set in concrete three (3) feet in the ground. The signs shall be installed by the developer and accepted by the building inspector or the highway superintendent as a portion of the street improvements, or the cost shall be included in the amount of the performance bond posted for insurance of street.

11. Miscellaneous

- a. All unpaved areas within the dedicated street area shall be graded and seeded in an approved manner.
- b. Storm water inlets or outlets and culverts shall be provided within the roadway improvements at points so as to facilitate adequate storm water runoff from the street pavement. The minimum design and specification for such structure shall be obtained from the road supervisor or building inspector.
- c. Before acceptance of the final plat, the developer shall confer with the South Central Bell Telephone Company to determine the route of the telephone lines which will serve the residents of the subdivision. After these routes have been established the developer shall prepare all easements which will contain the lines to finished grade. A letter, signed by the developer, and an official of the South Central Bell Telephone Company, shall then be submitted to the planning commission office stating that the prepared easement grades will not be altered, filled, scraped, or landscaped in any manner after approval of the grading by the South Central Bell Telephone Company.

12. Sidewalks (Added by Resolution, September 11, 2007)

Sidewalks shall be installed in any subdivision utilizing public sewer in which new streets are constructed. Sidewalks shall be a minimum of four (4) feet wide and four (4) inches thick. Sidewalks shall be placed a minimum of three (3) feet from the edge of the curb so as to preserve a strip for vegetation.

13. Protecting & Rehabilitating/Repairing Existing Streets (Added by Resolution #2021-01, August 10, 2021)

Damage to existing or new Streets/subgrade, and structures, utilities, trees, or private property shall be repaired and restored to its original condition by the permittee/applicant or his/her contractor due to hauling or otherwise moving equipment, spills of concrete, paint, oil or any other debris which damages the Street or results in cleanup costs for the Town.

On paved surfaces, within public rights-of-way, do not use or operate tractors, bulldozers, off-road trucks or other power-operated equipment, the treads or wheels of which are so shaped as to cut or otherwise damage such surfaces. Damaged roadways shall be repaired to the Town's satisfaction by the permittee/applicant. Placing of mats, steel plates or using other methods of protection may be allowed subject to the approval of the Town and per the Standard Drawings.

Any roadway surface damaged shall be promptly restored to a condition at least equal to that in which they were found immediately prior to the beginning of operations. Suitable materials and methods shall be used for such restoration. All dirt and mud tracked on existing roadways shall be removed promptly.

Prior to overlaying existing asphalt, the Town may require nondestructive testing to determine the amount of overlay necessary to bring the Street to current subdivision street standards. The method of nondestructive testing and the data obtained must be in a form acceptable to the Town. All "pot-holes", utility trench settlement, cracking, and any similar imperfections shall be repaired to the Town's satisfaction prior to overlaying. The following should serve as a guideline for the rehabilitation and repairing of existing streets in Town:

- (i) General - The permittee/applicant or his/her contractor is to provide the necessary labor, materials and equipment to restore and maintain the various Street and driveway surfaces of all types, pavement and driveway bases, curbs, curbs and gutters, and sidewalks disturbed, damaged, or demolished during the performance of the work.
- (ii) Permits - Before starting any work, secure the necessary permits to work within the Town or State ROW and easements when surface materials will be disturbed or demolished.
- (iii) Materials - The quality of materials used in the restoration of existing Streets, parking areas and driveways shall produce a finish surface equal to or better than the condition before work began. Compacted crushed stone backfill shall be in conformance with the TDOT Standard Specifications for Road and Bridge Construction.

Asphalt for a temporary patch shall be Bituminous Plant Mix Surface Course (Cold Mix) as specified in the TDOT Standard Specifications for Road and Bridge Construction.

- (iv) Execution - Where trenches have been opened in any roadway or Street that is a part of the State of Tennessee highway system, restore surfaces in accordance with the requirements of TDOT. All

other restorations shall be done to the satisfaction of the Town and per the Standard Details.

Concrete curbs, gutters, steel grates, etc. shall be restored as required to match existing construction. Replace damaged sections with completely new sections or squares, patching of damaged sections will not be permitted.

When a manhole or valve box frame and cover, or other utility casting, requires adjustment to an elevation one inch or more above the existing pavement grade and is exposed to traffic before final paving is completed, a temporary ramp shall be constructed by feathering a cold mix for 360 degrees around the casting. A taper slope of not less than two feet per one inch shall be used. During the final paving operation, the temporary ramp shall be removed from around the casting to allow for the permanent paving installation.

Dust control measures are used to stabilize soil from wind erosion, and reduce dust generated by construction activities. This thereby reduces the amount of eroded materials available for stormwater runoff. Dust control is considered primarily as a temporary measure-an intermediate treatment between disturbance in either construction, paving, or vegetation. This management practice is likely to create a significant reduction in sediment as well as partial reductions in toxic materials and oil and grease.

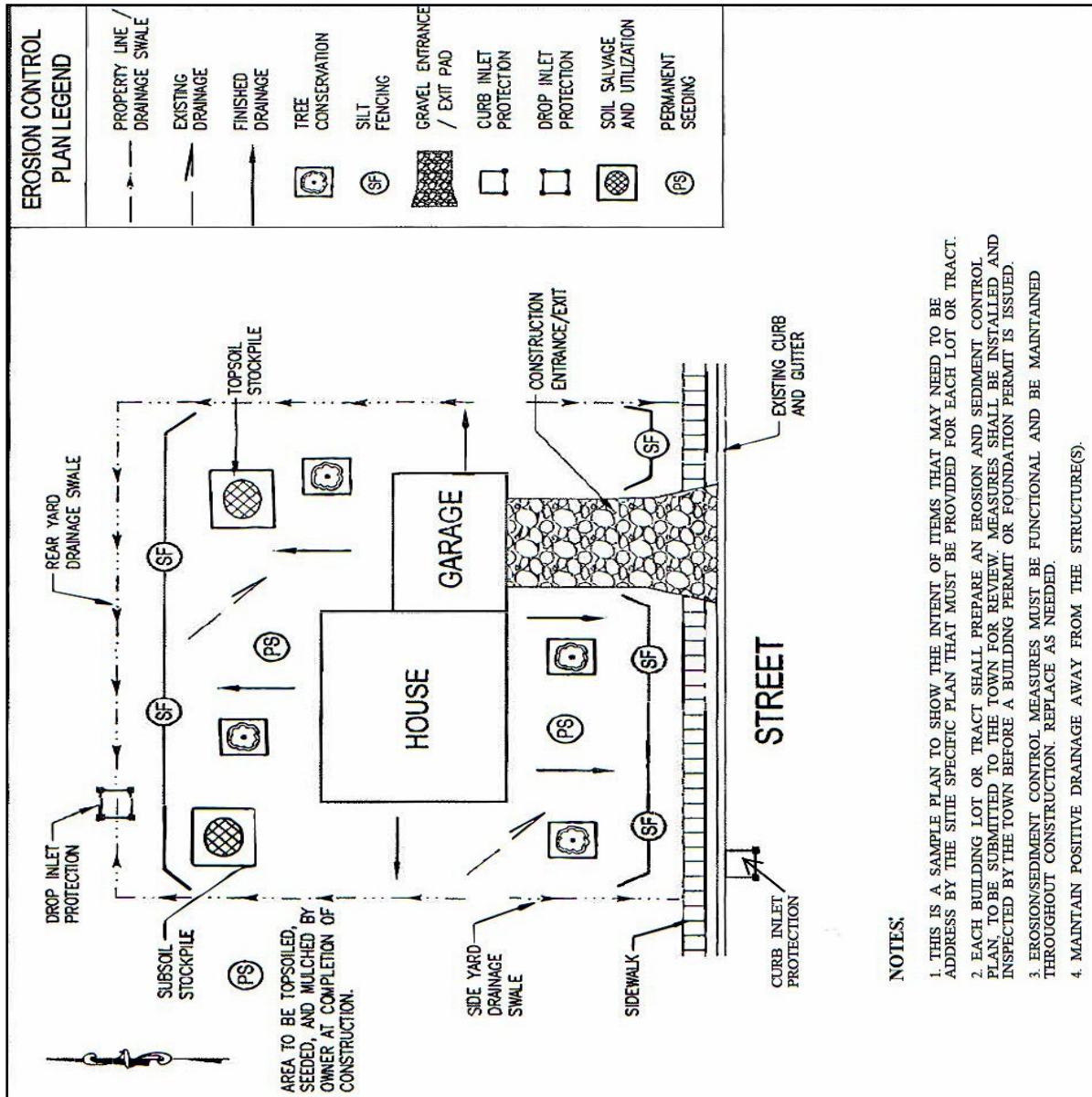
Dust Control measures will need to be used for activities and areas that include but are not limited to the following:

- Clearing and grading activities.
- Construction vehicle traffic on temporary or unpaved streets or the site
- Access paths, construction access and construction area
- Drilling and blasting activities.
- Sediment tracking onto paved streets.
- Soil and debris storage piles.
- Activities from equipment.
- Areas with stabilized soils that are not stabilized.
- Dust control should be practiced at all construction sites by performing phased clearing and grading operations, using temporary stabilization methods, and/or placing undisturbed vegetative buffers of at least 50 ft. length between areas being graded & those areas to remain undeveloped.
- Dust control is particularly important in windy or wind-prone areas.
- Quickly stabilize exposed soils using vegetation, mulching, spray-on adhesives, calcium chloride, sprinkling, and stone/gravel layering.
- Identify & stabilize key access points prior to commencement of

construction.

- Minimizing the impact of dust by anticipating the direction of prevailing winds.
- Direct most construction traffic to stabilized roadways within the project site when permissible.

Example of a Site Development Plan



B. Performance Bond/Surety Instruments (Amended by Resolution 2017-01, April 11, 2017)

In the event the subdivider elects to defer construction of the improvements required, a performance bond, cashier's check or irrevocable letter of credit shall

be required of the subdivider, the amount and specifications of which shall be established by the building inspector and/or designated official, and approved by the Planning Commission as sufficient to guarantee to the governing body the satisfactory construction, installation, and dedication of the incomplete portion of required improvements, thus securing to the city actual construction and installation of such improvements within a period of two (2) years from the date of recording the plat and in accordance with standard specifications of these regulations. All such surety instruments shall be segregated into cost estimates for each specific type of improvements, i.e. streets, drainage, lot improvements, utilities, etc. Such bond shall be in cash or be made by a surety company and shall be made payable to and enforceable by the City of White Bluff, Tennessee. Such bond shall not exceed one hundred-fifteen (115) percent of the estimated cost of the improvements. The surety shall not be released from said bond except by written release from the building inspector and/or designated official.

C. Failure to Complete Improvements **(Amended by Resolution 2017-01, April 11, 2017)**

The period within which required improvements must be completed as assured through the use of a performance bond/surety instrument shall be specified by the Planning Commission at the time of approving the final subdivision plat and shall be incorporated in the agreement and letter of credit. This period shall be for one (1) year and shall not in any event exceed two (2) years from date of final approval. Moreover, whenever such agreement and letter of credit is extended according to these regulations, the price of completing all bondable improvements must be re-analyzed and approved by the Planning Commission in order that the surety instrument be adequate to cover the cost of all improvements. An additional twenty percent (20%) of the cost of securing all necessary improvements shall be added to this cost figure in order to insure that these improvements be properly installed in relation to the rate of inflation for the period of extension. Such agreement and letter of credit shall be established by the designated official as to amount, surety and conditions. The Planning Commission may, upon proof of difficulty, extension of the completion date set forth in such agreement and letter of credit (normally a one (1) year period) for a maximum period of one (1) additional year.

In subdivisions for which no performance bond has been posted, if the improvements are not completed within the period specified by the Planning Commission in the resolution approving the plat, the approval shall be deemed to have expired. In those cases in which a performance bond has been posted and required improvements have not been installed within the terms of such performance bond, the Planning Commission thereupon may declare the bond to be in default and require that all the improvements be installed regardless of the extent of the building development at the time the bond is declared to be in default.

Temporary Improvements

The applicant shall build and pay for all costs of temporary improvements required by the Planning Commission, and shall maintain them to a reasonable satisfaction for the period specified by the Planning Commission. Prior to

construction of any temporary facility or improvement, the applicant shall file with the Planning Commission a separate suitable bond for temporary facilities, which shall ensure that the temporary facilities will be properly constructed, maintained, and removed.

D. Inspection of Improvements **(Added by Resolution 2017-01, April 11, 2017)**

1. General Procedure

The city may provide for inspection of required improvements during construction and ensure their satisfactory completion. If the appropriate governmental representative finds upon inspection that any of the required improvements has not been constructed in accordance with the governing body's construction standards and specifications, the applicant shall be responsible for completing the improvements to the required standards. Whenever the cost of improvements is covered by a performance bond, the applicant and the bonding company shall be liable severally and jointly for completing said improvements according to specifications.

2. Release or Reduction of Performance Bond

a. Certificate of Satisfactory Completion

The city shall not recommend dedication of required public improvements nor shall the city release nor reduce a performance bond until the appropriate governmental representative submits a certificate stating that all required improvements have been satisfactorily completed, and until the applicant's engineer or surveyor has certified to the Planning Commission and/or the appropriate governmental representative (through submission of a detailed "as built" survey of the subdivision indicating location, dimensions, construction materials, and any other information required by the city) that the layout and the line and grade of all public improvements are in accordance with the approved construction plans for the subdivision. Upon such approval and recommendation, the governing body, thereafter, may accept the dedicated improvements in accordance with the procedures set forth in these regulations.

b. Reduction of Performance Bond

A performance bond may be reduced upon actual dedication and acceptance of public improvements and then only to the ratio that the public improvement dedicated bears to the total public improvements for the plat. In no event shall a performance bond be reduced below twenty-five (25) percent of the principal amount prior to final acceptance of all items covered under the bond.

c. Costs of Improvements

All required improvements shall be made by the applicant at his expense. Any provisions for reimbursement by the governing body or any utility agency shall be stipulated clearly in the provisions of any bonds.

d. Governmental Units

Governmental units to which these bonds and contract provisions apply may file, in lieu of said contract or bond, a certified resolution or ordinance

from officers or agencies authorized to act in their behalf agreeing to comply with the provisions of this article.

E. Maintenance Bond **(Added by Resolution 2017-01, April 11, 2017; amended by Resolution #2021-01, August 10, 2021)**

1. The subdivider by agreement with the building inspector and/or designated official and utility district office shall warranty the improvement for twelve (12) months in case of any and all failure due to improper workmanship and/or materials used for the installation of utilities, fills, drainage systems, etc.
2. After completion and acceptance of any improvements required herein, the building inspector and/or designated official and utility district office may require a maintenance bond. This bond shall be in the form of a cashier's check, irrevocable letter of credit or be made by a surety company.
3. Further, any major subdivision will be required to post a maintenance bond or letter of credit with the Town to ensure that the public rights-of-way abutting the subdivision will be maintained to Town standards during construction, as more particularly described and outlined in the Performance & Maintenance Bond Agreement located in the Appendix.

F. Acceptance of Dedication Offers **(Added by Resolution 2017-01, April 11, 2017)**

Acceptance of formal offers of dedication of public ways, easements, and parks shall be by formal action of the city. Such action shall be in the form of a resolution recommended by the Planning Commission to the Board of Mayor and Aldermen. The approval by the Planning Commission of a subdivision plat shall not be deemed to constitute or imply an acceptance by the local government of any public way, easement, or other ground shown on the plat. The Planning Commission may require the plat to be endorsed with appropriate notes to this effect.

G. Escrow Deposits for Lot Improvements **(Added by Resolution 2017-01, April 11, 2017)**

1. Acceptance of Escrow Funds

Whenever, by reason of the season of the year, any lot improvements required by these regulations cannot be performed, the enforcing officer nevertheless may issue a certificate of occupancy upon accepting a cash escrow deposit in an amount to be determined by the appropriate governmental representative for the cost of such improvements; provided, there otherwise is no danger to the health, safety, or general welfare. The performance bond covering such lot improvements shall remain in full force and effect.

2. Procedures on Escrow Fund

All required improvements for which escrow moneys have been accepted by the enforcing officer at the time of issuance of a certificate of occupancy shall be installed by the developer within a period of nine (9) months from the date of deposit and issuance of the certificate of occupancy. In the event that the improvements have not been installed properly at the end of the time period,

the enforcing officer shall provide written notice of two (2) weeks to the developer requiring him to install the improvements, and in the event they are not installed properly, in the judgment of the enforcing officer, he may request the Planning Commission to proceed to install or to contract for the installation of the necessary improvements in a sum not to exceed the amount of the escrow deposit.

At the time of the issuance of the certificate of occupancy for which escrow moneys are being deposited, the applicant shall obtain and file with the enforcing officer, prior to obtaining the certificate of occupancy, a notarized statement from the purchaser(s) of the premise authorizing the enforcing officer to install the improvements at the end of the nine (9) month period in the event the improvements have not been installed properly by the developer.

H. Issuance of Building Permits and Certificates of Occupancy (Added by Resolution 2017-01, April 11, 2017)

1. Where a performance bond has been required for a subdivision, or any section of a subdivision, no certificate of occupancy for any building in the subdivision or section thereof shall be issued prior to the final completion and dedication of the improvements to the appropriate governmental unit, as required in the Planning Commission's resolution of final approval of the subdivision plat.

Temporary certificates of occupancy may be issued if circumstances such as weather delays or such conditions preventing the finalization of street improvements, or otherwise an unforeseeable delay in installing the improvements that's deemed in the interest of safety as not critical, provided the developer completes the identified improvements within a time period established by the city.

2. The extent of public way improvements shall be adequate for vehicular access by the prospective occupant and by police and fire equipment prior to the issuance of building permit. Such adequacy for public ways extending access to the new lots shall be improved to a minimum of having the base layer of pavement installed before building permits are issued.
3. No building permit shall be issued for the final ten (10) percent of lots in a subdivision, or the final two (2) lots if ten (10) percent is two (2) lots or less, until all public improvements required by the Planning Commission's resolution of final plat approval have been fully completed, dedicated, and accepted by the governmental body.
4. When it is evident that inclement weather inhibits a developer's ability to install the required base layer pavement to the street, the city may at its discretion issue building permits without the base layer being installed when the following conditions are met:
 - The base layer of stone for the streets, and all water, sewer, hydrants, and storm drainage facilities are installed, inspected, and approved as appropriate;
 - The sites/lots for which permits are requested are within 500 feet of a paved roadway; and

- The date of the permit request is between December 1 and March 31. The number of building permits allowed to be issued in this manner will be no more than 5 per subdivision.

If at any time the city determines adequate vehicular access is not being maintained for police and fire equipment, building inspections and permits will be suspended in that subdivision until such deficiencies are remedied to the satisfaction of the city.

I. Site Development Plan Requirement **(Added by Resolution #2021-01, August 10, 2021)**

The development of any property in the Town may involve instances where contractor, developer, or other party inflicts damages to the public street, infrastructure, or other Town responsibility, or private property, such as but not limited to hauling or otherwise moving equipment, spills of concrete, paint, oil or any other debris which damages the Street and related infrastructure, or results in cleanup costs for the Town. Such repair and restoration to original condition shall be the responsibility of the permittee/applicant for which the building permit was issued. On any property where development or redevelopment occurs where a building permit is required prior to construction, a site development plan shall be required at the time the permit is applied for. The site development plan shall show:

- The exact size, shape, and location of the property
- The proposed location of all buildings, driveways, drainageways, drainage facilities, and utilities
- Proposed contours at vertical intervals of no more than ten (10) feet
- The location of any onsite soil absorption sewage disposal system(s)
- The type and location of erosion control methodology including dust control measures
- The location of the construction entrance(s) including temporary graveled surfacing, and culverting when drainage facilities, drainageways, etc. are traversed
- The surveyor or engineer's stamp that prepared the plan

An additional maintenance agreement shall be required at the time the permit is issued, which is a contract between the Town of White Bluff and the permittee/applicant as guarantee that the permittee/applicant shall be responsible for the cost to replace and repair any damages caused to any public infrastructure maintained by the Town, or to any private property. Any unused portion of the fee collected by the Town, per the maintenance agreement, can be refundable if Town determines no damages were incurred by the construction phase. See Appendix, Form for Performance and Maintenance Agreement.

Any seeding and sodding needs within an area of public infrastructure or private property shall likewise be included as replaceable/repairable items during the construction phase, in accordance with Section A above of these Regulations.

ARTICLE V

ENFORCEMENT AND PENALTIES FOR VIOLATIONS

The enforcement of these regulations and penalties for the unapproved recordation or transfer of land are provided by state law in the authority granted by public acts of the State of Tennessee.

A. Enforcement

1. No plat or plan of a subdivision of land into two (2) or more lots located within the area of planning jurisdiction shall be admitted to the land records of the county or received or recorded by the county registrar of deed until said plat or plan has received final approval in writing by the planning commission as provided in Section 13-4-302, Tennessee Code Annotated.
2. No board, public officer, or authority shall light any street, lay or authorize the laying of water mains or sewers or the construction of other facilities or utilities in any street located within the area of planning jurisdiction, unless such street shall have been accepted, opened, or otherwise received the legal status of a public street prior to the adoption of these regulations, or unless such street corresponds in its location and lines with a street shown on a subdivision plat approved by the planning commission, or on a thoroughfare plan made and adopted by the commission as provided in Sections 13-4-306 and 13-4-307, Tennessee Code Annotated.

B. Penalties

1. No county registrar shall receive, file, or record a plat of a subdivision within the planning region without the approval of the planning commission as required in Section 13-4-302, Tennessee Code Annotated, and any county registrar so doing shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by law.
2. Section 13-4-306, Tennessee Code Annotated, provides that whoever being the owner or agent of the owner of any land, transfers or sells or agrees to sell or negotiates to sell such land by reference to or exhibition of or by other use of a plat of subdivision of such land without having submitted a plat of such subdivision to the planning commission and obtained its approval as required before such plat be recorded in the office of the appropriate county registrar, shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by law; and the description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties. The city, through its attorney or other official designated by the chief legislative body, may enjoin such transfer or sale or agreement by action or injunction.
3. Any building or structure erected or to be erected in violation of the subdivision regulations shall be deemed and unlawful building or structure, and the building inspector or other official designated by the chief legislative body may bring action to enjoin such erection or cause it to be vacated or removed as provided in Section 13-4-308, Tennessee Code Annotated.

ARTICLE VI

DEFINITIONS

(Added by Resolution 2017-01, April 11, 2017)

A. Usage

For the purpose of these regulations certain numbers, abbreviations, terms, and words used herein shall be used, interpreted, and defined as set forth in this article.

Unless the context clearly indicates to the contrary, words used in the present tense include the future tense and words used in the plural include the singular; the word "herein" means "in these regulations"; and the word "regulations" means "these regulations".

A "person" includes a corporation, a partnership, and an unincorporated association of persons, such as a club; "shall" is always mandatory; a "building" or "structure" includes any part thereof; "used" or "occupied", as applies to any land or building, shall be construed to include "intended, arranged, or designed to be used or occupied".

B. Words and Terms Defined

Agent -- Any person who represents or acts for or on behalf of a subdivider or developer in selling, leasing, or developing or offering to sell, lease, or develop any interest, lot, parcel, unit, site, or plot in a subdivision, except in an instance where only legal counsel is provided.

Alley -- A public or private right-of-way primarily designed to serve as secondary access to the side or rear of those properties whose principal frontage is on some other street.

Applicant -- The owner of land proposed to be subdivided or his authorized representative. Consent shall be required from the legal owner of the premise(s).

Architect -- An architect or landscape architect certified and registered by the State Board of Architectural and Engineer Examiners pursuant to Title 62, Chapter 2, Tennessee Code, to practice in Tennessee.

Arterial Street or Road -- A major public way intended to move traffic to and from major industrial areas or a route for traffic between communities or large areas and which has an average daily traffic count in excess of three thousand (3,000). A *Major Arterial* links population centers, with generally 100-120 feet right-of-way widths, while a *Minor Arterial* links major arterials and distributes traffic onto collector and local roads, with generally 80 feet right-of-way widths.

Attorney -- The person designated by the governing body to provide legal assistance for the administration of these and other regulations.

Block -- A tract of land bounded by public ways or by a public parks, cemeteries, railroad rights-of-way, or shorelines or waterways or a combination of such.

Bond -- A type of surety instrument or collateral including cash escrow or a letter of credit from a bank in Dickson County, Tennessee posted with the City that guarantees specific performance.

Boundary -- All points within a subdivision which include internal and external property lot lines and other features encompassing a development.

Building -- Any structure built for the support shelter, or enclosure of persons, animals, chattels, or movable property of any kind; the term includes a mobile home.

Collector Street or Road -- A major public way intended to move traffic from local ways to arterial routes. Collector routes serve a neighborhood or large subdivision(s), and normally have an average daily traffic count ranging from one thousand and one (1,001) to three thousand (3,000) with generally 60 feet right-of-way widths.

Condominium -- A form of ownership of less than the whole of a building or system of buildings under the provisions of Title 66, Chapter 27, Tennessee Code, which provides the mechanics and facilities for formal filing and coordination of divided interests in real property, whether the division is vertical or horizontal.

Construction Plan -- The maps or drawings accompanying a subdivision plat and showing the specific location and design of improvements to be installed in the subdivision in accordance with the requirements of the Planning Commission.

Contractor -- An individual, firm, or corporation with whom an owner or authorized agent has executed a work agreement.

County Health Department -- An agency designated to administer local and/or state health regulations as they pertain to individual sewer disposal systems and related issues.

Cul-de-sac -- A minor street having only one outlet and having an appropriate terminal for the safe and convenient reversal of traffic movement; definition includes: dead end, turn-around, or turn-about.

Design and Specification -- Written descriptions of a technical nature of materials, equipment, construction systems, standards, and workmanship required for a project intended for local government ownership or maintenance.

Designated Official -- An outside person or governmental representative or employee authorized to act on behalf of the governing body in making determinations regarding legal, public works, planning, community development, or other public business.

Developer -- The owner of land proposed to be subdivided or his authorized representative.

Development -- A tract of land(s) together with any buildings or structures which may be thereon changed from predeveloped or otherwise undeveloped land.

Dwelling Unit -- A room, or rooms connected together constituting a separate, independent housekeeping establishment for owner occupancy, rental or lease on a daily, weekly, monthly, or longer basis; physically separated from any other room(s) or dwelling units which may be in the same structure; and containing

independent cooking and sleeping facilities. (see also the definition of 'Dwelling' in Article II of the White Bluff Zoning Ordinance)

Easement -- Authorization by a property owner for the use by another, for a specified purpose, of any designated part of his property.

Enforcing Officer -- The building inspector or such person designated by the chief executive officer to be responsible for enforcing the provisions of these regulations.

Engineer -- An engineer certified and registered by the State Board of Architectural and Engineer Examiners pursuant to Title 62, Chapter 2, Tennessee Code, to practice in Tennessee.

Escrow -- A fiduciary agreement with the local government in lieu of actual performance and intended to assure performance. An escrow account may be provided as a bond subject to agreement of the Planning Commission. (see also 'Bond.')

Final Subdivision Plat -- The final map or drawing and accompanying materials, described in these regulations, on which the subdivider's plan of the subdivision is presented to the Planning Commission for approval and which, if approved by the commission, is recorded with the county register of deeds.

Frontage -- That side of a lot abutting a public way ordinarily regarded as the front of the lot. It shall not be considered as the ordinary side of a corner lot.

General Plan -- The official statement of the Planning Commission which sets forth a vision, goals, and major policies concerning future development of the jurisdictional area and meeting the provisions set forth in Title 13, Chapter 4, Section 2, Tennessee Code.

Governmental Agency -- Any public body other than the local governing body.

Governing Body -- The chief legislative body of any government; the Board of Mayor and Aldermen for White Bluff, Tennessee.

Grade -- The slope of a public way specified in percentage terms.

Horizontal Property Act -- "The Tennessee Horizontal Property Act" as codified in Title 66, Chapter 2, Tennessee Code.

Improvement -- Any building, structure, place, work of art, or other object or improvement of the land on which they are situated constituting a physical betterment of real property, or any part of such betterment (see also 'Public Improvement.')

Individual Sewage Disposal System -- A septic tank, seepage tile sewage disposal system, or any other sewage treatment device other than a public treatment system approved by the appropriate governmental representative.

Jurisdictional Area -- Planning boundary(s) established in keeping with Title 13, Chapter 4, Tennessee Code.

Land Development Plan -- A concept plan which sets out a plan or scheme of future land use and development.

Letter of Credit -- A written guarantee from a financial institution guaranteeing the performance of the terms and conditions of a development approval.

Lot - A tract, plot, or portion of a subdivision or parcel of land intended as a unit for the purpose, whether immediate or future, or transfer of ownership, or for building development.

Lot Corner -- A location(s) of a lot's boundary situated at the intersection of two (2) public ways.

Major Street or Road -- A public way which is classified as a collector or arterial public way according to these regulations or by the major street or road plan for the jurisdictional area.

Major Subdivision -- All subdivisions not classified as minor subdivisions including but not limited to subdivisions of five (5) or more lots or subdivisions of any size requiring any new or improved road, the extension of government facilities, or the creation of any public improvements, or containing any flood prone area.

Minor Street or Road -- A public way which is not classified as an arterial or collector intended to move traffic from local ways to major routes, with normally an average daily traffic count of 1,000 or less, and with generally less than 60 feet right-of-way widths.

Minor Subdivision -- Any subdivision containing less than five (5) lots fronting on an existing public way; not involving any new or improved public way, the extension of public facilities, or the creation of any public improvements, and not in conflict with any provision of the adopted general plan, major street or road plan, zoning ordinance, or these regulations.

National Flood Insurance Program -- A program established by the U.S. Government in the National Flood Insurance Act of 1968, and expanded in the Flood Disaster Protection Act of 1973, in order to provide a flood insurance at rates made affordable through a federal subsidy in local political jurisdictions which adopt and enforce floodplain management programs meeting the requirements of the National Flood Insurance Program regulations. The program regulations are found at 24 Code of Federal Regulations, Chapter X, Subchapter B. (see also Article VII of the White Bluff Zoning Ordinance for provisions for governing development in special flood hazard areas.)

Off-Site -- Any premise not located within the area of the property to be subdivided, whether or not in the same ownership of the applicant for subdivision approval.

Official Thoroughfare Plan -- The plan adopted by the Planning Commission, pursuant to Section 13-3-402 and 13-4-302, Tennessee Code, showing, among other things, "the general location, character, and extent of public ways (and) the removal, relocation, extension, widening, narrowing, vacating, abandonment or change of use of existing public ways..."

One Hundred-Year (100-yr) Flood -- A flood having an average frequency of occurrence of once in 100 years, although it may occur in any year. It is based on statistical analysis of stream flow records available for the watershed and analysis of rainfall and runoff characteristics in the general region of the watershed.

Owner -- Any person, group of persons, firm or firms corporation or corporations, or any other legal entity having legal title to or sufficient proprietary interest in the real property.

Performance Bond -- See "Bond".

Planning Commission -- A public planning body established pursuant to Title 13, Chapter 4, Tennessee Code, to execute a partial or full planning program within authorized area limits.

Preliminary Plat -- The preliminary drawing or drawings, described in these regulations, indicating the proposed manner of layout of the subdivision to be submitted to the Planning Commission for approval.

Public Improvement -- Any drainage ditch, roadway, parkway, sidewalk, pedestrian way, tree, lawn, off-street parking area, lot improvement, or other facility for which the local government may ultimately assume the responsibility for maintenance and operation or which may affect an improvement for which government responsibility is established.

Public Way -- Any publicly owned street, alley, sidewalk, or lane right-of-way which provides for movement of pedestrians or vehicles.

Resubdivision -- A change in a map of any approved or recorded subdivision plat altering the number of lots incorporated within the confines of the original plat.

Right-of-Way -- A strip of land occupied or intended to be occupied by a public way crosswalk, railroad, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer line, or for another special use. The usage of the term "right-of-way", for land platting purposes, shall mean that every right-of-way hereafter established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and shall not be included within the dimensions or areas of such lots or parcels.

Sale or Lease -- Any immediate or future transfer of ownership, including contract of sale or transfer, of an interest in a subdivision or part thereof, whether by metes and bounds, deed, contract, plat, map, or other written instrument.

Setback -- The distance between a building wall and the nearest public way right-of-way.

Sketch Plat/Map -- A sketch preparatory to the preliminary plat (or final subdivision plat, in the case of minor subdivisions).

Special Flood Hazard Map -- The official flood insurance rate maps (FIRM's) designated by the National Flood Insurance Program to identify special flood hazard areas.

Staff-- The person(s) employed by the local governing body to assist the Planning Commission in planning and land use regulation activities.

Start of Construction -- For purposes of subdivision control any alteration of the original surface area of the land, from and after the date of adoption of these regulations.

Structure -- Anything constructed above or below ground.

Subdivider -- Any person who (1) having an interest in land, causes it, directly or indirectly, to be divided into a subdivision or who (2) directly or indirectly, sells, leases, or develops, or offers to sell, lease, or develop, or advertises for sale, lease, or development, any interest, lot, parcel site, unit, or plot in a subdivision or who (3) engages, directly or indirectly, or through an agent in the business of selling, leasing, developing, or offering for sale, lease, or development a subdivision or any interest, lot, parcel site, unit, or plot in a subdivision or who (4) is directly or indirectly controlled by or under direct or indirect common control with any of the foregoing.

Subdivision -- "Subdivision" means the division of a tract or parcel of land into two (2) or more lots, sites, or other divisions requiring new street or utility construction, or any division of less than five (5) acres for the purpose, whether immediate or future, of sale or building development, and includes resubdivision and when appropriate to the context, relates to the process of resubdividing or to the land or area subdivided. (See Section 13-4-301, Tennessee Code.)

Surveyor -- A land surveyor certified and registered by the State Board of Land Survey Examiners pursuant to Title 62, Chapter 18, Tennessee Code, to practice in Tennessee.

Temporary Improvement -- Any improvement built and maintained by a subdivider during construction of the subdivision and prior to release of the surety for completion of required improvements. (see also 'Public Improvement.')

Zoning Ordinance-- A statute, legally adopted pursuant to Title 13, Chapter 7, Tennessee Code, for the purpose of regulating by district, land development or use for a designated area.

ARTICLE VII

ADOPTION AND EFFECTIVE DATE

- A. Before adoption of these subdivision standards a public hearing as required by Section 13-4-303, Tennessee Code Annotated, was afforded any interested person or persons and was held on **September 26, and September 28, 1990**.
- B. These rules and regulations shall be in full force and effect from and after their adoption and effective date.

Adopted by Planning Commission:

Marty Brown

Marty Brown, Chairman

October 15, 1990

Date

Effective:

October 16, 1990

Date

APPENDIX

FORMS FOR FINAL PLAT CERTIFICATION

Form 1 CERTIFICATE OF OWNERSHIP AND DEDICATION

I (we) hereby certify that I am (we are) the owner(s) of the property shown and described herein and that I (we) hereby adopt this plan of subdivision with my (our) free consent, establish the minimum building restriction lines, and dedication for all streets, alleys, walks, parks, and other open spaces to public or private use as noted.

_____, 20__

Owner

Owner

Form 2 CERTIFICATE OF ACCURACY

I hereby certify that the plan shown and described hereon is true and correct survey to the accuracy required by the specifications of the

_____.

_____, 20__

Registered Engineer or Surveyor

Forms for Final Plat Certification - (Continued)
Page 2

Form 3 CERTIFICATE OF APPROVAL OF UTILITY SYSTEMS

I hereby certify that the following utility systems outlined or indicated on the final subdivision plat entitled _____ have been installed in accordance with current local and/or state government requirements.

Water System _____, 20____
Date Name, Title, and Agency of
Authorized Approving Agent

Sewer System _____, 20____
or Septic Tank Date Name, Title, and Agency of
Approvals Authorized Approving Agent

Form 4 CERTIFICATE OF APPROVAL OF STREETS

I hereby certify that all streets designated on the final subdivision plat entitled _____ have been constructed in accordance with current local and/or state government requirements.

_____, 20____
Date Name, Title, and Agency of
Authorized Approving Agent

Form 5 CERTIFICATE OF APPROVAL FOR RECORDING

I hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations for White Bluff, Tennessee, with the exception of such variances and/or modifications, if any, as are noted in the minutes of the planning commission and that it has been approved for recording in the office of the County Registrar.

_____, 20____
Date

Secretary, Planning Commission

SUBDIVISION RECORD

PRELIMINARY PLAT

NAME OF SUBDIVISION _____

Location _____ Civil District _____ Zoning District _____

Owner _____ Address _____ Tel. _____

Agent _____ Address _____ Tel. _____

Surveyor _____ Address _____ Tel. _____

Date submitted for preliminary approval _____

CHECK LIST

_____ Copies submitted _____ days prior to the meeting.

_____ Drawn to a scale of not less than _____ inch equals _____ feet.

_____ Name, location, owner, and surveyor.

_____ Date, north point, and graphic scale.

_____ Location of all existing physical features on land and nearby properties.

_____ Names of adjoining property owners and/or subdivisions.

_____ Plans of proposed utility layouts and percolation test results.

_____ Names, locations, and dimensions of proposed streets, alleys, easements, parks, and reservations, lot lines, etc.

_____ Flood problem checked, flooded areas outlined if applicable.

_____ Profiles of all streets at required scales.

_____ Contours at not more than five (5) foot intervals.

_____ Acreage of land to be subdivided.

_____ Conforms to general requirements and minimum standards of design.

Preliminary Plat - Checklist - (Continued)
Page 2

Approved _____ to proceed to final plat.
(Date)

Subject to following modifications: _____

Variances Granted: _____

Disapproved: _____ for following reasons:
(Date)

Signed: _____
Secretary of Planning Commission

SUBDIVISION RECORD

FINAL PLAT

NAME OF SUBDIVISION _____

Location _____ Civil District _____ Zoning District _____

Owner _____ Address _____ Tel. _____

Preliminary approval granted: _____
Date _____

Submitted for FINAL approval: _____
Date _____

CHECK LIST

_____ Submitted within 15 days of regular planning commission meeting.

_____ Drawn to a scale of 1" equals 100' on sheets not larger than 18" x 22".

_____ Location of Sketch Map showing site in relation to area.

_____ Date, true north point, graphic scale.

_____ The size and location of any water and sewer mains.

_____ Any easements for rights-of-way provided for public services, utilities, and the disposal of surface water.

_____ Bearings of property lines and sufficient engineering data to locate all lines including radii, angles, and tangent distances.

_____ The limitation and/or dimensions of all easements.

_____ Notation of any areas to be dedicated to public use.

_____ Lines and names of all streets and roads.

_____ Names, locations of adjoining properties or subdivisions.

_____ Dimensions to the nearest 100th of a foot and angles to the nearest minute.

_____ Certificate of Ownership and Dedication. _____ Lots numbered in numerical order.

Final Plat – Checklist - (Continued)
Page 2

_____ Certificate of Accuracy.

_____ Certificate of approval of streets and utilities.

_____ Certificate of Approval of Utility Systems:

Water: _____ Sewer: _____

Location and description of monuments: _____

_____ Certificate of Approval of Streets.

_____ Certificate (unsigned) of Approval for Recording.

_____ Required physical improvements installed or bond posted in the amount of
\$ _____.

RECOMMENDED IMPROVEMENTS

Although not required by these regulations, the planting of street trees and installation of sidewalks are considered duties of the subdivider as well as good business practice.

1. Street Trees

Street trees protect against excessive heat and glare and enhance the attractiveness and value of abutting property. The planning commission will assist the subdivider in location of trees and species to use under varying conditions.

It is recommended that trees be planted inside the property lines where they are less subject to injury, less likely to cause motor accidents, and enjoy more favorable conditions for growth. If trees are to be planted within a planting strip in the right-of-way, their proposed locations and species to be used must be submitted for the planning commission's approval since the public inherits the care and maintenance of such trees.

2. Sidewalks (Deleted by Resolution, September 11, 2007)

(Approved by White Bluff Planning Commission, March 20, 2000)

IRREVOCABLE STANDBY LETTER OF CREDIT NUMBER _____

Gentlemen:

We, hereby, establish our Irrevocable Standby Letter of Credit in your favor for the account of our customer, _____ ("Contractor"), available after _____,

by drafts drawn on us payable at sight for any sum of money not to exceed a total of \$_____, U. S. Dollars, when accompanied by this Letter of Credit and a Certificate of Default in the form of **Exhibit "A"**, attached, hereto, dated the date said Certificate is presented, hereunder, and signed by the Chairman of the White Bluff Planning Commission.

All drafts drawn, hereunder, must bear the legend "Dawn Under _____ (bank),

Letter of Credit No. _____, dated, _____", with a Certificate of Default signed under oath by the Chairman of the White Bluff Planning Commission, certifying that the Contractor has not complied with the terms of the agreement between the Planning Commission and the Contractor and the amount of approximate damage to the city government, which amount shall be identical to the face amount of the accompanying draft.

This credit is subject to the Uniform Customs and Practice for Documentary Credits, No. 500, published and copyrighted by the International Chamber of Commerce, and to the extent consistent, therewith, the Tennessee Uniform Commercial Code in effect on the date, hereof.

We, hereby, agree to be bound to bona fide holders of all drafts or documents presented under and in compliance with the terms of this Letter of Credit that such drafts or documents will be duly honored upon presentation to us.

We, hereby, agree with any and all persons negotiating such drafts that all drafts drawn and negotiated in compliance with the terms of this standby Letter of Credit will be duly honored upon presentation and delivery of the documents specified above to our office at _____,

if presented on or before _____.

Yours very truly,

(Bank)

BY: _____
Authorized Signature

BY: _____
Authorized Signature

**FORM FOR PERFORMANCE BOND
WHITE BLUFF PLANNING COMMISSION**

KNOW ALL MEN BY THESE PRESENTS, That We, _____, as Principals, _____, State of _____, and the _____ **INSURANCE COMPANY**, a _____ Corporation authorized to do business in the State of Tennessee, having an office and place of business at _____, as Surety, are held and firmly bound unto the City of White Bluff of Obligee, in the sum of _____ Dollars (\$_____) lawful money of the United States, for the payment whereof to the Obligee, the Principal and the Surety bind themselves, their heirs, executors, administrators, successors, and assigns, jointly and severally, firmly to these presents:

WHEREAS, APPLICATION WAS MADE TO THE White Bluff Planning Commission for approval of a subdivision shown on plat entitled " _____

_____ ", filed with the Planning Commission Chairman of the City of White Bluff on _____, 20____, said final plat being approved by the White Bluff Planning Commission upon certain conditions, one of which is that a performance bond in the amount of _____ DOLLARS (\$_____) is to be filed with the planning commission and accepted by the City of White Bluff, upon the recommendation of the planning commission, to guarantee certain improvements as cited hereafter in the subdivision named above.

WHEREAS, there are approximately _____ feet in length and _____ feet in width in said streets and curbs, and _____ feet of inch water line, and _____ feet of _____ inch sewer line, and other improvements as follows _____, not yet completed, and that the total cost of providing these facilities would be as follows:

A.	Streets and Curbs	\$	_____
B.	Water lines	\$	_____
C.	Sewer lines	\$	_____
D.	Other	\$	_____
TOTAL		\$	_____

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION is such that if the above named Principal shall within one (1) year from the date hereof (time may be extended for one (1) year only beyond this period by the local governing body upon the recommendation of the planning commission with the consent of the parties) will and truly make and perform the required subdivision in accordance with the county government specifications and the Resolution of _____, 20____, then this obligation is to be void otherwise to remain in full force and effect.

Form for Performance Bond – (Continued)
White Bluff Planning Commission
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It is hereby understood and agreed that in the event that any required improvements have not been installed as provided by said resolution, within the term of this Performance Bond, the governing body may thereupon declare this bond to be in default and collect the sum remaining payable thereunder, and upon receipt of the proceeds thereof, the county government shall install such improvements as are covered by this bond and commensurate with the extent of building development that has taken place in the subdivision but not exceeding the amount of such proceeds.

Principal

Principal

Insurance Company

BY

Attorney-in-Fact

BOND NO. _____

**ACKNOWLEDGEMENT:
COPARTNERSHIP**

STATE OF TENNESSEE

(COUNTY OF _____) SS.:

On this _____ day of _____, 20____, before me personally appeared _____, to me known and known to me to be one of the firm of _____, described in and who executed the foregoing instrument, and he thereupon acknowledged to me that he executed such instrument as and for the act and deed of said firm.

INDIVIDUAL

STATE OF TENNESSEE

COUNTY OF _____) SS.:

On this _____ day of _____, 20____, before me personally appeared _____, to me known and known to me to be the individual described in and who executed the foregoing instrument, and he acknowledged to me that he executed the same.

CORPORATE

STATE OF TENNESSEE

(COUNTY OF _____) SS.:

On this _____ day of _____, 20____, before me personally appeared _____, to me known, who, being by me first duly sworn, did depose and say that he resides in _____; that he is the _____ of _____, corporation described in and which executed the foregoing instrument; that he knows the corporate seal of said corporation; that the corporate seal affixed to said instrument is such corporate seal; that it was so affixed by order and authority of the Board of Directors of said corporation, and that he signed his name thereto by like order and authority.

(Added by Resolution #2021-01, August 10, 2021)

**WHITE BLUFF MUNICIPAL PLANNING COMMISSION
PERFORMANCE & MAINTENANCE BOND AGREEMENT**

KNOW ALL MEN BY THESE PRESENTS:

That _____, a _____ (insert type of entity – corporation, LLC, partnership, association), (hereinafter “Principal”), does hereby bind itself, its heirs, executors, personal representatives, administrators, successors and assigns, jointly and severally, firmly by these presents, and in support thereof represents, acknowledges and agrees as follows:

Recitals

1. That _____ (insert name of entity), is a _____, (insert type of entity), having a mailing address of _____, (insert address, city, state, zip).
2. The Principal has submitted a Final Plat of _____ Subdivision, Section _____, said Final Plat prepared by _____ (insert surveyor and company), dated _____, 20____.
3. The approval of the Town of White Bluff Municipal Planning Commission of the Final Plat is a condition precedent to the right of the Principal to receive necessary construction permits and building permits.
4. The Town of White Bluff Municipal Planning Commission will not approve the Final Plat of the subdivision for issuance of necessary permits and for recording until all grading, ditching, stormwater, stormwater management, streets and alleys, and street improvements, methods for sewage disposal, water system, street lights, sidewalks, drainage culverts, storm water facilities and improvements, driveway culverts and headwalls, curbs, landscaping, stabilization of all improvements, erosion and sedimentation control measures and methodologies, both permanent and temporary, other improvements (hereinafter “improvements and works”), and the placing of concrete subdivision markers and installation of iron pins are completed and installed in accordance with the Subdivision Regulations and specifications and the conditions established by the Town of White Bluff Municipal Planning Commission have been completed to the Town of White Bluff’ satisfaction and until a satisfactory Performance & Maintenance Agreement is signed and furnished with sufficient surety as more particularly described herein
5. It is the desire of the Principal to commence construction and installation of said improvements, and the Principal desires to have said Final Plat of subdivision recorded in the Register of Deeds

Office of Dickson County, Tennessee, so as to provide for the orderly development and transfer of the property in said subdivision. The Principal shall provide a letter of credit or surety bond to the White Bluff Planning Commission naming the Town of White Bluff as beneficiary in the amount herein stated to cover all construction improvements represented in the Final Plat for the subdivision including all improvements and works as referenced in Item 4 above.

6. It is the desire of the Principal to have the Final Plat recorded, since the recording of the Final Plat is a prerequisite to the issuances of necessary building permits, so as to provide for the orderly development and transfer of property, and to have said permits issued prior to the actual completion of construction and installation of the roads, drainage and erosion control improvements. The Principal shall provide a letter of credit or surety bond to the White Bluff Planning Commission naming the Town of White Bluff as beneficiary in the penal amount herein stated to cover all construction improvements represented in the Final Plat for the subdivision including all improvements and works as referenced in Item 4 above.
7. The Town of White Bluff Municipal Planning Commission has established that the estimated project costs for completing all improvements and works in accordance with the Town of White Bluff Subdivision Regulations and specifications and the conditions established by the Town of White Bluff Municipal Planning Commission (collectively known as): **DEVELOPMENT PLANS is** _____ **AND NO/100 (\$**_____**.00).** The estimated cost is based upon the assumption that no construction work has commenced.
8. Pursuant to the procedures followed by the Town of White Bluff Municipal Planning Commission, it is permissible for the Principal to request, in lieu of the completion of said improvements and works but prior to the recording of the Final Plat, to execute an agreement along with good and sufficient surety, as herein defined, satisfactory to the Town of White Bluff Municipal Planning Commission and the Town of White Bluff, Tennessee in an amount equal to the estimated cost of completion, as listed in Section # 7, of the construction and installation of the required **"DEVELOPMENT PLANS"** improvements and works, providing and insuring that said improvements and works will be constructed.
9. To secure installation of the aforesaid improvements and works, and to induce the Town of White Bluff Municipal Planning Commission and the Town of White Bluff, Tennessee to allow the Final Plat to be recorded, since the recording of the Final Plat is a prerequisite to the issuances of necessary building permits, prior to completion of the required **"DEVELOPMENT PLANS"** improvements and works, Principal provides this Performance & Maintenance Agreement and a surety, either in the form of an irrevocable letter of credit or surety bond, issued by

_____ the proceeds of which are payable to the Town of White Bluff, Tennessee in an amount equal to a total of _____ and No/00 DOLLARS (\$_____.00). **Principal specifically acknowledges and accepts that should the supporting surety not be renewed or extended as approved by the Town of White Bluff Municipal Planning Commission, or if the surety is not in accordance with the requirements of this Agreement and the Subdivision Regulations, then the surety will be assumed to be in default and will be called in its full amount by the Town of White Bluff after recommendation by the Town of White Bluff Municipal Planning Commission in accordance with the Subdivision Regulations, as well as local and state law.**

10. The Town of White Bluff Municipal Planning Commission is willing to authorize the Final Plat to be recorded, since the recording of the Final Plat is a prerequisite to the issuances of necessary building permits, upon the execution of this agreement by the Principal and providing of the before stated surety, understanding that this agreement is subject to the condition that the Principal will complete the construction of all required improvements and works, as herein set forth, and obtain their inspection, approval and acceptance by the Town of White Bluff Municipal Planning Commission and Town of White Bluff, Tennessee. The Town of White Bluff Municipal Planning Commission has the authority to extend the Performance & Maintenance Agreement term and to convert the Performance obligation to a Maintenance obligation so long as the construction of the improvements are in accordance with the Subdivision Regulations, ordinances, approval conditions and approved plans and specifications.
11. In addition to the surety described hereinabove for the performance of the installation of all improvements in accordance with the Final Plat, the Principal shall be required to post a maintenance bond or letter of credit on all Town owned and controlled public rights-of-way that will be used by the Principal, its agents and assigns, for accessing the property more particularly described in the Final Plat. The maintenance bond or letter of credit shall be in an amount determined by the Town of White Bluff Municipal Planning Commission, the proceeds of which are payable to the Town of White Bluff, Tennessee in an amount equal to a total of _____ and No/00 DOLLARS (\$_____.00). In no event will the maintenance bond or letter of credit be less than fifty percent (50%) of the estimated cost to resurface the public rights-of-way in their entirety. The public rights-of-way to be insured through said maintenance bond or letter of credit shall be those public rights-of-way directly abutting the property more particularly described in the Final Plat. Said maintenance bond or letter of credit will be released upon A) the successful dedication of all infrastructure and public improvements as

described in the Final Plat, and B) upon a favorable report by the Town's agents to the Town of White Bluff Municipal Planning Commission as to the condition of the public rights-of-way subject to the maintenance bond or letter of credit. In the event the Town discovers that maintenance is necessary to said public rights-of-way, the Town will notify the Principal of the necessary maintenance and deficiencies to bring said public rights-of-way in conformance with the Subdivision Regulations and other applicable Town rules, standards, and regulations, and the Principal shall have sixty (60) days to perform said maintenance. In the event the Principal fails to perform said maintenance, the Town of White Bluff shall call the maintenance bond or letter of credit as outlined herein and/or as outlined in the Subdivision Regulations as well as other local or state law.

NOW THEREFORE,

In the event said Principal shall fully comply with all the terms of this Performance & Maintenance Agreement, and shall construct, install and complete all of the required improvements and works, enumerated herein, and maintain said improvements as are shown on the approved Final Plat prepared by _____ (consultant), which Final Plat was reviewed and approved by the Town of White Bluff Municipal Planning Commission, and as also stated herein, which installation, completion and maintenance shall be in accordance with the Subdivision Regulations and requirements of the Town of White Bluff Municipal Planning Commission, and in accordance with all conditions established by the Town of White Bluff Municipal Planning Commission and the Town of White Bluff as set forth in the minutes of its meetings, and do all of said work in a proper and workmanlike manner to the satisfaction of the Town of White Bluff, Tennessee and the Town of White Bluff Municipal Planning Commission, then this Performance obligation may be converted by the Town of White Bluff Municipal Planning Commission to a maintenance obligation guaranteeing the improvements in the amount of not less than twenty-five (25%) of the original opinion of project cost as listed in Section # 7 above, for the period of time that is in accordance with the timeframes established in the Subdivision Regulations, and continuing until acceptance of the improvements by Town of White Bluff, Tennessee. Minimum time for Maintenance of installed and completed improvements and works is one (1) year.

In the event that any of the required improvements and works are not performed or not completed in accordance with the timeframes for completion as established in the Subdivision Regulations, and are not performed or not completed in accordance with each of the aforesaid rules, regulations and requirements, then the entire penal sum of

_____ **UNITED STATES DOLLARS**

(\$_____.00), or so much thereof as is necessary to complete the improvements in question, shall be forfeited and paid to the Town of White Bluff Municipal Planning Commission and Town of White Bluff, Tennessee by Principal and/or Surety as liquidated damages for such default. The Town of White Bluff Municipal Planning Commission and/or Town of White Bluff, Tennessee shall then use said funds to pay for completion of the required improvements and works, refunding any unused portion of said funds.

In the event that any of the required improvements and works are not maintained for the period of time that is in accordance with the timeframes established in the Subdivision Regulations, after its conversion to a Maintenance obligation, or such longer time as extended by the Town of White Bluff Municipal Planning Commission, in the same condition in which they existed at the time of its conversion to a Maintenance obligation by the Town of White Bluff Municipal Planning Commission, then the entire penal sum of _____ **UNITED STATES DOLLARS** (\$_____.00) with respect to those improvements shall be forfeited and paid to the Town of White Bluff Municipal Planning Commission or Town of White Bluff, Tennessee by Principal as liquidated damages for such default. The Town of White Bluff Municipal Planning Commission or Town of White Bluff, Tennessee may then use said funds to pay for completion of the required maintenance, refunding any unused portion of said funds.

Action by the Town of White Bluff, Tennessee and/or the Town of White Bluff Municipal Planning Commission through its legal counsel in calling on the surety bond letter of credit to pay

_____ **UNITED STATES DOLLARS**
(\$_____.00), or such lesser amount as is necessary, pursuant to the terms of this Performance & Maintenance Agreement shall not be deemed a release of Principal for any liability hereunder. The Principal acknowledges that it is liable for all obligations under this Performance & Maintenance Agreement. The Principal shall be responsible for any amounts or costs to complete a development that exceed the amount of the surety instrument in place. The Town may pursue recovery of incremental amounts or costs to complete a development that exceed the amount of the surety instrument if the Principal defaults on the Performance & Maintenance Agreement. The Town may pursue recovery from the development entities and any personal guarantors that execute the Performance & Maintenance Agreement, and the Principal shall be liable for all costs, attorney's fees, and other damages as determined by a court of competent jurisdiction. Venue and jurisdiction for any dispute arising under this Agreement shall be in the Dickson County Chancery Court.

Witness my hand this the ____ day of _____, 20____.

A Tennessee _____.

BY:

Type

Name:

TITLE:

STATE OF _____)

COUNTY OF _____)

Personally appeared before me, _____, a Notary Public of said County and State, _____, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged (her)himself to be the _____ of _____, a Tennessee _____, and that (s)he as such _____, being authorized so to do, executed the foregoing instrument for the purposes contained therein.

Witness my hand and seal this the ____ day of _____, 20____.

NOTARY PUBLIC

My Commission Expires:_____