

MEETING NOTICES

The Jonesborough Planning Commission and Board of Zoning Appeals will meet in Regular Session at 6:00 p.m., Tuesday, February 20, 2024, in the Board Room at the Town Hall, 123 Boone Street, Jonesborough, TN.

PUBLIC COMMENTS REGARDING AGENDA ITEMS

Members of the public wishing to speak concerning any item on the agenda during the Public Comment period must sign up by calling the Town Administrative Office at 423-753-1030 with their name, address, and subject about which they wish to speak no later than 2 hours before the meeting if the meeting occurs during normal business hours or by 4:45 p.m. the day of the meeting if the meeting occurs after hours. Otherwise, such member of the public must sign in at the location of the meeting, prior to the beginning of the meeting, by seeing the Town Recorder at meetings of the Board of Mayor and Aldermen, or the secretary or staff of any board, commission or committee constituting any other governing body under this resolution.

Each individual shall be given three (3) minutes to address the Board regarding Agenda items. Comments shall be limited to items on the meeting's Agenda

Opening Prayer

Pledge to the Flag

BOARD OF ZONING APPEALS

Agenda

Call to Order

1. Public Comments
2. Approval of Minutes

JONESBOROUGH PLANNING COMMISSION

Agenda

Call to Order

1. Public Comments
2. Approval of Minutes
3. Review and approval of proposed amendments to Jonesborough Sign Ordinance
 - a. Monument Signs
 - b. Banner Flags
4. Request for a Billboard Relocation Plan from 211 Forest Circle to the intersection of West Jackson Blvd and Ben Gamble Road
5. Request for a Billboard Relocation from 1300 East Jackson Blvd to 1601 East Jackson Blvd
6. Final Plat Approval for Spring Ridge Subdivision Phase 1, Old Boones Creek Road
7. Adjournment

JONESBOROUGH BOARD OF ZONING APPEALS

AGENDA PRESENTATION

DATE: February 20, 2024 AGENDA ITEM #: BZA
2

SUBJECT: Approval of Minutes

Attached for approval are the minutes of the December 19, 2023 Regular Meeting.

Chairman Tom Foster opened the meetings of the Jonesborough Board of Zoning Appeals and the Jonesborough Planning Commission, Josh Conger led the group in an opening Prayer, and Jim Rhein led the Pledge to the Flag.

JONESBOROUGH BOARD OF ZONING APPEALS

MINUTES

December 19, 2023

The Jonesborough Board of Zoning of Appeals met in regular meeting on Tuesday, December 19, 2023, at 6:00 p.m., in the Board Room at Town Hall, 123 Boone Street, Jonesborough, Tennessee.

Members Present: Tom Foster – Chairman, Frank Collins, Josh Conger, Bill Graham, Robin Harpe, Richie Hayward, Jim Rhein, Bob Williams

Members Absent: Terry Countermine

Staff Present: Town Attorney Jim Wheeler, Shawn Jackson, Donna Freeman

Chairman Tom Foster noted a quorum was present and called the meeting to order.

1. Public Comments – There were no Public Comments

2. Approval of Minutes

The minutes of the November 21, 2023 Board of Zoning Appeals meeting was presented for approval. Chairman Tom Foster asked Commissioners if they had any questions or corrections to the minutes. There being none, Jim Rhein made the motion to approve the minutes as presented, seconded by Bill Graham and duly passed.

With there being no further business for discussion, Chairman Foster adjourned the meeting.

JONESBOROUGH PLANNING COMMISSION

AGENDA PRESENTATION

DATE: February 20, 2024 AGENDA ITEM #: 2

SUBJECT: Approval of Minutes

Attached for approval are the January 8, 2024 Planning Commission Called Meeting minutes .

JONESBOROUGH PLANNING COMMISSION

CALLED MEETING

MINUTES – January 8, 2024

The Jonesborough Planning Commission met in a Called Meeting on Monday, January 8, 2024, at 8:00 a.m., in the Board Room at Town Hall, 123 Boone Street, Jonesborough, Tennessee.

Members Present: Tom Foster – Chairman, Frank Collins, Terry Countermine, Bill Graham, Robin Harpe, Richie Hayward, Jim Rhein, Bob Williams

Members Absent: Josh Conger

Staff Present: Glenn Rosenoff, Donna Freeman,

Chairman Tom Foster noted a quorum was present and called the meeting to order.

1. Public Comments – There were no Public Comments.

2. Approval of Minutes

The minutes of the December 19, 2023 Planning Commission meeting was presented for approval. Chairman Tom Foster asked Commissioners if they had any questions or corrections to the minutes. There being none, Terry Countermine made the motion to approve the December 19, 2023 minutes of the Jonesborough Planning Commission as presented, seconded by Richie Hayward and duly passed.

With there being no further business for discussion, Chairman Tom Foster adjourned the Planning Commission meeting.

JONESBOROUGH PLANNING COMMISSION

AGENDA PRESENTATION

DATE: February 20, 2024 AGENDA ITEM #: 3-a

SUBJECT: Amendments to Jonesborough Sign Ordinance – Monument Signs

BACKGROUND:

“Monument” type signage has been reviewed by staff for some time as there has not been a definitive definition within the Municipal Code. With the trending number of either new business that require signage to the existing business/apartment activities requesting changing to new signage, a clearer guide for staff is needed. From a planning perspective, a monument sign is either flush with the ground (base of sign has direct contact with ground) or has a maximum space between the base of the sign and the ground. For example, some sign regulations have a maximum of 3 feet from base of sign to ground, or as minimal as 1 foot. The definition below takes into consideration that monument signs are often referred to as “groundmounted” so that is included as well.

The 1-foot measurement allows for a different design for monument type signage but without creating a major gap between the base of sign and ground.

The 120% provision helps to ensure that the top of the sign is proportional in design with the base.

The proposed definition will go to the Board of Mayor and Aldermen for approval prior to final adoption. Section 11-1204 of Title 11, Planning and Zoning, Chapter 12, Business and Advertising Signs will be amended and said definition added to the Section.

Proposed Definition

"Monument sign." A monument sign, also referred to as a "groundmounted sign" is a freestanding sign where the base of the sign structure is on the ground or a maximum of one (1) foot above the adjacent grade. The width of the top of the sign structure can be no more than 120 percent of the width of the base.

Planner's Note: Example signage is provided. The definition needs further discussion prior to a final recommendation to the Board of Mayor and Aldermen. The main variables would be the number of feet above the adjacent grade (how much space between the ground and the bottom of the sign), and the percentage of the width of the base. Signage has an aesthetic value and for Jonesborough. The “look” or design of a sign is important

enough to arrive at a definition that is clear and concise. Also, if the planning commission desires, we can include acceptable type signage designs to help supplement the definition.

Existing Definitions

Section 11-1204. Definitions.

- (1) "Abandoned sign." A sign which identifies or advertises a discontinued business, lessor, owner, product or activity, that use having been discontinued for a period of thirty (30) days or more.
- (2) "Animated sign." A sign which uses movement or change of lighting or other electrical impulse to depict action or create a special effect or scene.
- (3) "Business directional sign or pointer." A sign located off-site which contains the name, indication of direction, and possibly the distance to the establishment or destination.
- (4) "Business sign." A sign which primarily directs attention to a business or profession conducted on premises.
- (5) "Canopy sign." A sign that is a part of or attached to an awning, canopy or other productive cover over a door, entrance, window, or outdoor service area.
- (6) "Commercial signs." Signs advertising, calling attention to, identifying or otherwise aiding in the promotion of the sale of products, goods, services or events, any place or business, subject, person, firm, public performance, article, medicine, merchandise or building.
- (7) "Marquee sign." A sign attached to, or made part of, a marquee or other permanent roof structure that projects beyond a building face and is not supported from the ground.
- (8) "Off-premises advertising sign." A sign on which advertising or other matter may be displayed promoting goods, services or other things not sold or available upon the site where the sign is located. Off-premise signs may include billboards which are changeable signs.
- (9) "Portable signs." Any sign which is or is intended to be affixed or mounted to a frame for the expressed purpose of easy mobility and the intention to be readily relocated and not permanently affixed to the ground or a structure.
These signs ordinarily are used for short periods of time for promotional sales, grand openings, etc. "Portable signs" also include sidewalk signs, A-frame signs, and signs attached to or painted on a vehicle or trailer that is parked and visible from the public right-of-way, unless said vehicle is used in normal day-to-day operations of the business. Portable signs are not non-permanent signs associated with gas or service station canopies which are considered window or internal signs.
- (10) "Projecting sign." A sign which is attached in a plane approximately perpendicular to the surface of the building or structure on which it is located.
- (11) "Real estate signs." On-site or directional/pointer portable or permanent signs erected by the owner, or owner's agent, advertising the sale, rental or development of the parcel of land on which the sign is located, or providing direction to a property which is for sale, lease, rent, or development.
- (12) "Sign." Any communication device, structure, placard, or fixture using any object, letter, figure, design, symbol, artistic display, trademark, flag or other device intended to

call attention to, identify, advertise, or aid in the promoting of the sale of products, goods, services or events, any place, subject, person, firm, business, public performance, article, machine, merchandise, or building. The term "sign" shall not be deemed to include the term "building" or "landscaping" or any architectural embellishment of a building not intended to communicate information.

(13) "Sign area." The entire area within a joined continuous perimeter which encloses the extreme limits of writing, background, representation and other sign information, but the sign area shall not include any structural elements, other than the background, which are not an integral part of the display. For the purpose of computing the allowable sign area of a double-faced sign, only one (1) face shall be considered.

(a) Wall sign: When the sign is composed of individual letters or symbols using a wall as a background with no added decoration, the total sign area shall be the sum of the areas of the smallest rectangles which close each individual letter or symbol. Otherwise, the wall sign area will be determined by the smallest geometric shape that encloses all borders, graphics and letters as a complete sign.

(b) Freestanding: The sign area shall be the area of the smallest rectangle or geometric shape that encloses the sign and its cabinet, but not the foundation, structural or architectural features.

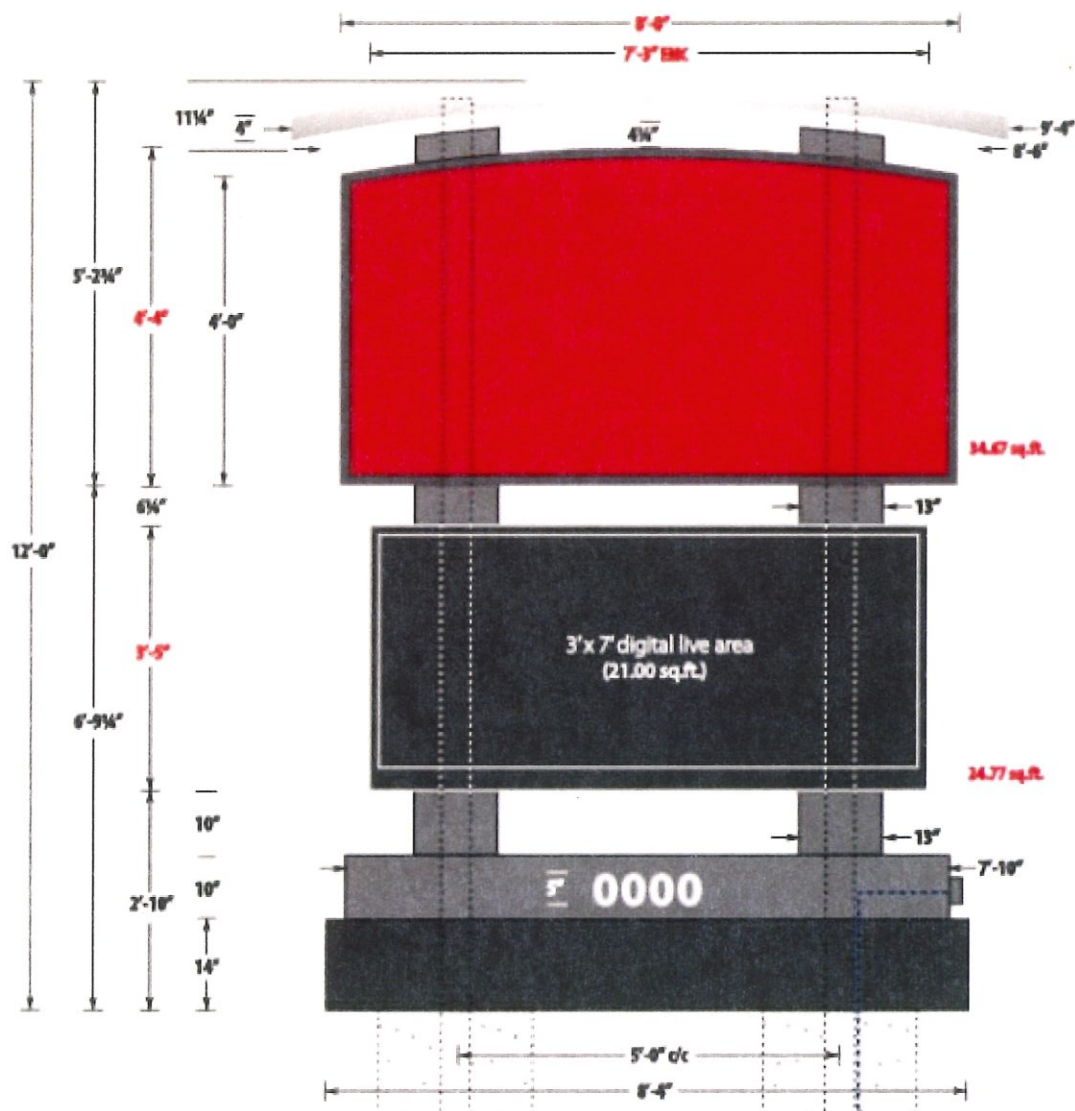
(14) "Sign height." The height of a sign shall be computed as the difference between the average ground level at the base of the sign and the elevation of the uppermost extremity of the sign or sign support structure.

(15) "Temporary sign." A portable sign. (Ord. of Oct. 9, 1989, as replaced by Ord. #99-02, April 1999, and Ord. #2006-03, May 2006, and amended by Ord. #2010-09, June 2010)

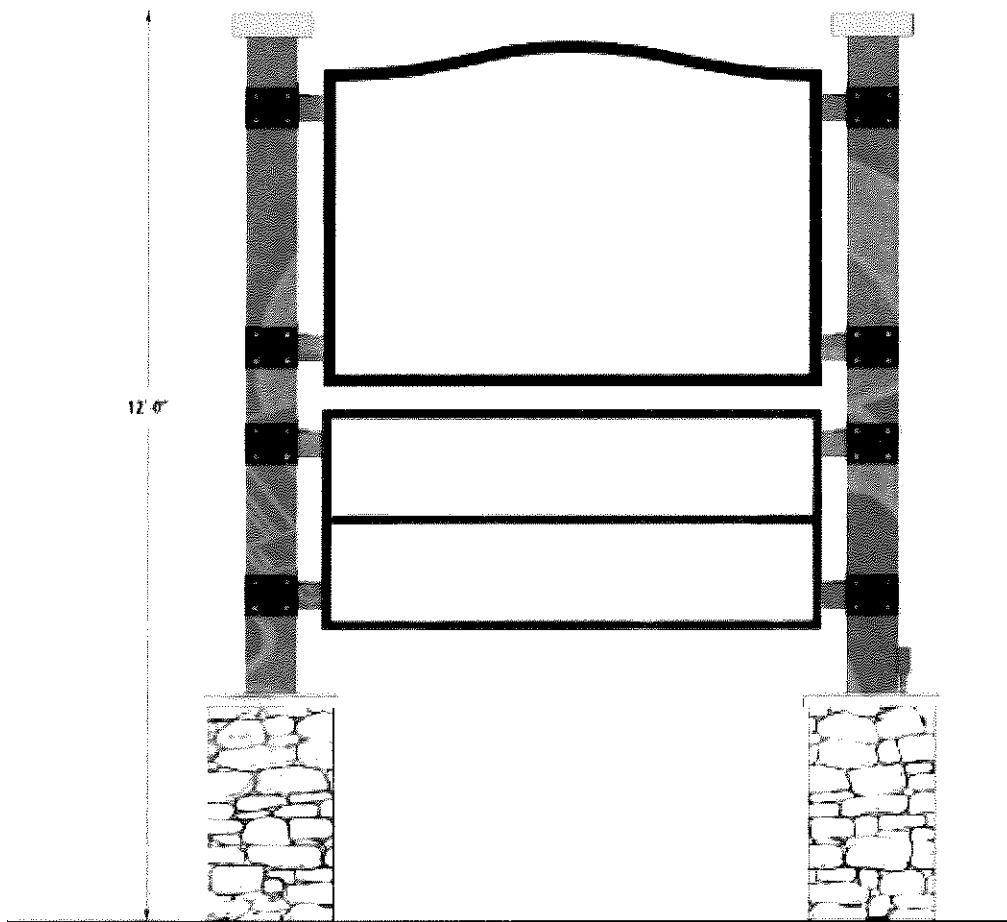
[Example of Monument Signage are attached for example purposes only]

RECOMMENDATION:

Recommend approval to the Board of Mayor and Aldermen to amend Section 11-1204 of Chapter 12 by adding the definition of "Monument sign".







DIMENSIONAL ALUMINUM LETTERS
AND RIDGE ILLUSTRATION
ON CORTEN PANEL



140%

150%

120%

130%

JONESBOROUGH PLANNING COMMISSION

AGENDA PRESENTATION

DATE: February 20, 2024 AGENDA ITEM #: 3-b

SUBJECT: Amendments to Jonesborough Sign Ordinance – Banner Flags

BACKGROUND:

The Town Staff has been working on how best to approach "banner flags" which have gained popularity/momentum over several years. Currently, the Town of Jonesborough Municipal Code prohibits this type of flag (see Section 11-1207 Prohibited signs, Number 6). Both "motion" and "fluttering" are the typical reasons for denying approval of such signage. Although staff have not been in favor of outright permitting these types of signs throughout town as a **permanent sign**, staff have been reviewing how to permit them on a temporary basis, for a similar temporary time as the code already allows. I opine that we do not want this type of signage proliferating the town on a permanent basis.

Current Language

Section 11-1207 of Title 11, Planning and Zoning, Chapter 12, Business and Advertising Signs:

Section 11-1207. Prohibited signs.

The following signs are prohibited from being erected or maintained in any zoning district and in any area of the Town of Jonesborough:

(6) Any sign of which all or any part is in motion by means of the atmosphere, including fluttering, or rotating.

On a temporary basis, to mark something of a special event at a current business or development, for a specified time during a calendar year would seem appropriate to utilize this type of sign with limitations. For example, Dairy Queen is complete and wants to add temporary signage in the form of 2-3 banner flags for a period of 30-90 days, would that be an acceptable temporary signage use? An example of such signage is below:



Example Only

Proposed Changes

Red lettering indicates the proposed additional language.

11-1207. Prohibited signs.

The following signs are prohibited from being erected or maintained in any zoning district and in any area of the Town of Jonesborough:

(6) Any sign of which all or any part is in motion by means of the atmosphere, including fluttering, or rotating, **except whereby Banner Flags may be used as substitution as a temporary sign allowed in this Chapter, but shall not increase the number of permitted temporary signs established in this Chapter.**

The following is another section of the code that needs to be part of the equation in this type of change for Banner Flags, under 11-1206, Permit Exceptions, Paragraph Number 3 so that there is no confusion on where these temporary signs may be located and for said duration. For example, (ii) states *"Only one (1) temporary sign shall be displayed at a given time for a single business, and in locations with multiple tenants only two (2) signs total may be displayed per lot at the same time."*

If passed, a banner flag is not an "extra", it is in lieu of other more traditional temporary signage permitted. If only one temporary sign is permitted and someone wants to use a banner flag, then the banner flag is established as the one temporary sign. Below is the current section on permit exceptions and the guidelines for a Banner Flag being used temporarily would follow.

11-1206. Permit exceptions.

(3) Except where specifically qualified below, no permit shall be required for any of the following temporary signs:

(f) Temporary or portable signs. Temporary or portable signs may be exempt from permitting; provided they meet the following conditions:

(i) Temporary signs advertising specials, new products, or other such special conditions related to the business shall be posted for a period not to exceed sixty (60) days. Signs that only display the name of a business or a logo, or other such symbol are not allowed and thus not exempted from permit requirements.

(ii) Only one (1) temporary sign shall be displayed at a given time for a single business, and in locations with multiple tenants only two (2) signs total may be displayed per lot at the same time.

(iii) Except as designated in title 11, chapter 2, §§ 11-1206(3)(f)(vii) and 11-206(3)(f)(ix) below, the total sign area per sign shall not exceed nine (9) square feet per side.

(iv) Signs may not be placed on public sidewalks or rights-of-way except in the B-2 Zone or as authorized in special event applications approved by the board of mayor and aldermen. No temporary sign authorized may be placed to cause a site distance problem, obstruction or a hazard.

(v) Temporary signs must be set back a minimum of ten feet (10') from the public right-of-way.

(vi) Temporary or portable signs must be located on the same premises or lot in which the business activity is taking place.

(vii) Portable A-boards or "sandwich board" signs may only be displayed during business hours. These signs must be located on-premises or in the B-2 zone or other zone within the historic district in which a heritage occupation is approved, said sign shall be immediately in front of the business being promoted, Portable A-boards or "sandwich boards" within the historic district zone must be approved in advance by the historic zoning commission. Portable A-boards or "sandwich board" signs must be placed so they do not block pedestrian or vehicular traffic and where they do not create a safety hazard.

(viii) Business owners shall notify the building inspector of any placement of a portable sign upon their premises in order that the allowable time period can be observed and enforced.

(ix) Temporary or portable signs advertising a grand opening or going out of business, not exceeding thirty-two (32) square feet, may be displayed for said purposes only one

(1) time in a twelve (12) month period for a period not to exceed sixty (60) days. Signs located more than one hundred feet (100') or more from the edge of the public street pavement can be larger upon approval of the board of zoning appeals.

(x) Temporary signs meeting the sixty (60) days criteria must be taken down by the next morning the day immediately after the sixty (60) days has expired.

(xi) Any existing nonconforming temporary or portable sign shall be discontinued or be brought into compliance no later than thirty (30) consecutive calendar days from the effective date of this chapter. (Ord. of Oct. 9, 1989, as replaced by Ord. #99-02, April 1999, Ord. #2006-03, May 2006, and amended by Ord. #2010-09, June 2010)

The last matter is adding under Section 11-1204 of Title 11, Planning and Zoning, Chapter 12, Business and Advertising Signs the definition of a Banner Flag:

Proposed Definition

Banner flag: Any sign of lightweight fabric or similar material that is mounted to a pole or a building at one or more edges and intended to be displayed for a limited period of time. National flags, state or municipal flags, or the official flag of any institution or business shall not be considered banners.

RECOMMENDATION:

Recommend approval to the Board of Mayor and Aldermen to amend Section 11-1207 of Chapter 12 by amending Paragraph 6, and to amend Section 11-1204 of Chapter 12 by adding the definition of "Banner sign", as presented.

JONESBOROUGH PLANNING COMMISSION

AGENDA PRESENTATION

DATE: February 20, 2024 AGENDA ITEM #: 4

SUBJECT: Billboard Relocation Plan

Previous Request on October 17, 2023 – PC Approved

Tom Foster, Foster Signs, is the owner of a single faced billboard located at 211 Forest Circle across from Taco Bell. The structure is 320 square feet (10'X32'). The proposed location is located at 1577 West Jackson Boulevard next to Jonesborough Wine and Spirits. The proposed structure is double faced with a reduced square footage size to 200 square feet (10'X20'). The proposed location is identified on a copy of the "Douglas Retail Site Plan".

New Request

After the planning commission action to approve the previous locating of a billboard at 1577 West Jackson Boulevard next to Jonesborough Wine and Spirits, Mr. Tom Foster has decided instead to look at a different location across the street on West Jackson Boulevard to place a billboard. Mr. Foster recently purchased a tract of land with 1.037 acreage. The subject property is located at the intersection of West Jackson Boulevard (11-E) and Ben Gamble Road, and further described on Washington County Tax Map 59, Parcel 94.00.

The original plan of removing the single faced billboard located at 211 Forest Circle across from Taco Bell and measuring 320 square feet (10'X32') remains unchanged, with only the location changing.

The proposed structure is double faced (V-shaped) with a reduced square footage size to 200 square feet (10'X20'). The proposed location is identified on a copy of the survey by McCoy Land Surveying. As part of the signage plan is to provide additional buffering of trees (type of evergreen trees that provide for privacy) parallel Ben Gamble Road. The purpose of the trees is to add to the already present mature trees in the rear of the property and to provide more screening from the neighborhood above Ben Gamble Road. When reviewing the new request, staff opines that the new location would provide for more screening opportunities from the neighborhood view than across the street at the Jonesborough Wine and Spirit.

Although billboards are prohibited in the Town of Jonesborough, billboards that exist are considered non-conforming or grandfathered. In 2011, the BMA passed an ordinance that allows billboards to be exchanged for grandfathered billboards.

A major advantage of LED billboards is the appearance factor that will not fade, peel, become dirty, or change color over time like static signs do. Another reason is to share the screen with other companies. The end-product in digital format meets the intent of the digital signage requirements with a standard minimum of 8 seconds before the message changes. The replacement sign provides for better viewing for travelers, and the reduction in size from 320 to 200 square feet is more suitable.

A digital billboard easily seen at a traffic signal is more effective because the image will change a number of times when waiting for a change in the signal.

RECOMMENDATION:

Approve the billboard relocation plan from 211 Forest Circle to the tract of land at the intersection of West Jackson Boulevard (11-E) and Ben Gamble Road, further described on Washington County Tax Map 59, Parcel 94.00, as presented.

Washington County - Parcel: 059 094.00

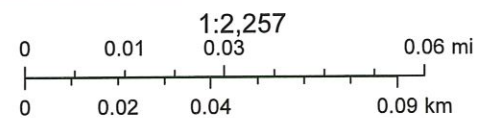


Date: January 11, 2024

County: Washington
Owner: MCCRACKIN JOAN E
Address: HWY 11E
Parcel Number: 059 094.00
Deeded Acreage: 1.03
Calculated Acreage: 0

● Previous Location

● Proposed Location



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The property lines are compiled from information maintained by your local

Survey

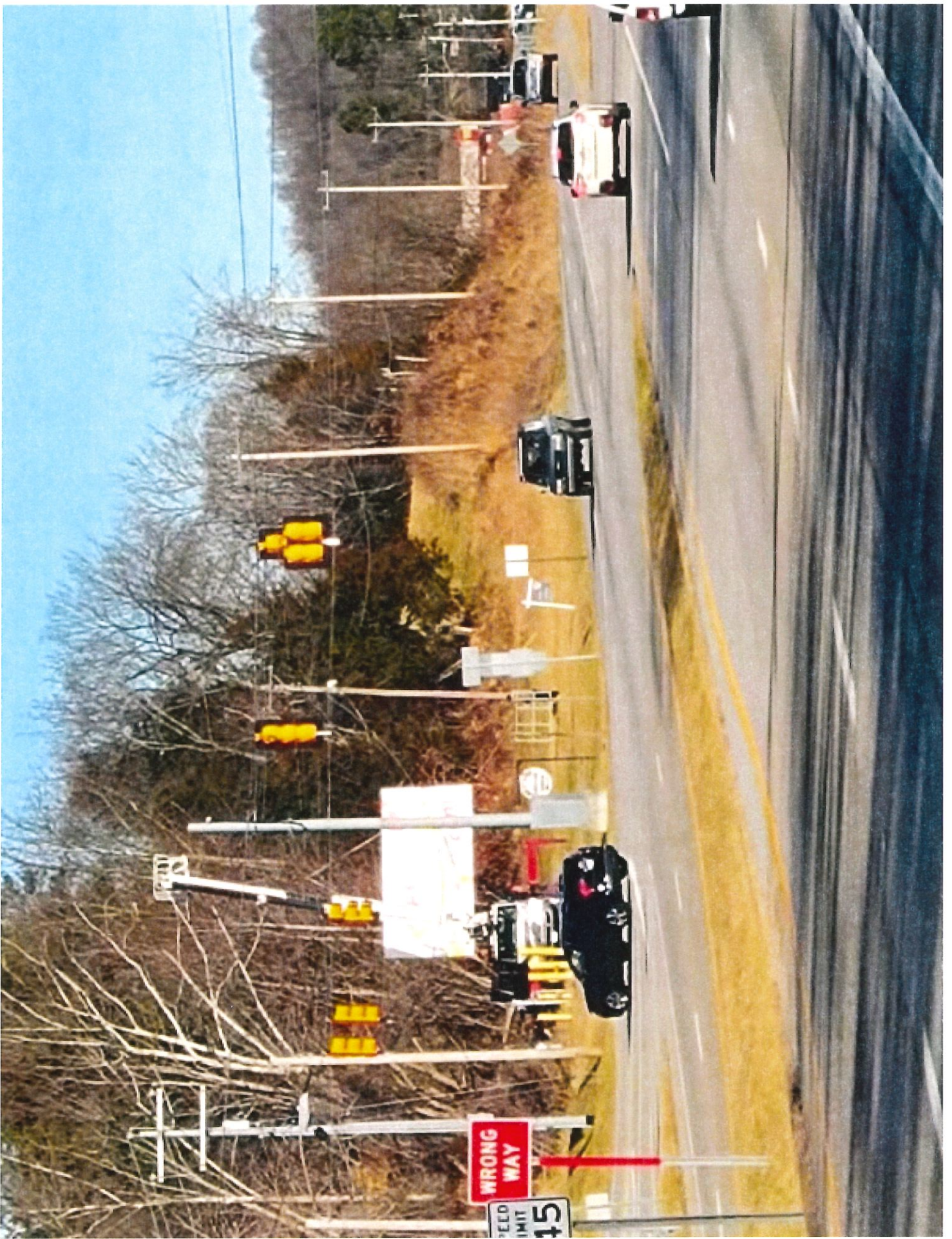
Tbd Highway 11e, Jonesborough, TN 37659

This listing is Active Listed for [REDACTED] MLS # 9949190

Additional
Bathrooms

Back Location







JONESBOROUGH PLANNING COMMISSION

AGENDA PRESENTATION

DATE: February 20, 2024 AGENDA ITEM #: 5

SUBJECT: Billboard Relocation – from 1300 E Jackson to 1601 E Jackson

Tom Foster, Foster Signs, is the owner of a two-faced billboard located at 1300 E. Jackson Boulevard on the car wash property, Tax Map 52, Parcel 220.00, and the structure is 320 square feet. The proposed location is located at 1601 E. Jackson Boulevard on the First Town Motor property, Tax Map 52, Parcel 194.02. The proposed structure is double faced with a reduced square footage size to 200 square feet (10'X20').

Although billboards are prohibited in the Town of Jonesborough, billboards that exist are considered non-conforming or grandfathered. In 2011, the BMA passed an ordinance that allows billboards to be exchanged for grandfathered billboards.

A major advantage of LED billboards is the appearance factor that will not fade, peel, become dirty, or change color over time like static signs do. Another reason is to share the screen with other companies. The end-product in digital format meets the intent of the digital signage requirements with a standard minimum of 8 seconds before the message changes. The replacement sign provides for better viewing for travelers, and the reduction in size from 320 to 200 square feet is more suitable.

RECOMMENDATION:

Approve the billboard relocation plan from 1300 E. Jackson Boulevard on the car wash property, Tax Map 52, Parcel 220.00, to the proposed location at 1601 E. Jackson Boulevard on the First Town Motor property, Tax Map 52, Parcel 194.02, including the reduction in square footage from 320 square feet to 200 square feet, as presented.

EXISTING

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← **LEFT AT 2nd LIGHT**

FosterSigns.com

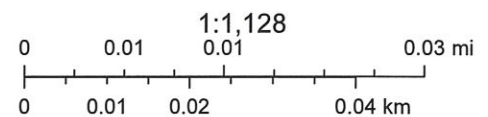


Date: February 16, 2024

County: Washington
Owner: WOLFE DEVELOPMENT LLC
Address: JACKSON BLVD E 1601
Parcel Number: 052 194.02
Deeded Acreage: 0
Calculated Acreage: 0
Date of TDOT Imagery: 2019
Date of Vexcel Imagery: 2023



**PROPOSED RELOCATION
AREA**



Esri Community Maps Contributors, City of Johnson City, TN, State of North Carolina DOT, Tennessee STS GIS, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS, State of Tennessee, Comptroller of the Treasury

The property lines are compiled from information maintained by your local county Assessor's office but are not conclusive evidence of property ownership in any court of law.

JONESBOROUGH PLANNING COMMISSION

AGENDA PRESENTATION

DATE: February 20, 2024 AGENDA ITEM #: 6

SUBJECT: Final Plat – Spring Ridge Subdivision, Old Boones Creek Road

BACKGROUND:

The request is for final plat approval for 20 lots for "Spring Ridge Subdivision Phase 1" located on old Boones Creek Road and includes the internal road, Ruby Rose Ridge. The subject phase contains approximately 13.672 acres (total development is 28.078 acres), 0.23 miles of new road, and is further described on Washington County Tax Map 52, Part of Parcel 77.00. Preliminary construction plans were approved by the Planning Commission on March 21, 2023. The remaining portion of the subject property is clearly labeled Future Development on the subdivision plat. Also, the notes include the depth of driveways must be a minimum of 20 feet (to minimize issues with parked cars encroaching into the public road), and the note about the 25' Landscape Buffer.

Of note, Staff has the original final plat without the word "Preliminary" written through the surveyor's seal.

As with other developers we have worked with, they have requested bonding of the following and included is the estimated costs:

Breakdown of the Bond regarding top coat and sidewalks:

Road Top Coat and roadway concrete island (Phase 1):	\$38,394.85
1000 Linear Feet (Phase 1) – One Side:	\$33,000.00*

Total Amount - \$71,395.00

*Staff have been working with the developer Jeff Jones on this phase of the project and one thing of note is that Mr. Jones informed me that one change to the project is to include sidewalks on both sides of the road. As a result, Mr. Jones is getting an updated quote on increasing the bonding amount for the overall sidewalk work for Phase 1. Since the developer has already constructed 300 feet of the 1000 feet detailed in the breakdown, I expect the overall sidewalk bonding to be closer to \$50,000.00.

A final plat approval allows the owner to record the plat and the ability to start selling lots for ownership and or building purposes therefore it is important to assess the impact of incomplete elements of the subdivision when considering bonding and what the Planning Commission desires to bond to secure those incomplete elements and that those elements are completed within a required amount of time.

RECOMMENDATION:

Approve the final plat for 20 lots for "Spring Ridge Subdivision Phase 1" subject to the following:

1. The bonding amount of the project is revised to include the additional sidewalk portion of the project to be secured, along with Town Attorney review and approvals;
2. The developer work with staff on finalizing the type of materials to be used within the identified 25' landscape buffer; and
3. All signatures on the final plat be acquired prior to the Secretary of the Planning Commission certifying the Certificate of Approval for Recording.

BOND NUMBER **100354505**

PERFORMANCE BOND

KNOW ALL MEN By these presents:

WHEREAS **Spring Ridge Development, GP**, Principal, herein is the owner and developer of the **Spring Ridge Development** located in Jonesborough, Tennessee and **Merchants National Bonding Company**, a surety company authorized to do business in the State of Tennessee (hereinafter called the "surety"), and

WHEREAS, the plans and specifications of said project having been approved by the Jonesborough Regional Planning Commission, and which are referred to and made a part of this instrument, as if fully copied and set forth herein, and

WHEREAS, the Principal herein does hereby obligate itself and does agree to complete the construction and installation of all erosion and sediment control, stabilization, stormwater management facilities, storm drain system, and all other improvements in the said project in accordance with the plans and specifications attached hereto and made a part of this bond.

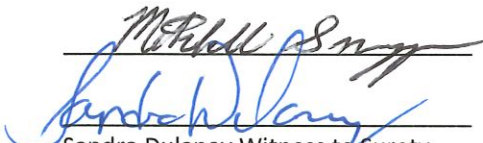
NOW, THEREFORE, the **Spring Ridge Development, GP**, as Principal, and **Merchants National Bonding Company**, as Surety, do hereby firmly bind ourselves, our heirs, executors, administrators and successors unto the Jonesborough Regional Planning Commission and the State of Tennessee for and on behalf of Jonesborough, Tennessee in the sum of **Seventy One Thousand, Three Hundred, Ninety Five and no/100 (\$71,395.00)**, return of said amount conditioned upon the performance by the Principal of its undertaking herein, and its completion of said **(Spring Ridge Development)** in the construction of said improvements noted above.


NOW, if the Principal shall in all respects fulfill his said obligation according to the terms there of, and shall satisfy all claims and demands incurred for same, and shall fully indemnify and save harmless the Obligee from all costs and damages which it may suffer by reason of failure to do so and shall fully reimburse and repay the Obligee all outlays and expenses which it may incur in making good any such default, then this obligation is to be void and of no effect; otherwise to remain in full force and effect.

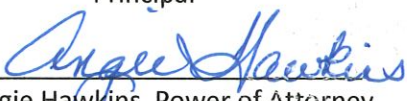
BOND NUMBER **100354505**

If the principal fails to complete the construction, and the improvements of said (**Spring Ridge Development**) shown and provided for by said plans and specifications attached hereto within and the time herein specified, the commission may in its discretion extend the time for the completion of said work by order duly made and entered by the said commission for a period of up to 90 days, said extension to granted in writing and certified by the Secretary of the Jonesborough Planning Commission.

WITNESS:


Sandra Dulaney Witness to Surety


Spring Ridge Development, GP
Principal


Angie Hawkins, Power of Attorney
Surety

I, Angie Hawkins, do hereby certify that the Merchants National Bonding Co.
(Agent of the Surety Company) (Name of Surety Company)

is authorized to do business in the State of Tennessee as of the last date hereinabove set out.

Merchants National Bonding Co.
(Name of Surety Company)

MERCHANTS BONDING COMPANY™

POWER OF ATTORNEY

Know All Persons By These Presents, that MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., both being corporations of the State of Iowa, d/b/a Merchants National Indemnity Company (in California only) (herein collectively called the "Companies") do hereby make, constitute and appoint, individually,

Angie Hawkins; Cynthia Widener Winn; M Sterling Winn; Michael S Winn II; Sandra L. Dulaney

their true and lawful Attorney(s)-in-Fact, to sign its name as surety(ies) and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

This Power-of-Attorney is granted and is signed and sealed by facsimile under and by authority of the following By-Laws adopted by the Board of Directors of Merchants Bonding Company (Mutual) on April 23, 2011 and amended August 14, 2015 and adopted by the Board of Directors of Merchants National Bonding, Inc., on October 16, 2015.

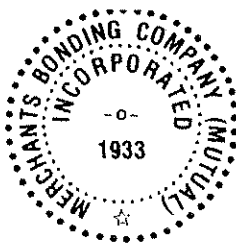
"The President, Secretary, Treasurer, or any Assistant Secretary or any Vice President shall have power and authority to appoint Attorneys-in-Fact, and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof."

"The signature of any authorized officer and the seal of the Company may be affixed by facsimile or electronic transmission to any Power of Attorney or Certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed."

In connection with obligations in favor of the Florida Department of Transportation only, it is agreed that the power and authority hereby given to the Attorney-in-Fact includes any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts required by the State of Florida Department of Transportation. It is fully understood that consenting to the State of Florida Department of Transportation making payment of the final estimate to the Contractor and/or its assignee, shall not relieve this surety company of any of its obligations under its bond.

In connection with obligations in favor of the Kentucky Department of Highways only, it is agreed that the power and authority hereby given to the Attorney-in-Fact cannot be modified or revoked unless prior written personal notice of such intent has been given to the Commissioner-Department of Highways of the Commonwealth of Kentucky at least thirty (30) days prior to the modification or revocation.

In Witness Whereof, the Companies have caused this instrument to be signed and sealed this 3rd day of February, 2024.



MERCHANTS BONDING COMPANY (MUTUAL)
MERCHANTS NATIONAL BONDING, INC.
d/b/a MERCHANTS NATIONAL INDEMNITY COMPANY

By

Larry Taylor
President

STATE OF IOWA
COUNTY OF DALLAS ss.

On this 3rd day of February 2024, before me appeared Larry Taylor, to me personally known, who being by me duly sworn did say that he is President of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC.; and that the seals affixed to the foregoing instrument are the Corporate Seals of the Companies; and that the said instrument was signed and sealed in behalf of the Companies by authority of their respective Boards of Directors.

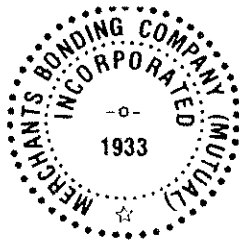


(Expiration of notary's commission does not invalidate this instrument)

[Signature]
Notary Public

I, William Warner, Jr., Secretary of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., do hereby certify that the above and foregoing is a true and correct copy of the POWER-OF-ATTORNEY executed by said Companies, which is still in full force and effect and has not been amended or revoked.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Companies on this 14th day of FEBRUARY 2024



William Warner Jr.
Secretary

Proposal 1/26/24

Matt Burke

BILL TO

Scott Britton
Construction, LLC

SHIP TO

Spring Ridge

DESCRIPTION	QTY	UNIT PRICE	TOTAL
			0
			0
Concrete Sidewalks			\$33,000
			0

Remarks / Payment Instructions:

Estimated @ 1000 lf

SUBTOTAL	
DISCOUNT	0
TAX RATE	0.00%
TOTAL TAX	0
SHIPPING/HANDLING	0
Balance Due	\$33,000



PAVE-WELL PAVING CO., INC.

725 Centenary Rd. Blountville, TN 37617 Office: (423)323-8121

Fax: (423)323-2741 Email: estimating@pavewellpaving.com

PROPOSAL - Updated

Date: January 26, 2024

Spring Ridge Subdivision Phase 1

Old Boones Creek Rd

Jonesborough, TN 37659

To: Mr. Jeff Jones

We propose to furnish Labor, Equipment, Materials and Supervision to do the following work on the above referenced project:

DESCRIPTION	QTY	UNIT	UNIT PRICE	EXTENDED PRICE
STANDARD DUTY PAVING – Install 1.25" of compacted asphalt surface. (See Green)	3,643	SY	\$10.32	\$37,594.85
CONCRETE ISLAND – Install approximately 100 Square Feet of concrete island to slow traffic.	100	SF	\$8.00	\$800.00
TOTAL				\$38,394.85

Price includes ONE (1) mobilization. If any additional is required add \$2,500.00 each.

This bid was based on information and scaled measurements found on the subject site plan prepared by Summit Engineering Services, LLC dated 02/10/2023, sheet C2. Required elevations must be within ± 0.10 of 1 foot of subgrade at proper compaction prior to our mobilization. Subgrade will be proof rolled prior to acceptance. Any remediation will require a change order. **PROPOSAL EXCLUDES:** Licenses, permits, and fees; bond; material testing; excavating; construction/curb layout; concrete work of any kind other than mentioned above; traffic control; thermoplastic striping; rock removal; sub-grade remediation, backfilling or seeding. This proposal includes using **ALL VIRGIN MATERIALS**. Pave-Well does not use oxidized millings as we believe it shortens the longevity of your pavement structure. All work and materials are guaranteed for one year from substantial completion.

Due to the volatility of the Liquid Asphalt market currently, we are unable to obtain firm pricing for future Asphalt projects. Therefore, our price is based on the January 2024 TDOT "Bituminous Index (\$629.09, Ton)". Index unit price increases/decreases at the time of construction in excess of \$10.00/Ton will be passed along to the owner. This increase/decrease will only affect the bituminous portion of the contract. The Bituminous Index can be seen at <http://www.tn.gov/assets/entities/tdot/attachments/Const-bituminousindex.pdf>.

Payment to be made as follows: Payment in full 30 days upon completion. 1.5% monthly financing charges after 30 days.

Acceptance of Proposal -- The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above. If legal action is instituted by Pave-Well to recover damages for breach of this contract, you agree to pay reasonable attorney's fees incurred by Pave-Well plus financing charges in the amount of 1.5% monthly.

Note: this proposal may be withdrawn by us if not accepted by: 2/26/2024

Authorized Signature – Pave-Well Paving Co.

Corey Moore

Digitally signed by Corey Moore
DN: C=US, E=corey@pavewellpaving.com,
O=Pave-Well Paving, OU=Project Manager,
CN=Corey Moore
Date: 2024.01.26 07:42:02-05'00'

DATE

DATE

