



**MEMPHIS AND
SHELBY COUNTY** **DIVISION OF PLANNING
AND DEVELOPMENT**

City Hall – 125 N. Main Street, Suite 468 – Memphis, Tennessee 38103 – (901) 636-6619

PLANNED DEVELOPMENT FINAL PLAT CHECKLIST

**This form must accompany all planned development final plats submitted for review*

DATE: _____ DOCKET/CASE NUMBER: _____

NAME OF DEVELOPMENT*: _____

LOCATION OF DEVELOPMENT: _____

**Check with the Shelby County Register's Office to ensure the proposed name is not a duplicate of a previously recorded development in a different location*

Disclaimer: This document is provided as a general guideline for the submittal requirements. Information contained herein is for the designer's aid. The intent of this document is to provide information and guidance only. The engineer and/or surveyor is ultimately responsible for the accuracy and completeness of the design submittal. Additional information may be required on an individual basis.

Key: X = Item met, N/A = Not applicable

FEES

_____ All Land Use and Development Services (LUDS) fees are required to be paid prior to the review of any plat; see [Land Use Controls Fee Schedule](#) for applicable fees.

COPIES FOR INITIAL SUBMITTAL

_____ Two paper copies

_____ Digital copy in pdf format

*Note: Once the initial review has been completed a member of the Land Use and Development Services Department will contact you regarding required revisions, if applicable, and next steps.

FORMAT

_____ 20"x24" copy size

_____ Select an appropriate engineer scale for the drawing: 1"=10', 1"=20', 1"=30', 1"=40', 1"=50', 1"=60', or 1"=100'

_____ Font type: Arial

_____ All type size must be at minimum 1/10 of an inch

_____ Conditions formatted with line spacing and indentation

_____ Title Block in lower right-hand corner of all sheets in LUDS Standard Format—numbers 1-2 shall be bold and 1/5" and numbers 3-16 shall be regular and 1/10" (see exhibit 1)

1. Select appropriate title: Final Plat or Outline/Final Plat (the latter is for single phase planned developments in which the outline plan and final plat are a single plat)

2. Name of development and, if applicable, area and phase number
Example: Bison Planned Development, Area A, Phase 3
3. Most recent LUDS PD case number (do not use a major or minor modification case number)
4. List former LUDS PD case numbers, if applicable (do not include major or minor modification case numbers), if there are no former case numbers write "N/A" for not applicable
5. Jurisdiction: City of Memphis or Shelby County, Tennessee for unincorporated property
6. Number of lots
7. Total acreage
8. Ward____, Block____, Parcel____ (City)
District____, Block____, Parcel____ (County)
9. Developer
10. Engineer or Surveyor
11. 100-year flood elevation
12. FEMA map panel number
13. FEMA map date
14. Current date, update with each revision
15. Scale
16. Sheet number

FINAL PLAT

- ____ Graphic conformance with the concept plan and all conditions, waivers, variances, etc.
1. Planned Development
 - ____ Building footprints, curb cuts, drive aisles, parking stalls, fencing, refuse container location and screening, detached signage, gates and turnaround for forward exit, drive-thru facilities and lanes with queuing spaces, etc. with dimensions
 - ____ Elevations with exterior finishes, dimensions, and signage
 - ____ Photometric plan, if applicable, see Section 4.7.2 of the Unified Development Code
- ____ Identification of adjacent property owners
1. If a final plat is adjacent to the subject property, show name of the final plat, plat book and page number, acreage, lot number, and dashed lot lines in a shade of gray
 2. If no final plat is recorded adjacent to the subject property, show owner(s) name, warranty deed instrument number, acreage, and dashed parcel lines in a shade of gray
- ____ Phase map, if applicable
- ____ If a future phase of this planned development is adjacent to the subject property, identify as 'future development' with an area designation and acreage
- ____ Vicinity map, located in the upper right-hand corner of sheet 1
- ____ North arrow
- ____ Graphic scale
- ____ Note city benchmark, a file containing the current city benchmarks can be requested from the City Engineering Land Development Office (636-6704)
- ____ All general notes shall be consolidated and numbered
- ____ Inclusion of all conditions imposed
- ____ Floodway and Floodplain per FEMA Map indicated by shading

- _____ Tie-in from corner of property to centerline of nearest dedicated street intersection
- _____ Calls and bearings and curve geometry on property lines and lot lines
- _____ Identify all right-of-way including, name, width, and street centerline
- _____ Graphically show all existing and proposed easements with calls and bearings, curve geometry, dimensions, and instrument number references when applicable e.g. alternative street design, utility, sidewalk, pedestrian, drainage, ingress/egress, sewer, etc.
- _____ Site data chart (see exhibit 2)
- _____ Parking chart (see exhibit 3)
- _____ If proposing new street names contact Memphis Light Gas and Water (MLGW) Address Assignment (901-729-8620) to obtain approval and reserve the proposed street names
- _____ Identify new street dedication area with hatching/shading and dimensions, if applicable
- _____ Location of fire hydrants, existing and proposed
- _____ Identify all overhead utility line locations
- _____ Include all setbacks—front, rear, side (interior), side (street)
- _____ Include a street cross-section graphic for any existing or new streets
- _____ Graphically show the location of sidewalks and include the sidewalk chart (see exhibit 4)
- _____ A detailed landscaping plan that includes the specific location and spacing of plant materials. All plant materials shall be identified in a planting schedule chart that indicates the symbol, quantity, common name, botanical name, and minimum size at planting—caliper and height (see exhibit 5)
- _____ Ensure landscaping does not conflict with easements, overhead powerlines, and clear sight triangles
- _____ Document conformance with the requirements of the Tree Ordinance, if required
- _____ Identify and dimension septic tank fields, if applicable
- _____ Identify all common areas by alphabetical designations and their specific purpose and state whether the area is buildable or non-buildable e.g. Lot A – Common Open Space – Private Drive – Non-Buildable
- _____ Where a property owners association or home owners association is required for ownership and maintenance of common areas add a note to the plat indicating all common areas maintained by such with the instrument number of the association’s agreement that has been recorded with the Register’s office. This agreement must be recorded prior to or concurrently with the final plat.

ALL COMMON AREAS SHALL BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION RECORDED IN THE SHELBY COUNTY REGISTER’S OFFICE UNDER INSTRUMENT NUMBER _____.

- _____ Locations of areas to be reserved for storm water detention must add the following standard note:

THE AREAS DENOTED BY “RESERVED FOR STORM WATER DETENTION” SHALL NOT BE USED AS A BUILDING SITE OR FILLED WITHOUT FIRST OBTAINING WRITTEN PERMISSION FROM THE CITY OR COUNTY ENGINEER, AS APPLICABLE. THE STORM WATER DETENTION SYSTEMS LOCATED IN THESE AREAS, EXCEPT FOR THOSE PARTS LOCATED IN A PUBLIC DRAINAGE EASEMENT, SHALL BE OWNED AND MAINTAINED BY THE PROPERTY AND/OR PROPERTY OWNERS ASSOCIATION. SUCH MAINTENANCE SHALL BE PERFORMED SO AS TO ENSURE THAT THE SYSTEM OPERATES IN ACCORDANCE WITH THE APPROVED PLAN ON FILE IN THE CITY/COUNTY ENGINEER’S OFFICE. SUCH MAINTENANCE SHALL INCLUDE, BUT NOT BE LIMITED TO: REMOVAL OF SEDIMENTATION, FALLEN OBJECTS, DEBRIS AND TRASH; MOWING; OUTLET CLEANING; AND REPAIR OF DRAINAGE STRUCTURE.

_____ Clear sight triangles as required by the Unified Development Code with boundary lines defined by calls and bearings and ties to lot corners. Illustrate with light shading, including the following statement from Sub-Section 4.4.7B of the Unified Development Code:

NO SIGHT OBSTRUCTION MAY BE WITHIN THE AREA TO BE KEPT CLEAR. A SIGHT OBSTRUCTION IS CONSIDERED ANY OBJECT WHOSE HEIGHT IS GREATER THAN THREE FEET ABOVE THE GRADE OF THE RESPECTIVE CENTER LINES OF THE INTERSECTING STREET, DRIVEWAY, OR VEHICULAR ACCESS EASEMENT OR TRACT.

_____ This statement should appear in bold print above all covenants and restrictions, private covenants, etc. being recorded as part of the final plat:

RESTRICTIVE COVENANTS AND SIMILAR DOCUMENTS ARE PRIVATE IN SCOPE AND NOT SUBJECT TO GOVERNMENTAL APPROVAL OR ENFORCEMENT.

_____ For developments with previous or concurrent recorded covenants, the following language may appear on the final plat under the bolded language of the previous checklist item:

RESTRICTIVE COVENANTS ARE RECORDED IN THE SHELBY COUNTY REGISTER'S OFFICE UNDER INSTRUMENT NUMBER _____.

CERTIFICATES AND SIGNATURES

_____ All certificates shall be 1/10 of an inch except as otherwise shown in the Title Block (see Title Block on pages 1-2 and exhibit 1)

_____ All signatures must be signed with a medium point pen in black permanent ink when the plat is ready for recordation—do not complete this until instructed to execute certificates

_____ LUDS certificate (see exhibit 6A-B)

_____ Executed engineer's certificate containing the engineer's signature, seal, and date (see exhibit 7)

_____ Executed surveyor's certificate containing the surveyor's signature, seal, and date. Survey accuracy shall meet the requirements of the current edition of the *Rules of Tennessee State Board of Examiners for Land Surveyors – Standards of Practice* (see exhibit 8)

_____ Executed fire department certificate, if applicable (see exhibit 9)

_____ Executed health department certificate, if applicable (see exhibit 10)

_____ Executed owner's certificate with executed notary acknowledgement and seal (see exhibits 11 and 12A-F)

_____ Executed mortgagee's certificate with executed notary acknowledgement and seal (see exhibit 13)

_____ Any development in unincorporated Shelby County which requests a connection to the City of Memphis sanitary sewer system must include the official annexation restrictive covenant and petition for annexation on their plat (see exhibit 14)

EXHIBITS

Exhibit 1 – Title Block

1. FINAL PLAT <u>OR</u> OUTLINE/FINAL PLAT		
2. NAME OF DEVELOPMENT – AREA _____, PHASE _____		
3. CASE NUMBER:		4. FORMER CASE NUMBERS:
5. MEMPHIS, TENNESSEE <u>OR</u> SHELBY COUNTY, TENNESSEE		
6. NUMBER OF LOTS:	7. ACREAGE:	8. WARD <u>OR</u> DISTRICT _____, BLOCK_____, PARCEL_____
9. DEVELOPER:		10. ENGINEER <u>OR</u> SURVEYOR:
11. 100-YEAR FLOOD ELEVATION:	12. FEMA MAP PANEL NUMBER:	13. FEMA MAP DATE:
14. DATE:	15. SCALE:	16. SHEET _____ OF _____

*Note: Do not include the gray numbers; they are for reference purposes only. Where “OR” occurs select the appropriate option, see the “FORMAT” section on pages 1-2 for Title Block references.

Exhibit 2 – Site Data Chart

SITE DATA CHART	
USE	RESTAURANT
BUILDING AREA	7,500 SQ FT
BUILDING HEIGHT	18 FT

Exhibit 3 – Parking Chart

PARKING CHART		
STALL TYPE	REQUIRED	PROVIDED
STANDARD	25	26
HANDICAP	2	2
BICYCLE	6	6

Exhibit 4 – Sidewalk Chart

SIDEWALK CHART			
STREET NAME	SIDEWALK WIDTH	SIDE	LOCATION FROM BACK OF CURBLINE
BUFFALO DRIVE	5 FEET	NORTH	3.5 FEET

THE REQUIRED SIDEWALKS SHALL BE INSTALLED ACROSS THE FRONTAGES OF EACH LOT BY THE BUILDING PERMIT HOLDER PRIOR TO USE AN OCCUPANCY OF THE BUILDING. EXISTING SIDEWALKS SHALL BE REPAIRED AS NECESSARY BY THE BUILDING PERMIT HOLDER ACROSS THE LOT FRONTAGE PRIOR TO USE AN OCCUPANCY OF THE BUILDING.

*Note: If there is no curblines, measure from the edge of pavement.

Exhibit 5 – Plant Schedule Chart

PLANT SCHEDULE CHART					
TREES				MINIMUM SIZE AT PLANTING	
SYMBOL	QUANTITY	COMMON NAME	BOTANICAL NAME	CALIPER	HEIGHT
♠	8	EASTERN HEMLOCK	TSUGA CANADENSIS	3 IN	18 FT
♣	4	WILLOW OAK	QUERCUS PHELLOS	4.5 IN	16 FT
SHRUBS				MINIMUM SIZE AT PLANTING	
SYMBOL	QUANTITY	COMMON NAME	BOTANICAL NAME	GALLONS	SPREAD
☼	20	CASSINE HOLLY	ILEX CASSINE	3 GAL	18 IN
✻	10	WAX MYRTLE	MYRICA CERIFERA	3 GAL	18 IN
TURF				MINIMUM SIZE AT PLANTING	
SYMBOL	QUANTITY	COMMON NAME	BOTANICAL NAME	SIZE	
⚡	5,000 SQ FT	PALISADES ZOYSIA	ZOYSIA X 'PALISADES'	SOD	
✳	100 SQ FT	JAPANESE SPURGE	PACHYSANDRA TERMINALIS	4-INCH POT	

Exhibit 6A – LUDS Certificate – New/Amendment

LAND USE AND DEVELOPMENT SERVICES CERTIFICATE

THIS FINAL PLAT CONFORMS WITH THE PLANNED DEVELOPMENT ACTED ON BY THE LAND USE CONTROL BOARD ON ____ (DATE) ____ AND APPROVED BY THE COUNCIL OF THE CITY OF MEMPHIS ON ____ (DATE) ____.

BY _____ DATE _____
 ZONING ADMINISTRATOR

LUDS _____ DATE _____

CITY / COUNTY ENGINEER _____ DATE _____

*Note: modify certificate as appropriate i.e. remove or add bodies, departments, and language as necessary.

Exhibit 6B – LUDS Certificate – Major Modification

LAND USE AND DEVELOPMENT SERVICES CERTIFICATE

THIS FINAL PLAT CONFORMS WITH THE PLANNED DEVELOPMENT APPROVED BY THE COUNCIL OF THE CITY OF MEMPHIS ON ____ (DATE) ____ AND THE MAJOR MODIFICATION, ____ (CASE NUMBER) ____, APPROVED BY THE LAND USE CONTROL BOARD ON ____ (DATE) ____.

BY _____ DATE _____
 ZONING ADMINISTRATOR

LUDS _____ DATE _____

CITY / COUNTY ENGINEER _____ DATE _____

*Note: modify certificate as appropriate i.e. remove or add bodies, departments, and language as necessary.

Exhibit 7 – Engineer’s Certificate

ENGINEER’S CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT, IS IN CONFORMANCE WITH THE DESIGN REQUIREMENTS OF THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, THE SPECIFIC CONDITIONS IMPOSED ON THIS DEVELOPMENT, AND TAKES INTO ACCOUNT ALL APPLICABLE FEDERAL, STATE, AND LOCAL BUILDING LAWS AND REGULATIONS.

BY _____ (SEAL) DATE _____

TENNESSEE LICENSE NO. _____

Exhibit 8 – Surveyor’s Certificate

SURVEYOR’S CERTIFICATE

I HEREBY CERTIFY THAT THIS A CATEGORY_____ SURVEY AND THAT THE PRECISION OF THE UNADJUSTED SURVEY IS 1:_____ OR GREATER; THAT THIS PLAT HAS BEEN PREPARED BY ME OR UNDER MY INDIVIDUAL SUPERVISION AND CONFORMS WITH APPLICABLE STATE LAWS, THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, AND SPECIFIC CONDITIONS IMPOSED ON THIS DEVELOPMENT RELATING TO THE PRACTICE OF SURVEYING.

BY _____ (SEAL) DATE _____

TENNESSEE LICENSE NO. _____

Exhibit 9 – Fire Department Certificate

FIRE DEPARTMENT CERTIFICATE

APPROVED BY THE SHELBY COUNTY FIRE DEPARTMENT.

BY _____ DATE _____

SHELBY COUNTY FIRE DEPARTMENT

Exhibit 10 – Shelby County Health Department Certificate

SHELBY COUNTY HEALTH DEPARTMENT CERTIFICATE

APPROVED BY THE SHELBY COUNTY HEALTH DEPARTMENT. THE SHELBY COUNTY HEALTH DEPARTMENT PLAT APPROVAL ONLY VERIFIES THAT EACH LOT MEETS THE SHELBY COUNTY 2-ACRE (OR 4-ACRE FOR LOTS WITH A WELL) MINIMUM AND THE LOT IS NOT LOCATED IN THE 100-YEAR FLOODPLAIN. THIS IS NOT AN APPROVAL OF A SEPTIC SYSTEM ON ANY ONE LOT. THE LOT OWNER MUST APPLY FOR A SEPTIC INSTALLATION PERMIT WITH THE SHELBY COUNTY HEALTH DEPARTMENT. IN ORDER TO ENSURE THE LOT IS SUITABLE FOR A SEPTIC SYSTEM, A TN REGISTERED SOIL SCIENTIST MUST ASSESS AND MAP THE SOILS ON THE LOT. ADDITIONALLY, THE OWNER SHOULD DETERMINE IF ANY TOPOGRAPHIC ASPECTS OF THE LOT WILL OR MAY NEGATIVELY IMPACT THE INSTALLATION OF A SEPTIC SYSTEM.

BY _____ DATE _____

SHELBY COUNTY HEALTH DEPARTMENT

Exhibit 11 Notary Certificate

NOTARY CERTIFICATE

STATE OF TENNESSEE
COUNTY OF SHELBY

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE SAID STATE AND COUNTY AT MEMPHIS, DULY COMMISSIONED AND QUALIFIED, PERSONALLY APPEARED _____, WITH WHOM I AM PERSONALLY ACQUAINTED, AND WHO UPON HER OATH ACKNOWLEDGED HIS/HERSELF TO BE OWNER OF THE PROPERTY, THE WITHIN NAMED BARGAINER, AND THAT HE/SHE EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSE THEREIN CONTAINED. IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL AT MY OFFICE THIS _____ DAY OF _____.

NOTARY PUBLIC _____

MY COMMISSION EXPIRES _____

Exhibit 12A Owners Certificate – Individual

OWNER'S CERTIFICATE

I/WE, _____ (OWNER'S NAME), THE UNDERSIGNED OWNER(S) OF THE PROPERTY SHOWN, HEREBY ADOPT THIS PLAT AS MY/OUR PLAN OF DEVELOPMENT AND DEDICATE THE STREETS, RIGHT-OF-WAY, AND GRANT THE EASEMENTS AS SHOWN AND/OR DESCRIBED TO PUBLIC USE FOREVER. I/WE CERTIFY THAT I AM/WE ARE THE OWNER(S) OF THE SAID PROPERTY IN FEE SIMPLE, DULY AUTHORIZED TO ACT, AND THAT SAID PROPERTY IS NOT ENCUMBERED BY ANY TAXES WHICH HAVE BECOME DUE AND PAYABLE.

(NAME), OWNER

*Note: (NAME) is to be replace with the typed owners name and then the appropriate individual is to sign above the line.

Exhibit 12B Owners Certificate – Partnership

OWNER'S CERTIFICATE

WE, _____ PARTNERSHIP, THE UNDERSIGNED OWNER OF THE PROPERTY SHOWN, HEREBY ADOPT THIS PLAT AS OUR PLAN OF DEVELOPMENT AND DEDICATE THE STREETS, RIGHT-OF-WAY, AND GRANT THE EASEMENTS AS SHOWN AND/OR DESCRIBED TO PUBLIC USE FOREVER. WE CERTIFY THAT WE ARE THE OWNER OF THE SAID PROPERTY IN FEE SIMPLE, DULY AUTHORIZED TO ACT, AND THAT SAID PROPERTY IS NOT ENCUMBERED BY ANY TAXES WHICH HAVE BECOME DUE AND PAYABLE.

PARTNERSHIP
BY: (ABC CORPORATION), PARTNER

BY: (XYZ CORPORATION), PARTNER

(NAME), (TITLE)
(ABC CORPORATION)

(NAME), (TITLE)
(XYZ CORPORATION)

*Note 1: this is an example in which the partnership itself requires two partners to bind the partnership. The City and County only require one signature.

*Note 2: (NAME), (TITLE), and (CORPORATION) are to be replaced with the typed information and then the appropriate individual is to sign above the line.

Exhibit 12C Owner's Certificate – Trustee

OWNER'S CERTIFICATE

I, _____ (TRUSTEE NAME), TRUSTEE FOR _____ (OWNER NAME), THE UNDERSIGNED OWNER OF THE PROPERTY SHOWN, HEREBY ADOPT THIS PLAT AS MY PLAN OF DEVELOPMENT AND DEDICATE THE STREETS, RIGHT-OF-WAY, AND GRANT THE EASEMENTS AS SHOWN AND/OR DESCRIBED TO PUBLIC USE FOREVER. I CERTIFY THAT I AM THE OWNER OF THE SAID PROPERTY IN FEE SIMPLE, DULY AUTHORIZED TO ACT, AND THAT SAID PROPERTY IS NOT ENCUMBERED BY ANY TAXES WHICH HAVE BECOME DUE AND PAYABLE.

(TRUSTEE NAME), TRUSTEE FOR (OWNER NAME)

*Note: (TRUSTEE NAME) and (OWNER NAME) are to be replaced with the typed information and then the appropriate individual is to sign above the line.

Exhibit 12D Owner's Certificate – Sole Proprietorship

OWNER'S CERTIFICATE

WE, THE _____ (COMPANY NAME), A SOLE PROPRIETORSHIP, THE UNDERSIGNED OWNER OF THE PROPERTY SHOWN, HEREBY ADOPT THIS PLAT AS OUR PLAN OF DEVELOPMENT AND DEDICATE THE STREETS, RIGHT-OF-WAY, AND GRANT THE EASEMENTS AS SHOWN AND/OR DESCRIBED TO PUBLIC USE FOREVER. WE CERTIFY THAT WE ARE THE OWNER OF THE SAID PROPERTY IN FEE SIMPLE, DULY AUTHORIZED TO ACT, AND THAT SAID PROPERTY IS NOT ENCUMBERED BY ANY TAXES WHICH HAVE BECOME DUE AND PAYABLE.

(INDIVIDUAL NAME), (COMPANY NAME), SOLE PROPRIETORSHIP

*Note: (INDIVIDUAL NAME) and (COMPANY NAME) are to be replaced with the typed information and then the appropriate individual is to sign above the line.

Exhibit 12E Owner's Certificate – Corporation/Company (Corp., Co., Inc., Ltd., LLC., etc.)

OWNER'S CERTIFICATE

WE, _____ (CORPORATION/COMPANY NAME), THE UNDERSIGNED OWNER OF THE PROPERTY SHOWN, HEREBY ADOPT THIS PLAT AS OUR PLAN OF DEVELOPMENT AND DEDICATE THE STREETS, RIGHT-OF-WAY, AND GRANT THE EASEMENTS AS SHOWN AND/OR DESCRIBED TO PUBLIC USE FOREVER. WE CERTIFY THAT WE ARE THE OWNER OF THE SAID PROPERTY IN FEE SIMPLE, DULY AUTHORIZED TO ACT, AND THAT SAID PROPERTY IS NOT ENCUMBERED BY ANY TAXES WHICH HAVE BECOME DUE AND PAYABLE.

(NAME), (TITLE), (CORPORATION NAME)

*Note: (NAME), (TITLE), and (CORPORATION NAME) are to be replaced with the typed information and then the appropriate individual is to sign above the line.

Exhibit 12F Owner's Certificate – Joint Venture

OWNER'S CERTIFICATE

WE, _____ (VENTURE NAME), JOINT VENTURE, THE UNDERSIGNED OWNER OF THE PROPERTY SHOWN, HEREBY ADOPT THIS PLAT AS OUR PLAN OF DEVELOPMENT AND DEDICATE THE STREETS, RIGHT-OF-WAY, AND GRANT THE EASEMENTS AS SHOWN AND/OR DESCRIBED TO PUBLIC USE FOREVER. WE CERTIFY THAT WE ARE THE OWNER OF THE SAID PROPERTY IN FEE SIMPLE, DULY AUTHORIZED TO ACT, AND THAT SAID PROPERTY IS NOT ENCUMBERED BY ANY TAXES WHICH HAVE BECOME DUE AND PAYABLE.

(NAME), ATTORNEY-IN-FACT FOR (VENTURE NAME), JOINT VENTURE

*Note: (NAME) and (VENTURE NAME) are to be replaced with the typed information and then the appropriate individual is to sign above the line.

Exhibit 13 – Mortgagee's Certificate

MORTGAGEE'S CERTIFICATE

WE, _____ (INSTITUTION NAME), THE UNDERSIGNED MORTGAGEE OF THE PROPERTY SHOWN, HEREBY CONSENT AND AGREE TO THE PLAN OF DEVELOPMENT AS SUBMITTED BY _____ (OWNER NAME), OWNER OF THE PROPERTY.

(NAME), (TITLE), (INSTITUTION NAME)

*Note: (NAME), (TITLE), and (INSTITUTION NAME) are to be replaced with the typed information and then the appropriate individual is to sign above the line.

Exhibit 14 – Annexation Restrictive Covenant and Petition

RESTRICTIVE COVENANT

WHEREAS, _____ (owner’s name) the owner of this plan of development wishes to obtain sanitary sewer service for this plan of development from the City of Memphis.

NOW, THEREFORE, the owner of this plan of development hereby petitions the City of Memphis to annex the land contained within this plan of development when and in the manner deemed necessary by the City of Memphis and grants the City the right to enforce the provisions of this covenant.

This covenant is binding on the owners, their heirs or successors and assigns and is a covenant running with the land and is binding until fulfilled on all successors in title to the above described property when recorded with the Shelby County Register’s Office.

The following statement shall be placed on all deeds or transfers, either in whole or in part, of this property:

“This property is located in the Memphis Annexation Reserve Area. The owners has petitioned the City of Memphis to annex the property at such time as the City deems appropriate and grants the City the right to enforce the provisions contained in the plat of record. This covenant shall be binding on all successors, their heirs or assigns.”

SIGNATURE

DATE

State of Tennessee, County of Shelby

Before me, the undersigned, a notary public in and for said State and County at Memphis duly commissioned and qualified, personally appeared _____, with whom I am personally acquainted, and who upon his (her) oath acknowledged himself (herself) to be the (vice-president, owner, etc.) of the (property, company, etc.) the within named bargainer, and he (she) executed the foregoing instrument for the purpose therein contained. In witness whereof, I have hereunto set my hand and affixed my notarial seal at my office this _____ day of _____.

NOTARY PUBLIC _____

MY COMMISSION EXPIRES _____

PETITION FOR ANNEXATION BY THE CITY OF MEMPHIS

I _____ (owner’s name) owner of the property shown on this plan of development, request that the City of Memphis annex the land contained within this plan of development at the time the City deems appropriate. I further covenant that this request shall be binding on all successors, their heirs or assigns and shall be a covenant running with the land, in accordance with the terms of the restrictive covenant to be made a part of the plat of subdivision, final plan, or deed. I hereby grant the City the right to enforce the provisions of this petition.

SIGNATURE

DATE

State of Tennessee, County of Shelby

Before me, the undersigned, a notary public in and for said State and County at Memphis duly commissioned and qualified, personally appeared _____, with whom I am personally acquainted, and who upon his (her) oath acknowledged himself (herself) to be the (vice-president, owner, etc.) of the (property, company, etc.) the within named bargainer, and he (she) executed the foregoing instrument for the purpose therein contained. In witness whereof, I have hereunto set my hand and affixed my notarial seal at my office this _____ day of _____.

NOTARY PUBLIC _____

MY COMMISSION EXPIRES _____