

RESOLUTION 57 -2024

A RESOLUTION APPROVING THE EXTENSION OF THE DUE DILIGENCE PERIOD UP TO AND INCLUDING DECEMBER 5, 2024 FOR THE SALES AGREEMENT FOR THE CITY OF MT. JULIET TO SELL APPROXIMATELY 29.7 ACRES OF LAND IDENTIFIED AS MAP 054 PARCEL 08203 (TOMLINSON PROPERTY) LOCATED IN THE CITY OF MT. JULIET WILSON COUNTY, TN AND AUTHORIZING THE CITY MANAGER TO SIGN THE SECOND AMENDMENT TO THE AGREEMENT THAT WAS APPROVED ON MARCH 25, 2024 BY RESOLUTION 20-2024

WHEREAS, the City of Mt. Juliet Board of Commissioners desires to extend the Due Diligence Period in the agreement to sell the property identified as Map 054 Parcel 08203 (Tomlinson Property) located in the City of Mt. Juliet, Wilson County, TN; and

WHEREAS, the property was originally purchased for the Mt. Juliet Parks Department; and

WHEREAS, the Board of Commissioners approved the sale of this property to Toll Bros., Inc. for \$1,000,000 on March 25, 2024 with Resolution 20-24 after Legal Review per the Agreement of Sale; and

WHEREAS, the Board of Commissioners approved the First Amendment to the Agreement of Sale on July 8, 2024 extending the Due Diligence Period with Resolution 44-24; and

WHEREAS, the Second Amendment to the approved Agreement of Sale is attached to extend the Due Diligence Period up to and including December 5, 2024.

NOW, THEREFORE, BE IT RESOLVED by the City of Mt. Juliet, Wilson County, Tennessee as follows:

Section 1. The City of Mt. Juliet Board of Commissioners approves the attached Second Amendment to the Agreement of Sale for the property located at Map 054 Parcel 08203 being approximately 29.7 acres to Toll Brothers for \$1,000,000, that extends the Due Diligence Period up to and including December 5, 2024.

Section 2. The City Manager is authorized to sign the attached Second Amendment and execute the sale of the property after legal review.

Section 3. In the event of conflict between this resolution or any part hereof, and the whole or part of any existing resolution of the City, the conflicting resolution is repealed to the extent of the conflict but no further.

Section 4. If any section, clause, provision, or portion of the resolution is held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of the resolution.

This Resolution shall take effect at the earliest date allowed by law, the public welfare requiring it.

PASSED: 9/23/24

James Maness, Mayor

Kenneth D. Martin, City Manager

ATTEST:

Sheila Lockett, MMC
City Recorder

APPROVED AS TO FORM:

Samantha A. Burnett
City Attorney