

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

Meeting Date: Monday, June 1, 2009

Subject: Improvement Guarantee Extension for Phases I and IIA of the Seven Falls Golf and River Club Development

Attachments:

1. Letter Regarding Phase I (including IA and IB) and IIA Remaining Improvements
2. Cost Estimates for Remaining Improvements in Phases I and IIA as of May 21, 2009
3. Map of the road network falling under Phases I and IIA Improvement Guarantee

SUMMARY OF REQUEST:

On July 2, 2007 the Board of Commissioners issued an improvement guarantee for Phase I of the development known as Seven Falls Golf and River Club. The developer posted with the County an irrevocable letter of credit in excess of \$6 million to cover the cost of the improvements (\$5,067,470) and required 25% contingency (\$1,266,867). The Developer proposed completing improvements on or before June 1, 2008. The developer completed an estimated \$1.4 million of the \$5 million in improvements during the period from June 1, 2007 through June 23, 2008.

On July 23, 2008 Planning Staff issued an improvement guarantee for Phase IIA and which provided an extension of improvement guarantee approval for the remaining improvements in Phase I. The developer posted with the County a bond in the amount of \$6 million to cover the cost of the remaining improvements in Phase I (\$3,662,550) and the required improvements in Phase IIA (\$1,094,350) with a required 25% contingency (\$1,189,225). The Developer proposed completing improvements on or before June 1, 2009.

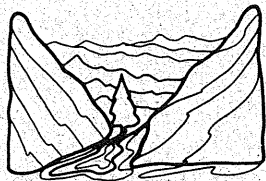
Mr. Bill Lapsley of William G. Lapsley and Associates, representative to the developer, Keith A. Vinson, Manager of Seven Falls, LLC. is requesting a two-year extension of the improvement guarantee for Seven Falls Phases I and IIA (See Attachment 1). The applicant has indicated the reason for the extension request is incomplete improvements resulting from lengthy delays in obtaining water and sewer system approvals. The Developer's intent is to include much of this subsurface water and sewer infrastructure beneath the internal road network which has prevented any road work beyond grading.

The developer would be required to post with the County a bond or irrevocable letter of credit in the amount of at least \$5,926,374 to cover the cost of remaining improvements \$4,741,100 (\$3,646,750 in Phase I; \$1,094,350 in Phase IIA) and the required 25% contingency (\$1,185,274). The applicant is requesting the ability to complete the improvements on or before July 1, 2011.

BOARD ACTION REQUESTED:

Planning Staff recommends the Board of Commissioners grant a one year extension of the existing improvement guarantee for Phase I and IIA to complete the improvements. Planning Staff recommends an extension requests be granted at one year intervals to evaluate the progress of the improvements.

Suggested Motion: I move the Board grant a one year extension of the existing improvement guarantee for Phases I and IIA of the Seven Falls Golf and River Club Development, extending approval through June 1, 2010.



William G. Lapsley & Associates, P.A.

Consulting Civil Engineers and Land Planners

William G. Lapsley, P.E.
William R. Buie, P.E.
G. Thomas Jones III, P.E.
Donald L. Hunley, P.E.

May 21, 2009

Mr. Anthony Starr, Director
Henderson County Planning Department
213 - 1st Avenue East
Hendersonville, NC 28792

Re: Improvements Guarantee
Phase I, IA, IB & IIA
Seven Falls Golf & River Club

Dear Mr. Starr:

As you know the developer of Seven Falls Golf & River Club, Seven Falls, LLC, has received plan & plat approval for Phase I, IA, IB & IIA of the proposed residential development.

An improvements guarantee has also been previously approved and in place since July, 2007 for Phase I, IA & IB.

The purpose of this letter is to certify to Henderson County the estimated cost for completing Phase I, IA & IB and the estimated cost for the infrastructure in Phase IIA.

Attached is a detailed breakdown of each cost estimate and a site plan with the highlighted areas included in this project. A summary is as follows:

Phase I & IA	Roads	\$ 1,381,250
	Water /Sewer	\$ 2,609,125
Phase IB	Roads, Water & Sewer	\$ 568,062
Phase IIA	Roads	\$ 691,625
	Water & Sewer	\$ <u>676,312</u>
	Total	\$ 5,926,374

If you have any questions or need additional information please fee free to contact our office.

Sincerely,

William G. Lapsley, PE



Seven Falls Golf & River Club

Phase I - Site Improvements

Attachment 2

Bond Guarantee Estimate - (Projected 5/21/09)

WGLA# 06149

Roadway Construction (19,200 lf)

Clear & Grubb (100% complete)	0 AC	@	\$4,000.00 =	\$0.00
Grading (80% complete)	1 LS	@	\$80,000.00 =	\$80,000.00
Stone Base (8"CABC) (5% complete)	20,000 TN	@	\$26.00 =	\$520,000.00
Pavement - Surface Course (1 1/2")	42,500 SY	@	\$8.00 =	\$340,000.00


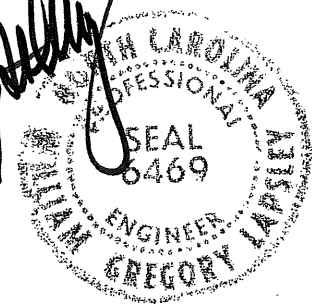
Stormwater Drainage

Open Throat Drop Inlets (100% complete)	0 EA	@	\$2,000.00 =	\$0.00
Junction Manholes (100% complete)	0 EA	@	\$2,000.00 =	\$0.00
18"Ø HDPE (100% complete)	0 LF	@	\$28.00 =	\$0.00
24"Ø HDPE (100% complete)	0 LF	@	\$34.00 =	\$0.00
30"Ø HDPE (100% complete)	0 LF	@	\$44.00 =	\$0.00
36"Ø HDPE (100% complete)	0 LF	@	\$50.00 =	\$0.00

Erosion Control

Silt Fence (100% complete)	0 LF	@	\$3.25 =	\$0.00
Slope Matting (100% complete)	0 SY	@	\$2.00 =	\$0.00
Slope Drains (12"Ø) (100% complete)	0 LF	@	\$20.00 =	\$0.00
Rock Inlet Protection (100% complete)	0 EA	@	\$150.00 =	\$0.00
Gravel/Fence Inlet Protection (100% complete)	0 EA	@	\$150.00 =	\$0.00
Water Bars (100% complete)	0 EA	@	\$50.00 =	\$0.00
Sediment Basins - (100% complete)	0 EA	@	\$1,500.00 =	\$0.00
Ditchline Protection (100% complete)	0 LF	@	\$5.00 =	\$0.00
Swale Protection (100% complete)	0 LF	@	\$3.50 =	\$0.00
Pipe Headwalls (100% complete)	0 EA	@	\$2,500.00 =	\$0.00
Rip Rap Stone (80% complete)	0 TN	@	\$40.00 =	\$0.00
Maintenance of Erosion Measures (50% complete)	1 LS	@	\$25,000.00 =	\$25,000.00
Seed, Fertilizer & Mulch (80% complete)	10 AC	@	\$1,500.00 =	\$15,000.00
Bridge Construction (100% complete)	1 LS	@	\$125,000.00 =	\$125,000.00

Total \$1,105,000.00
X 125% \$1,381,250.00

Water Distribution System

8"Ø Water Line (DIP)	3,600 LF	@	\$22.00 =	\$79,200.00
6"Ø Water Line (DIP)	9,700 LF	@	\$18.00 =	\$174,600.00
8"Ø GV & Box	10 EA	@	\$850.00 =	\$8,500.00
6"Ø GV & Box	30 EA	@	\$600.00 =	\$18,000.00
Fittings	21,000 LB	@	\$3.00 =	\$63,000.00
Fire Hydrants	20 EA	@	\$2,000.00 =	\$40,000.00
Air Release Valve	21 EA	@	\$800.00 =	\$16,800.00
Service Connections	0 EA	@	\$700.00 =	\$0.00
Blow-offs	7 EA	@	\$600.00 =	\$4,200.00

Subtotal \$404,300.00

Sanitary Sewer System

8"Ø Gravity Sewer Line	22,500 LF	@	\$25.00 =	\$562,500.00
4"Ø Manholes	106 EA	@	\$1,800.00 =	\$190,800.00
Stabilization Stone	3,500 TN	@	\$18.00 =	\$63,000.00
4"Ø Service Connections	62 EA	@	\$600.00 =	\$37,200.00
3"Ø Sewer Force Main (PVC)	8,300 LF	@	\$15.00 =	\$124,500.00
1½"Ø Service Connections	0 EA	@	\$600.00 =	\$0.00

Subtotal \$978,000.00

Water Supply (Contribution to City of Hendersonville Project)

Water Storage Tank	1 LS	@	\$200,000	
Well Supply (2 wells) water line	1 LS	@	\$130,000	

Subtotal \$330,000.00

Wastewater Treatment Plant (Phase I)

Phase I (75,000 gpd) @ \$5.00 /gallon \$375,000.00

Subtotal \$705,000.00

TOTAL \$2,087,300.00
 x125% \$2,609,125.00

[Handwritten Signature]
 5/21/09
 GREGORY LAPSLEY
 ENGINEER
 SEAL 6409
 NORTH CAROLINA PROFESSIONAL ENGINEERS

Road Improvements (2,800 lf)

Clear & Grubb	3.2 AC	@	\$2,000.00 =	\$6,400.00
Grading	1 LS	@	\$35,000.00 =	\$35,000.00
Stone Base	3,000 TN	@	\$18.00 =	\$54,000.00
Pavement	6,000 SY	@	\$8.00 =	\$48,000.00
Stormwater Drainage				
18"Ø Culvert	150 LF	@	\$30.00 =	\$4,500.00
30"Ø Culvert	50 LF	@	\$40.00 =	\$2,000.00
Erosion Control				
Mud Matt	1 EA	@	\$800.00 =	\$800.00
Silt Fence	800 LF	@	\$4.00 =	\$3,200.00
Seed, Fertilizer & Mulch	3.2 AC	@	\$2,500.00 =	\$8,000.00

Subtotal \$161,900.00

Water Distribution System

8"Ø Water Line (DIP)	2,500 LF	@	\$22.00 =	\$55,000.00
6"Ø Water Line (DIP)	1,800 LF	@	\$18.00 =	\$32,400.00
8"Ø GV & Box	3 EA	@	\$850.00 =	\$2,550.00
6"Ø GV & Box	2 EA	@	\$600.00 =	\$1,200.00
Fittings	4,000 LB	@	\$3.00 =	\$12,000.00
Fire Hydrants	2 EA	@	\$2,000.00 =	\$4,000.00
Air Release Valve	3 EA	@	\$800.00 =	\$2,400.00
Service Connections	0 EA	@	\$700.00 =	\$0.00

Subtotal \$109,550.00


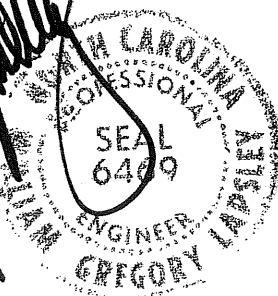
Sanitary Sewer System

8"Ø Gravity Sewer Line	4,800 LF	@	\$25.00 =	\$120,000.00
4'Ø Manholes	20 EA	@	\$1,800.00 =	\$36,000.00
Stabilization Stone	1,500 TN	@	\$18.00 =	\$27,000.00
4"Ø Service Connections	0 EA	@	\$600.00 =	\$0.00

Subtotal \$183,000.00

TOTAL CONSTRUCTION \$454,450.00

x 125% **\$568,062.50**

Seven Falls Golf & River Club

Phase 2A - Site Improvements

Attachment 2

Bond Guarantee Estimate (projected 5/21/09)

WGLA# 07121

Roadway Construction (7,000 lf)

Clear & Grubb (100% complete)	0 AC	@	\$4,000 =	\$0
Grading (100% complete)	0 LS	@	\$800,000 =	\$0
Stone Base (8"CABC)	7,800 TN	@	\$26 =	\$202,800
Pavement - Surface Course (1 1/2")	15,000 SY	@	\$8 =	\$120,000

Stormwater Drainage (100% complete)

Open Throat Drop Inlets	0 EA	@	\$2,000 =	\$0
Junction Manholes	2 EA	@	\$2,000 =	\$4,000
18"Ø HDPE	0 LF	@	\$28 =	\$0

Erosion Control

Silt Fence (100% complete)	0 LF	@	\$3 =	\$0
Slope Matting (50% complete)	18,300 SY	@	\$2 =	\$36,600
Slope Drains (50% complete)	20 LF	@	\$20 =	\$400
Rock Inlet Protection (100% complete)	0 EA	@	\$150 =	\$0
Gravel/Fence Inlet Protection (100% complete)	0 EA	@	\$150 =	\$0
Sediment Basins - (100% complete)	0 EA	@	\$1,500 =	\$0
Ditchline Protection (50% complete)	2,650 LF	@	\$5 =	\$13,250
Swale Protection (50% complete)	2,500 LF	@	\$4 =	\$8,750
Rip Rap Stone (100% complete)	0 TN	@	\$40 =	\$0
Maintenance of Erosion Measures	1 LS	@	\$25,000 =	\$25,000
Seed, Fertilizer & Mulch (50% complete)	15 AC	@	\$1,500 =	\$22,500
Bridge	1 LS	@	\$120,000 =	\$120,000

Total				\$553,300
X 125%				\$691,625

[Handwritten Signature]
 5/21/09
 PROFESSIONAL ENGINEER
 SEAL 6469
 WILLIAM GREGORY LAPSLEY

Seven Falls Golf & River Club - Phse 2A
Bond Guarantee Estimate - Page 2

Water Distribution System (7,000 lf)

6"Ø Water Line (DIP)	<u>7,000</u> LF	@	<u>\$18 =</u>	<u>\$126,000</u>
8"Ø GV & Box	<u>7</u> EA	@	<u>\$850 =</u>	<u>\$5,950</u>
6"Ø GV & Box	<u>20</u> EA	@	<u>\$600 =</u>	<u>\$12,000</u>
Fittings	<u>15,000</u> LB	@	<u>\$3 =</u>	<u>\$45,000</u>
Fire Hydrants	<u>10</u> EA	@	<u>\$2,000 =</u>	<u>\$20,000</u>
Air Release Valve	<u>7</u> EA	@	<u>\$800 =</u>	<u>\$5,600</u>
Service Connections	<u>32</u> EA	@	<u>\$700 =</u>	<u>\$22,400</u>
Blow-offs	<u>2</u> EA	@	<u>\$600 =</u>	<u>\$1,200</u>

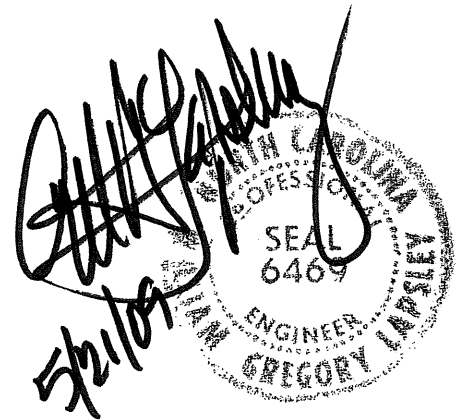
Subtotal \$238,150

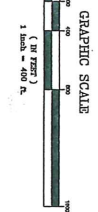
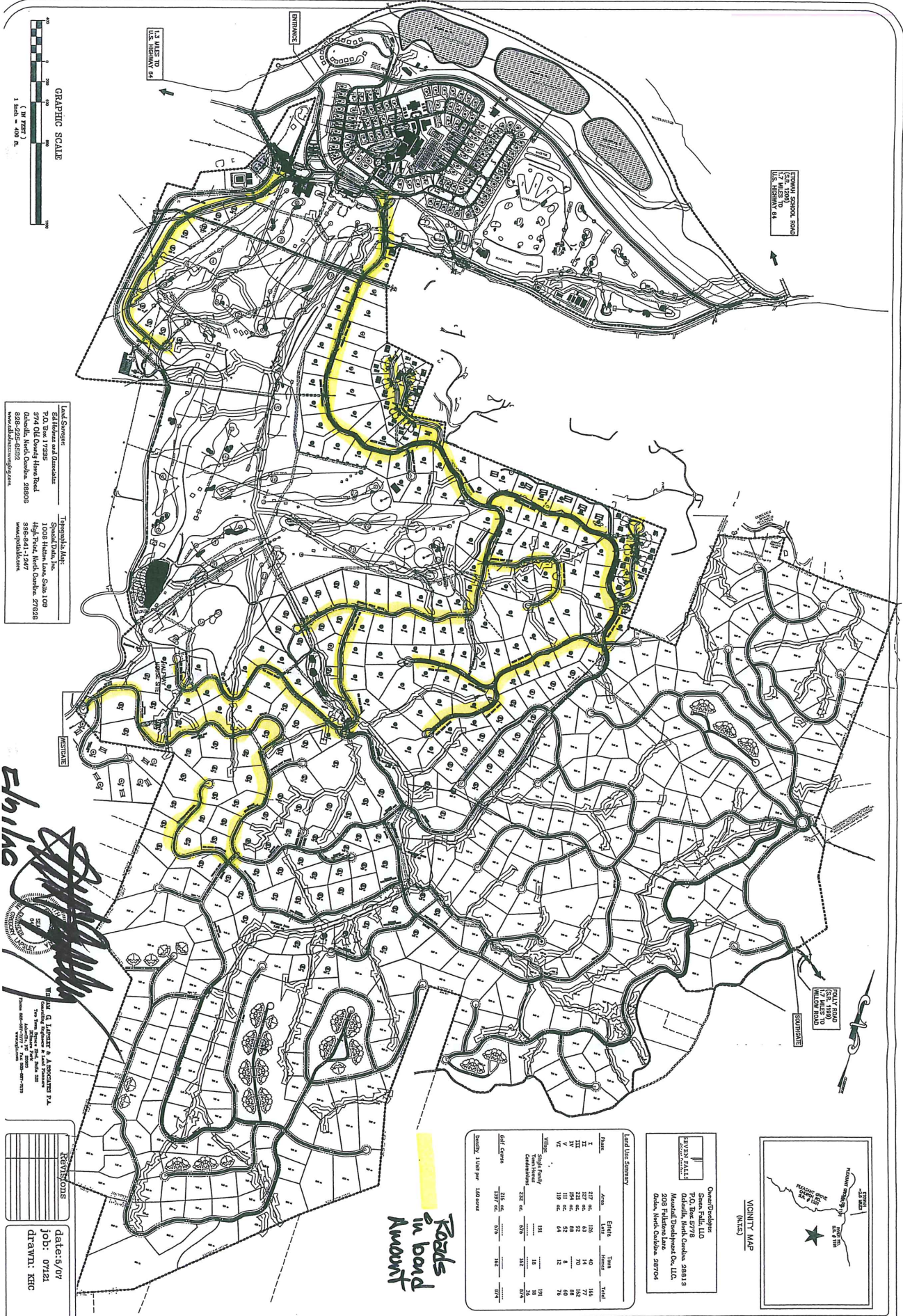
Sanitary Sewer System

8"Ø Gravity Sewer Line	<u>5,000</u> LF	@	<u>\$25 =</u>	<u>\$125,000</u>
4'Ø Manholes	<u>32</u> EA	@	<u>\$1,800 =</u>	<u>\$57,600</u>
Stabilization Stone	<u>1,700</u> TN	@	<u>\$18 =</u>	<u>\$30,600</u>
4"Ø Service Connections	<u>7</u> EA	@	<u>\$600 =</u>	<u>\$4,200</u>
3"Ø Sewer Force Main (PVC)	<u>4,700</u> LF	@	<u>\$15 =</u>	<u>\$70,500</u>
1½"Ø Service Connections	<u>25</u> EA	@	<u>\$600 =</u>	<u>\$15,000</u>

Subtotal \$302,900

TOTAL \$541,050
x125% \$676,312





Land Owner:
 Ed Hines and Associates
 P.O. Box 17235
 374 Old County Home Road
 Ocala, FL 32068 28806
 www.edhinesassociates.com

Tranquila, Inc.:
 Spatial Data, Inc.
 1008 Hatten Lane, Suite 109
 High Point, North Carolina 27628
 336-941-1247
 www.spatialdata.com

Chilic

[Signature]

William G. Lapsley & Associates P.A.
 2008 Pullman Lane
 Ocala, FL 32068
 352-237-1111
 www.williamlapsley.com

REVISIONS

NO.	DATE	DESCRIPTION
1	07/12/08	ISSUED FOR PERMIT

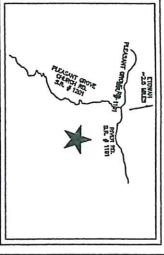
DATE: 6/9/07
 JOB: 07121
 DRAWN: KHC

Land Use Summary

Area	Acres	Feet	Times	Total
1	217.66	126	40	146
2	217.66	126	40	146
3	217.66	126	40	146
4	217.66	126	40	146
5	217.66	126	40	146
6	217.66	126	40	146
7	217.66	126	40	146
8	217.66	126	40	146
9	217.66	126	40	146
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45	217.66	126	40	146
46	217.66	126	40	146
47	217.66	126	40	146
48	217.66	126	40	146
49	217.66	126	40	146
50	217.66	126	40	146

Scale: 1 inch = 100 feet

Owner/Developer:
 Seven Falls, LLC
 P.O. Box 5778
 Ocala, North Carolina 28913
 208 Pullman Lane
 Ocala, North Carolina 28904



Roads in bold in bold Amount