

RESOLUTION NO. 2019 - 025

**A RESOLUTION OF THE TOWN OF THOMPSON 'S STATION, TENNESSEE
APPROVING THE ENTRY OF AN M.O.U. FOR IMPLEMENTATION OF THE BIOCLERE
SYSTEM WITH THE LITTLEBURY DEVELOPMENT COMPANY, LLC**

WHEREAS, the Town of Thompson's Station previously approved the development of the Property in three separate phases (each a "Phase") based on Littlebury Development Company, LLC's construction and installation of a sequencing batch reactor system ("SBR System") in order to treat wastewater generated from the Property; and

WHEREAS, the Town of Thompson's Station is in the process and has been making efforts to expand the Town's ability for treatment of wastewater and sewer generated and capacity is contingent on those continued improvements;

WHEREAS, the Town of Thompson's Station has indicated and approved for Littlebury Development Company, LLC in lieu of the SBR System, that the Town of Thompson's Station will permit Littlebury Development Company, LLC to either (i) tie into the regional sewer system closest in proximity to the Property (the "Regional Tie-In"), or (ii) construct and install a Bioclere sewer treatment system (the "Bioclere System"); and

WHEREAS, the Town of Thompson's Station and Littlebury Development Company, LLC desire to ensure the effective implementation of the Bioclere System, the parties propose to enter into a Memorandum of Understanding (MOU) with Littlebury Development Company, LLC to effectuate the process.

NOW, THEREFORE, BE IT RESOLVED by the Board of Mayor and Aldermen of the Town of Thompson's Station act as follows:

IT IS RESOLVED, that the Board of Mayor and Alderman of the Town of Thompson's Station does affirm and approve the implementation of the Bioclere System by Littlebury Development Company, LLC;

IT IS RESOLVED, that the Board of Mayor and Alderman of the Town of Thompson's Station does affirm and approve the implementation of the Bioclere System by Littlebury Development Company, LLC by means of the terms and conditions outlined in the Memorandum of Understanding (MOU) attached hereto and incorporated herein by reference as Exhibit No. A.

IT IS RESOLVED, that the Board of Mayor and Alderman of the Town of Thompson's Station does authorize the Mayor to execute the Memorandum of Understanding (MOU) on behalf of the Town of Thompson's Station.

RESOLVED AND ADOPTED this 8th day of October 2019.

Corey Napier, Mayor

ATTEST:

Town Recorder

APPROVED AS TO LEGALITY AND FORM:

Town Attorney

EXHIBIT A

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