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## ROAD CONNECTION/PERFORMANCE AGREEMENT

Now required for all connections to existing county roads along with a surety to cover damages caused by heavy construction traffic of new developments.



## Letters of Credit required for Subdivision Development

The Rutherford County Engineering Department requires a separate letter of credit or cash on deposit **before** a final plat can be recorded. This is in contrast to the road connection letter of credit, the Engineering Department's Subdivision Regulations require a letter of credit that can be drawn on a **bank physically located in the state of Tennessee**. It must also include an auto-renewing clause. This letter of credit will be held for a one year warranty period after completion of the subdivision.

Please contact the Engineering Department for questions or assistance on how surety amounts are set or for assistance in the process.

## RUTHERFORD COUNTY ENGINEERING DEPARTMENT

1 South Public Square, Suite 200  
Murfreesboro, TN 37130

Phone: 615-898-7732  
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## RUTHERFORD COUNTY ENGINEERING DEPARTMENT RUTHERFORD COUNTY HIGHWAY DEPARTMENT

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## Road Connection/ Performance Agreement & Sureties

**Tel: 615-898-7732**

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## Road Performance Sureties

The Rutherford County Highway Department now requires a surety—letter of credit or cash on deposit—to be posted for every new road connection to an existing county road.

The majority of these sureties are set at \$30,000.00 which is held until the new roads being constructed are accepted into the inventory of the county or municipality that the development is in. If improvements are required to county roads, the surety will be held for a one year warranty period after completion of the improvement.

These sureties are also required when a commercial development connects to an existing county road.

There is a Road Connection/Performance Agreement that must be signed and notarized and the original turned in to the Engineering Department in addition to the letter of credit.

The purpose of the Road Connection/Performance Agreement and Surety is to insure that costs of damages to county roads are borne by developers using county roads to access construction sites.

The Performance Agreement and surety are required anytime a new development, including a new section of a subdivision, uses a road in the county inventory for access. The **signed and notarized original agreement and surety** must be in place prior to a Notice to Proceed being issued.

The agreement is in place until the roads are completed through topcoat and the development can be accepted by the appropriate Road Board, Planning Commission, or Council.

When improvements to county roads are required, such as a turn lane, the surety for the section of development that includes the improvement will be held for one year after completion of improvement as a warranty period. Please contact the Engineering Department at 615-898-7732 to request an inspection that will allow the one year warranty period to begin. This warranty period may run concurrently with the development of the subdivision if the improvement is made at the front end of construction.

Every development will be a little different and staff will work with developers to insure the process is clear and appropriate for each particular situation.

### TYPE OF SURETY ACCEPTED

Rutherford County Highway Department will only accept cash on deposit or a letter of credit that can either be drawn on a bank in the state of Tennessee or that can be drawn by overnight mail. The letter of credit must include an auto-renewing clause.

The surety will be released when the new streets are accepted into the inventory of the County by the Rutherford County Road Board or if the development is in a municipality, when the streets are accepted into that inventory, or when the warranty period is completed.

To request release of surety, the developer needs to contact the county Engineering Department at 615-898-7732 and request an inspection and release of surety. We will require proof that the development has been accepted into the street inventory depending on location.

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