



Legislation Details (With Text)

File #: 82694 **Version:** 1 **Name:** Authorizing the Mayor and Clerk to enter into a Future Phase Developer Agreement required for the conditionally approved Certified Survey Map at 10252 Mineral Point Road with the Developer, Private Contract No. 9516

Type: Resolution **Status:** Passed

File created: 3/27/2024 **In control:** Engineering Division

On agenda: 4/16/2024 **Final action:** 4/16/2024

Enactment date: 4/18/2024 **Enactment #:** RES-24-00256

Title: Authorizing the Mayor and Clerk to enter into a Future Phase Developer Agreement required for the conditionally approved Certified Survey Map at 10252 Mineral Point Road with the Developer, Private Contract No. 9516 (District 9)

Sponsors: BOARD OF PUBLIC WORKS

Indexes:

Code sections:

Attachments: 1. 9516 exhibit.pdf

Date	Ver.	Action By	Action	Result
4/16/2024	1	COMMON COUNCIL	Adopt	Pass
4/3/2024	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
3/27/2024	1	Engineering Division	Refer	

Fiscal Note

No City Funds required. Private Contract.

Title

Authorizing the Mayor and Clerk to enter into a Future Phase Developer Agreement required for the conditionally approved Certified Survey Map at 10252 Mineral Point Road with the Developer, Private Contract No. 9516 (District 9)

Body

WHEREAS, the developer, Herrling Investment I LLC, has received the City of Madison's conditional approval to create a three lot Certified Survey Map at 10252 Mineral Point Road; and,

WHEREAS, Section 16.23(9) of the Madison General Ordinances requires the developer to install the public improvements necessary to serve the subdivision; and,

WHEREAS, Section 16.23(9) of the Madison General Ordinances allows the developer to install the improvements in construction phases provided that a Declaration of Conditions, Covenants, and Restrictions is executed for those lots included in future construction phases until such time as surety is provided to the City to guarantee the installation of the public improvements to serve said lots; and,

WHEREAS, the developer proposes to provide public improvements to serve the Certified Survey Map in future construction phases.

NOW, THEREFORE, BE IT RESOLVED:

1. That the Mayor and City Clerk are hereby authorized and directed to execute a Contract For the Construction of Public Improvements That Will be Accepted by the City of Madison For 10252 Mineral Point Road CSM - Future Phase, with Herrling Investment I LLC.
2. That the Mayor and City Clerk are hereby authorized to sign and grant easements or right-of-way release or procurement documents, maintenance agreements or encroachment agreements, as necessary and grant or accept dedication of lands and/or easements from/to the Developer/Owner for public improvements located outside of existing public fee title or easement right-of-ways.
3. The developer shall be permitted to assign this contract for the purposes of obtaining financing in a form to be approved by the City Attorney.