



Legislation Details (With Text)

File #: 75063 **Version:** 1 **Name:** Approving plans and specifications for public improvements required to serve Phase 11 of the Subdivision known as First Addition to 1000 Oaks and authorizing construction to be undertaken by the Developer, Private Contracts 9219 and 9220.

Type: Resolution **Status:** Passed

File created: 12/7/2022 **In control:** Engineering Division

On agenda: 1/3/2023 **Final action:** 1/3/2023

Enactment date: 1/6/2023 **Enactment #:** RES-23-00013

Title: Approving plans and specifications for public improvements required to serve Phase 11 of the Subdivision known as First Addition to 1000 Oaks and authorizing construction to be undertaken by the Developer, Private Contracts 9219 and 9220. (9th AD)

Sponsors: BOARD OF PUBLIC WORKS

Indexes:

Code sections:

Attachments: 1. 1000 Oaks Ph 11 Exhibits.pdf

Date	Ver.	Action By	Action	Result
1/3/2023	1	COMMON COUNCIL	Adopt with the Recommendation(s)	Pass
12/14/2022	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS - REPORT OF OFFICER	Pass
12/7/2022	1	Engineering Division	Refer	

Fiscal Note

The proposed resolution approves plans and authorizes the developer to undertake construction for public improvements required for Phase 11 of the First Addition to 1000 Oaks subdivision at an estimated cost not to exceed \$25,000. Funds are available in Munis account 14142-402-170. No additional appropriation is required.

Title

Approving plans and specifications for public improvements required to serve Phase 11 of the Subdivision known as First Addition to 1000 Oaks and authorizing construction to be undertaken by the Developer, Private Contracts 9219 and 9220. (9th AD)

Body

WHEREAS, the developer, VH1000 Oaks, LLC, has received the City of Madison's conditional approval to create the subdivisions known as First Addition to 1000 Oaks and 1000 Oaks Replat No. 3; 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 (excluding surface asphalt pavement) to

serve Lots 228-236 and Outlot 10 of First Addition to 1000 Oaks and Lots 355-362 of 1000 Oaks Replat No. 3 as First Addition to 1000 Oaks Phase 11; and,

WHEREAS, the developer proposes to provide public surface asphalt pavement improvements to serve Lots 228-236 and Outlot 10 of First Addition to 1000 Oaks and Lots 355-362 of 1000 Oaks Replat No. 3 as First Addition to 1000 Oaks Phase 11 - Surface Paving.

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 First Addition to 1000 Oaks Phase 11, with VH1000 Oaks, LLC.
2. 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 First Addition to 1000 Oaks Phase 11 - Surface Paving, with VH1000 Oaks, LLC.
3. That the plans and specifications for the public improvements necessary to serve this phase of the subdivision are hereby approved.
4. That the developer is authorized to construct the public improvements in accordance with the terms of the Contract For the Construction of Public Improvements That Will be Accepted by the City of Madison at the sole cost of the developer, except as follows: Reimbursement not to exceed the statutory limit for the cost of street improvements that benefit the City and abut lands owned by the City, in accordance with Section 16.23(9)(d)(6)(d).
5. 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.
6. The Common Council is approved to accept ownership of the improvements in the Maintenance Area if a maintenance agreement is executed and recorded as a condition of this contract.
7. 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.