



### Legislation Details (With Text)

**File #:** 45735      **Version:** 1      **Name:** Approving plans and specifications for public improvements required to serve Phase 3 of the Subdivision known as Hawks Valley and authorizing construction to be undertaken by the Developer, Private Contract No. 7881.

**Type:** Resolution      **Status:** Passed

**File created:** 1/18/2017      **In control:** BOARD OF PUBLIC WORKS

**On agenda:** 2/7/2017      **Final action:** 2/7/2017

**Enactment date:** 2/10/2017      **Enactment #:** RES-17-00116

**Title:** Approving plans and specifications for public improvements required to serve Phase 3 of the Subdivision known as Hawks Valley and authorizing construction to be undertaken by the Developer, Private Contract No. 7881. (1st AD)

**Sponsors:** BOARD OF PUBLIC WORKS

**Indexes:**

**Code sections:**

**Attachments:** 1. 7881 Hawks Valley Ph 3 Map.pdf, 2. 7881 Hawks Valley Ph 3 Improvements.pdf

| Date      | Ver. | Action By             | Action   | Result |
|-----------|------|-----------------------|--|--------|
| 2/7/2017  | 1    | COMMON COUNCIL        | Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25   | Pass   |
| 1/25/2017 | 1    | BOARD OF PUBLIC WORKS | RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF RULES 2.04, 2.05, 2.24, & 2.25 - REPORT OF OFFICER |        |
| 1/18/2017 | 1    | Engineering Division  | Refer  |        |

**Fiscal Note**

In the adopted 2017 capital budget Engineering Major Streets has budgeted \$8.26 million within the Rural to Urban Streets program (MUNIS 10204) to reconstruct streets with substandard pavement and no curb and gutter. The proposed resolution authorizes the associated roadway costs to be funded from this program at an estimated cost of less than \$25,000. Funding is provided by GO borrowing.

MUNIS:  
11125-402-170: 544410 (96339)

**Title**

Approving plans and specifications for public improvements required to serve Phase 3 of the Subdivision known as Hawks Valley and authorizing construction to be undertaken by the Developer, Private Contract No. 7881. (1<sup>st</sup> AD)

**Body**

WHEREAS, the developer, Woods Road Investments, Inc., has received the City of Madison's conditional approval to create the subdivision known as Hawks Valley; 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 Lots 1-8 and 44-62 as Phase 3.

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 Hawks Valley - Phase 3, with Woods Road Investments, Inc.
2. That the plans and specifications for the public improvements necessary to serve this phase of the subdivision are hereby approved.
3. 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).
4. 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.
5. 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.