



Legislation Text

File #: 73720, **Version:** 1

Fiscal Note

Private Development Contract

No funds required

Title

Approving plans and specifications for public improvements required to serve Phase 13 of the Subdivision known as Village at Autumn Lake and authorizing construction to be undertaken by the Developer, Private Contracts 9100 and 9101 (17th AD)

Body

WHEREAS, the developer, VAL, LLC, has received the City of Madison's conditional approval to create the subdivision known as Village at Autumn Lake; 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 Outlot 17 of Village at Autumn Lake; Outlot 54 of Village at Autumn Lake Replat; Outlots 68-71, Lots 1130-1137, 1148-1155, 1174-1183 of Village at Autumn Lake Replat 5; and Lots 1269-1275 of Village at Autumn Lake Replat 6 as Phase 13; and,

WHEREAS, the developer proposes to provide public surface asphalt pavement improvements to serve Outlot 17 of Village at Autumn Lake; Outlot 54 of Village at Autumn Lake Replat; Outlots 68-71, Lots 1130-1137, 1148-1155, 1174-1183 of Village at Autumn Lake Replat 5; and Lots 1269-1275 of Village at Autumn Lake Replat 6 as Phase 13 - 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 (contract 9100) For Village at Autumn Lake Phase 13, with VAL, 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 (contract 9101) For Village at Autumn Lake Phase 13 - Surface Paving, with VAL, 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.
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.