



Legislation Details (With Text)

**File #:** 29320      **Version:** 1      **Name:** Approving Contract For the Construction of Public Improvements to be Accepted by the City of Madison for the project known as 4817 and 4902-4908 Hammersley Road (Pacific Cycle) and authorizing construction to be undertaken by the Developer, Private Contra

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

**File created:** 2/28/2013      **In control:** BOARD OF PUBLIC WORKS

**On agenda:** 3/19/2013      **Final action:** 3/19/2013

**Enactment date:** 3/20/2013      **Enactment #:** RES-13-00216

**Title:** Approving Contract For the Construction of Public Improvements to be Accepted by the City of Madison for the project known as 4817 and 4902-4908 Hammersley Road (Pacific Cycle) and authorizing construction to be undertaken by the Developer, Private Contract No. 2340. (10th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

**Indexes:**

**Code sections:**

**Attachments:** 1. C300.pdf

| Date      | Ver. | Action By             | Action  | Result |
|-----------|------|-----------------------|---|--------|
| 3/19/2013 | 1    | COMMON COUNCIL        | Adopt   | Pass   |
| 3/6/2013  | 1    | BOARD OF PUBLIC WORKS | RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER |        |
| 2/28/2013 | 1    | Engineering Division  | Refer   |        |

**Fiscal Note**

Est. cost not to exceed \$4,000.00

Funds available in Acct. No.  
ES01-58275-810332-00-53B2340

**Title**

Approving Contract For the Construction of Public Improvements to be Accepted by the City of Madison for the project known as 4817 and 4902-4908 Hammersley Road (Pacific Cycle) and authorizing construction to be undertaken by the Developer, Private Contract No. 2340. (10<sup>th</sup> AD)

**Body**

WHEREAS, the developer, Midwest Equity Properties, LLC, has received the City of Madison's conditional approval to demolish an existing single family home and rezone to C2(Suburban Employment) to allow for construction of an addition to the existing office building, and,

WHEREAS, Section 16.23(9) of the Madison General Ordinances and the conditions of approval require the developer to install the public improvements necessary to serve the Development.

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 4817 and 4902-

4908 Hammersley Road (Pacific Cycle), with Midwest Equity Properties, LLC.

2. 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).
3. 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.
4. 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.