



Legislation Details (With Text)

File #: 65255 **Version:** 2 **Name:** ALTERNATE- Approving plans and specifications for public improvements (excluding surface paving) required to serve Phase 2 of the Subdivision known as Jannah Village and authorizing construction to be undertaken by the Developer, Private Contract No. 902

Type: Resolution **Status:** Passed

File created: 4/27/2021 **In control:** BOARD OF PUBLIC WORKS

On agenda: 5/18/2021 **Final action:** 5/18/2021

Enactment date: 5/24/2021 **Enactment #:** RES-21-00349

Title: ALTERNATE- Approving plans and specifications for public improvements (excluding surface paving) required to serve Phase 2 of the Subdivision known as Jannah Village and authorizing construction to be undertaken by the Developer, Private Contract No. 9027. (3rd AD)

Sponsors: Lindsay Lemmer

Indexes:

Code sections:

Attachments: 1. 9027 Exhibit Jannah Village Ph 2.pdf, 2. 9027 Exhibit Jannah Village Ph 2 revised.pdf, 3. 5-18-21 written public comment 65255 .pdf

Date	Ver.	Action By	Action	Result
5/18/2021	1	COMMON COUNCIL	Adopt Alternate	Pass
5/5/2021	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	Pass
4/27/2021	1	Engineering Division	Refer	

Fiscal Note

The proposed resolution approves plans and authorizes the developer to undertake construction of public improvements (not including surface paving) to Phase 2 of Jannah Village at an estimated cost not to exceed \$25,000. Funds are available in Munis 13163-402-170. No additional appropriation is required.

Title

ALTERNATE- Approving plans and specifications for public improvements (excluding surface paving) required to serve Phase 2 of the Subdivision known as Jannah Village and authorizing construction to be undertaken by the Developer, Private Contract No. 9027. (3rd AD)

Body

WHEREAS, the developer, Simply Homes Madison LLC, has received the City of Madison's conditional approval to create the subdivision known as Jannah Village; and,

WHEREAS, Section 16.23(9) of the Madison General Ordinances requires the developer to install the public improvements (excluding surface paving) 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 7-12, 34-57, and Outlot 3 as Phase 2.

WHEREAS, This alternate resolution provides an updated exhibit indicating work proposed to roadways within the Jannah Village Phase 2 developers agreement. Street work is proposed only on City ROW's or ROW's due to be attached to the City.

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 Jannah Village - Phase 2, with Simply Homes Madison LLC.
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.
6. 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.