



Legislation Details (With Text)

File #: 81407 **Version:** 1 **Name:** Approving plans and specifications for public improvements required to serve Phase 7 of the Subdivision known as Eagle Trace and authorizing construction to be undertaken by the Developer, Private Contracts 9383 and 9384.

Type: Resolution **Status:** Passed

File created: 1/3/2024 **In control:** Engineering Division

On agenda: 1/23/2024 **Final action:** 1/23/2024

Enactment date: 1/26/2024 **Enactment #:** RES-24-00043

Title: Approving plans and specifications for public improvements required to serve Phase 7 of the Subdivision known as Eagle Trace and authorizing construction to be undertaken by the Developer, Private Contracts 9383 and 9384 (District 9)

Sponsors: BOARD OF PUBLIC WORKS

Indexes:

Code sections:

Attachments: 1. 9383 9384 Eagle Trace Ph 7 Exhibits.pdf

Date	Ver.	Action By	Action	Result
1/23/2024	1	COMMON COUNCIL	Adopt Unanimously	Pass
1/10/2024	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
1/3/2024	1	Engineering Division	Refer	

Fiscal Note

The proposed resolution approves plans and specifications and authorizes VHET, LLC to undertake construction for Phase 7 of the Subdivision known as Eagle Trace. The total estimated City cost of the project is not to exceed \$25,000. Funding is available in Munis #15034. No additional appropriation is required.

Title

Approving plans and specifications for public improvements required to serve Phase 7 of the Subdivision known as Eagle Trace and authorizing construction to be undertaken by the Developer, Private Contracts 9383 and 9384 (District 9)

Body

WHEREAS, the developer, VHET, LLC, has received the City of Madison's conditional approval to create the subdivision known as Eagle Trace; 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 122, 182-189, 211-218, 226-229, 241-243, and Outlot 6 as Phase 7; and,

WHEREAS, the developer proposes to provide public surface asphalt pavement improvements to serve Lots 122, 182-189, 211-218, 226-229, 241-243, and Outlot 6 as Phase 7 - 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 Eagle Trace Phase 7, with VHET, 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 Eagle Trace Phase 7 - Surface Paving, with VHET, 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.