



Legislation Details (With Text)

**File #:** 01780      **Version:** 1      **Name:** Approving plans and specifications for public improvements required to serve Phase I of the Subdivision known as Owl's Creek and authorizing construction to be undertaken by the Developer, Private Contract No. 2054.

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

**File created:** 8/9/2005      **In control:** BOARD OF PUBLIC WORKS

**On agenda:** 9/6/2005      **Final action:** 9/6/2005

**Enactment date:** 9/8/2005      **Enactment #:** RES-05-00720

**Title:** Approving plans and specifications for public improvements required to serve Phase I of the Subdivision known as Owl's Creek and authorizing construction to be undertaken by the Developer, Private Contract No. 2054. (16th AD).

**Sponsors:** Common Council By Request

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
9/6/2005	1	COMMON COUNCIL	Adopt	Pass
8/17/2005	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
8/9/2005	1	Engineering Division	Fiscal Note Required / Approval	
8/9/2005	1	Finance Dept/Approval Group	Approved Fiscal Note By The Comptroller's Office	

**Fiscal Note**

Estimated cost \$15,000.00. Funds available in Acct. No. CS53-58280-810354-00-53B2054

**Title**

Approving plans and specifications for public improvements required to serve Phase I of the Subdivision known as Owl's Creek and authorizing construction to be undertaken by the Developer, Private Contract No. 2054. (16th AD).

**Body**

WHEREAS, the developer, Nelson Group Development Corporation, has received the City of Madison's approval to create the subdivision known as Owl's Creek; 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 1-53, 69, 70, 88 and 89 as Phase I.

NOW, THEREFORE, BE IT RESOLVED:

1. That the Mayor and City Clerk are hereby authorized and directed to execute a Contract for Subdivision Improvements For Owl's Creek, Phase I, with Nelson Group Development Corporation.

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 Subdivision Improvements at the sole cost of the developer, except as follows: The City shall construct or reimburse the Developer, an amount not to exceed the statutory limit, for the cost of street improvements benefiting and abutting lands owned by the City in the subdivision, in accordance with Section 16.23(9)(d)(6)(d) Madison General Ordinances.
4. That the Mayor and City Clerk are hereby authorized to accept dedication of lands and/or easements from the Developer/Owner for public improvements located outside of existing public fee title or easement right-of-ways.