



Legislation Details (With Text)

**File #:** 03331      **Version:** 1      **Name:** Approving plans and specifications for public improvements required to serve Phase III of the Subdivision known as Linden Park and authorizing construction to be undertaken by the Developer, Private Contract No. 2078; and rescinding RES-06-00274, ID 03108

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

**File created:** 3/30/2006      **In control:** BOARD OF PUBLIC WORKS

**On agenda:** 4/18/2006      **Final action:** 4/18/2006

**Enactment date:** 4/19/2006      **Enactment #:** RES-06-00357

**Title:** Approving plans and specifications for public improvements required to serve Phase III of the Subdivision known as Linden Park and authorizing construction to be undertaken by the Developer, Private Contract No. 2078; and rescinding RES-06-00274, ID 03108. (9th AD)

**Sponsors:** Common Council By Request

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
4/18/2006	1	COMMON COUNCIL	Adopt	Pass
4/5/2006	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
3/31/2006	1	Finance Dept/Approval Group	Approved Fiscal Note By The Comptroller's Office	
3/30/2006	1	Engineering Division	Fiscal Note Required / Approval	

**Fiscal Note**

Estimated cost \$23,000. Funds available in Acct. No. CS53-58250-810354-00-54B2078.

**Title**

Approving plans and specifications for public improvements required to serve Phase III of the Subdivision known as Linden Park and authorizing construction to be undertaken by the Developer, Private Contract No. 2078; and rescinding RES-06-00274, ID 03108. (9th AD)

**Body**

WHEREAS, Enactment No. RES-06-00274, ID 03108, approving plans and specifications for public improvements required to serve Phase III of the Subdivision known as Linden Park and authorizing construction to be undertaken by the Developer, Private Contract No. 2078, be rescinded due to the omission of Lots 86-92, inclusive, included in Phase III.

WHEREAS, the developer, Great Neighborhoods West, LLC, has received the City of Madison's approval to create the subdivision known as Linden Park; 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 1-6, 24-44, 55, 62, 63, 86-92 & Outlots 1, 2, 3, and 7 as Phase III.

NOW, THEREFORE, BE IT RESOLVED:

1. That RES-06-00274, ID 03108 be rescinded.
2. That the Mayor and City Clerk are hereby authorized and directed to execute a Contract for Subdivision Improvements For Linden Park, Phase III, with Great Neighborhoods West, LLC, and a Release of the Declaration of Conditions, Covenants, and Restrictions on the lots for which public improvements are to be provided.
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 Subdivision Improvements at the sole cost of the developer, except as follows: The City shall construct or reimburse the developer for street improvements adjacent to City-owned lands in the subdivision in accordance with Section 16.23(9)(d)(6)(d), Madison General Ordinances.
5. 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.