



Legislation Details (With Text)

File #: 69810 **Version:** 1 **Name:** Authorizing the Mayor and City Clerk to execute a Contract For the Construction of Public Improvements That Will be Accepted by the City of Madison For 7050-7220 Watts Road CSM - Future Phase, with 7050 Watts Road LLC, Private Contract No. 9152.

Type: Resolution **Status:** Passed

File created: 2/9/2022 **In control:** Engineering Division

On agenda: 3/1/2022 **Final action:** 3/1/2022

Enactment date: 3/4/2022 **Enactment #:** RES-22-00163

Title: Authorizing the Mayor and City Clerk to execute a Contract For the Construction of Public Improvements That Will be Accepted by the City of Madison For 7050-7220 Watts Road CSM - Future Phase, with 7050 Watts Road LLC, Private Contract No. 9152. (1st AD)

Sponsors: BOARD OF PUBLIC WORKS

Indexes:

Code sections:

Attachments: 1. 9152 exhibits.pdf

Date	Ver.	Action By	Action	Result
3/1/2022	1	COMMON COUNCIL	Adopt Unanimously Under Suspension of Rules 2.04, 2.24, & 2.25	Pass
2/16/2022	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
2/9/2022	1	Engineering Division	Refer	

Fiscal Note

The proposed resolution authorizes a contract for the construction of public improvements for 7050-7220 Watts Road CSM - Future Phase with 7050 Watts Road LLC. Construction will be funded by the Developer. No appropriation is required.

Title

Authorizing the Mayor and City Clerk to execute a Contract For the Construction of Public Improvements That Will be Accepted by the City of Madison For 7050-7220 Watts Road CSM - Future Phase, with 7050 Watts Road LLC, Private Contract No. 9152. (1st AD)

Body

WHEREAS, the developer, 7050 Watts Road LLC, has received the City of Madison's conditional approval to create a 3-Lot Certified Survey Map at 7050-7220 Watts Road; 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 defer the construction of the public improvements to serve Lot 2 of the pending Certified Survey Map until Lot 2 is redeveloped; and,

WHEREAS, the City required the developer to enter into a future phase developer agreement contract as a condition of the Certified Survey Map conditional approval.

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 7050-7220 Watts Road CSM - Future Phase, with 7050 Watts Road LLC.
2. 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.
3. 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.