



## Legislation Text

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**File #:** 34736, **Version:** 1

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### **Fiscal Note**

Est. cost not to exceed \$5,000.00

Funds available in Acct. No. CS53-58250-810354-00-53B2373

### **Title**

Approving plans and specifications for public improvements required to serve Phase 1 of the Subdivision known as Hawk's Crossing and the First Addition Hawk's Crossing and authorizing construction to be undertaken by the Developer, and Rescinding File ID No. 34582, Private Contract No. 2373. (1<sup>st</sup> AD)

### **Body**

WHEREAS, the developer, B&B Ventures of Wisconsin, LLC, has received the City of Madison's approval to create the subdivision known as The Ripp Addition to Linden Park and the First Addition to the Ripp Addition to 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 7-13, 15-20, 24-27, OL 1 as Phase 1; and,

WHEREAS, on July 15, 2014 the project was approved as File ID No. 34582; and,

WHEREAS, the Developer wishes to change the plat name to Hawk's Crossing and the First Addition to Hawk's Crossing.

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 Hawk's Crossing and the First Addition Hawk's Crossing, Phase 1, with B&B Ventures of Wisconsin, 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. That File ID No. 34582 is hereby rescinded.