



## Legislation Text

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File #: 25517, Version: 1

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### Fiscal Note

Private Contract, No City Funds Required.

### Title

Approving plans and specifications for public improvements required to serve Phase 6 of the Subdivision known as Eighth Addition to Blackhawk Subdivision and authorizing construction to be undertaken by the Developer, Private Contract No. 2298. (9<sup>th</sup> AD)

### Body

WHEREAS, the developer, McKenzie 300 Corporation, has received the City of Madison's approval to create the subdivision known as Eighth Addition to Blackhawk Subdivision; 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 438-439, 445-446, 478-479, as Phase 6.

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 To be Accepted by the City of Madison For Eighth Addition to Blackhawk Subdivision, Phase 6*, with McKenzie 300 Corporation, and a execute a Release of the Declaration of Conditions, Covenants, and Restrictions on the lots for which public improvements are to be provided.
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 To be Accepted by the City of Madison* at the sole cost of the developer, except as follows:
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.