



## Legislation Text

---

**File #:** 28522, **Version:** 1

---

### **Fiscal Note**

Est. cost not to exceed \$5,000

Funds available in CS53-58250-810354-00-53B2324

### **Title**

Approving plans and specifications for public improvements necessary for the project known as 309 West Johnson Street and 316 West Dayton Street PUD and authorizing construction to be undertaken by the Developer, Private Contract No. 2324 and rescinding RES-12-00850, ID 28000. (4<sup>th</sup> AD)

### **Body**

WHEREAS, the developer, Hovde Properties, LLC has received the City of Madison's conditional approval to demolish 2 commercial buildings and Madison Fire Department Administration Building to allow construction of a mixed-use building, and,

WHEREAS, Section 16.23(9) of the Madison General Ordinances and the conditions of approval require the developer to install the public improvements necessary to serve the PUD, and,

WHEREAS, on October 20, 2012 the Common Council approved RES-12-00850, ID 28000 for approving plans and specifications for this project with Hovde Partners, LLC, and,

WHEREAS, the entity entering into the Contract For the Construction of Public Improvements to be Accepted by the City of Madison for 309 West Johnson Street and 316 West Dayton Street PUD is Hovde Properties, LLC.

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 309 West Johnson Street and 316 West Dayton Street PUD, with Hovde Properties, LLC.
2. That the plans and specifications for the public improvements necessary to serve the PUD 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: NONE
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 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).

7. Resolution RES-12-00850, ID 28000 is hereby rescinded.