



## Legislation Text

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**File #:** 63214, **Version:** 1

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### **Fiscal Note**

The proposed resolution approves Addendum No. 1 to Western Addition to 1000 Oaks - Phase 1 at an estimated cost not to exceed \$25,000. Funds are available in Munis 12873-402-170. No additional appropriation is required.

### **Title**

Approving Addendum No. 1 to Western Addition to 1000 Oaks - Phase 1, Contract No. 8405. (9<sup>th</sup> AD)

### **Body**

WHEREAS, on February 11, 2020, the developer, VH 1000 Oaks West, LLC, hereinafter the "Developer" had entered into a *Contract For the Construction of Public Improvements that will be Accepted by the City of Madison* hereinafter the "Contract" with the City of Madison, and;

WHEREAS, the State of Wisconsin required a change in lot numbering prior to recording the Western Addition to 1000 Oaks Subdivision to continue lot numbering following the 1000 Oaks Replat No. 3.

WHEREAS, the City and Developer mutually agree to update Western Addition to 1000 Oaks - Phase 1, Contract No 8405 to include the updated lot numbering and Developer proposes to provide the required public improvements for lots 396, 401-405, 410-421, 442, 455-461, and Outlots 21 and 22.

NOW, THEREFORE, BE IT RESOLVE:

1. That the Mayor and City Clerk are hereby authorized and directed to execute Addendum No. 1 to Western Addition to 1000 Oaks - Phase 1, Contract No. 8405, with VH 1000 Oaks West, LLC.
2. That the revised plans and specifications for the public improvements necessary to serve this project 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.
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. 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.