



## Legislation Text

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**File #:** 34308, **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 3 of the Subdivision known as The Meadowlands and authorizing construction to be undertaken by the Developer, Private Contract No. 1968, and rescinding RES -07-00176, File No. 05399. (3<sup>rd</sup> AD)

### **Body**

WHEREAS, the Developer, Great Neighborhoods North, LLC, has received previous approval the City of Madison's approval to create the subdivision known as The Meadowlands; 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 received prior approval by the Common Council on February 6, 2007 for Phase 3 of the Meadowlands, per Resolution RES-07-00176, File No. 05399 for Lots 24-28, 68, 201, 209-218, 222-229; and,

WHEREAS, the Developer now proposes to provide public improvements to serve Lots 24-28, 68, and 209-218, as Phase 3; and,

WHEREAS, the Developer has requested that the entity be changed to Veridian Homes AB, 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 That Will be Accepted by the City of Madison For The Meadowlands, Phase 3, with Veridian Homes AB, LLC and 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 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 Resolution RES-07-00176, File No. 05399 is hereby rescinded.