



## Legislation Text

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**File #:** 23282, **Version:** 1

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### **Title**

Approving plans and specifications for public improvements necessary for the project known as 4624 Monona Drive Stop-N-Go and authorizing construction to be undertaken by the Developer, Private Contract No. 2279. (15<sup>th</sup> AD)

### **Body**

WHEREAS, Stop-N-Go of Madison, LLC has received the City of Madison's conditional approval for a Conditional Use Permit to construct a gas station and convenience store at 4624 Monona Drive, and,

WHEREAS, Homburg Contractors, Inc. will act as an agent for Stop-N-Go of Madison, LLC and enter into a Contract For the Construction of Public Improvements to be Accepted by the City of Madison, 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 development, and,

WHEREAS, the City has agreed to purchase additional right of way on Monona Drive and Dean Avenue from Stop-N-Go of Madison, LLC as would be required for the future Monona Drive reconstruction project, scheduled in 2013 since the purchase of the right of way would have been required in the future with the reconstruction project (see Real Estate Project Number 9706), and,

WHEREAS, the City has agreed to reimburse Stop-N-Go of Madison, LLC under the Sidewalk Rebate Program at the current amount of \$2.50/SF for the new sidewalk constructed along Monona Drive and Dean Avenue for sidewalk I that would have been required for the 2013 Monona Drive reconstruction project.

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 4624 Monona Drive Stop-N-Go, with Homburg Contractors, Inc.
2. That the plans and specifications for the public improvements necessary to serve the development are hereby approved.
3. That Homburg Contractors, Inc. 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: Reimbursement to Stop-N-Go of Madison, LLC, shall be done in accordance with the Sidewalk Rebate Program not to exceed \$6,000.00.
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.

**Fiscal Note**

Est. cost not to exceed \$37,000

Budget authority is available in Acct. Nos.:

\$6,000.00 CS53-58280-810376-00-53W0744 "Sidewalk Program"

\$31,000.00 CS53-58110-810571-00-53W0744 "Major Street Projects"