



## Legislation Details (With Text)

**File #:** 34581      **Version:** 1      **Name:** Amending Approving plans and specifications for public improvements required to serve Phase II of the Subdivision known as Sugar Maple and authorizing construction to be undertaken by the Developer, Private Contract No. 2380

**Type:** Resolution      **Status:** Passed

**File created:** 6/24/2014      **In control:** BOARD OF PUBLIC WORKS

**On agenda:** 7/15/2014      **Final action:** 7/15/2014

**Enactment date:** 7/16/2014      **Enactment #:** RES-14-00560

**Title:** Amending Approving plans and specifications for public improvements required to serve Phase II of the Subdivision known as Sugar Maple and authorizing construction to be undertaken by the Developer, Private Contract No. 2380. (1st AD)

**Sponsors:** BOARD OF PUBLIC WORKS

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
7/15/2014	1	COMMON COUNCIL	Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25	Pass
7/2/2014	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF RULES 2.04, 2.05, 2.24, & 2.25 - REPORT OF OFFICER	Pass
6/24/2014	1	Engineering Division	Refer	

### Fiscal Note

Private Contract, No City Funds Required.

### Title

Amending Approving plans and specifications for public improvements required to serve Phase II of the Subdivision known as Sugar Maple and authorizing construction to be undertaken by the Developer, Private Contract No. 2380. (1<sup>st</sup> AD)

### Body

WHEREAS, the developer, Sugar Maple, LLC, has received the City of Madison's approval to create the subdivision known as Sugar Maple; and,

WHEREAS on March 18, 2014, the developer received approval for a Contract For the Construction of Public Improvements That Will be Accepted by the City of Madison For Sugar Maple - Phase II, per Resolution RES-14-00217, File No. 33257; 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 45 and 46 as Phase II; and,

WHEREAS, the developer, has requested that the entity name be changed to Sugar Maple Lane, 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 Sugar Maple - Phase II, with Sugar Maple Lane, 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 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.
4. 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.