



Legislation Details (With Text)

File #: 41442 **Version:** 1 **Name:** Approving contract for public improvements necessary for the Subdivision known Paragon Place - Phase 1, to be undertaken by the Developer, and Rescinding Resolution RES-15-00701, File Number 39682, Private Contract No. 2439.

Type: Resolution **Status:** Passed

File created: 1/13/2016 **In control:** BOARD OF PUBLIC WORKS

On agenda: 2/2/2016 **Final action:** 2/2/2016

Enactment date: 2/5/2016 **Enactment #:** RES-16-00113

Title: Approving contract for public improvements necessary for the Subdivision known Paragon Place - Phase 1, to be undertaken by the Developer, and Rescinding Resolution RES-15-00701, File Number 39682, Private Contract No. 2439. (9th AD)

Sponsors: BOARD OF PUBLIC WORKS

Indexes:

Code sections:

Attachments: 1. 9603 paragon ph 1.pdf

Date	Ver.	Action By	Action	Result
2/2/2016	1	COMMON COUNCIL	Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25	Pass
1/20/2016	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	
1/13/2016	1	Engineering Division	Refer	

Fiscal Note

Private Contract, No City Funds Required

Title

Approving contract for public improvements necessary for the Subdivision known Paragon Place - Phase 1, to be undertaken by the Developer, and Rescinding Resolution RES-15-00701, File Number 39682, Private Contract No. 2439. (9th AD)

Body

WHEREAS, the developer, MCS Investments, Inc., has received the City of Madison's approval to create the subdivision known as Paragon Place; 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 lot; and,

WHEREAS, the developer proposes to provide public improvements to serve Lot 1 of the Paragon Place subdivision as Phase 1; and,

WHEREAS, the developer received approval of the project on September 1, 2015 by Resolution RES-15-00701, File Number 39682; and,

WHEREAS, the developer has requested that the entity name be changed to MCS Investments, Inc.

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 Paragon Place-Phase 1, with MCS Investments, Inc. and authorize 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-15-00701, File Number 39682 is hereby rescinded