



### Legislation Details (With Text)

**File #:** 46770      **Version:** 1      **Name:** Approving plans and specifications for public improvements required to serve Phase 2 of the Subdivision known as Village at Autumn Lake Replat and authorizing construction to be undertaken by the Developer, Private Contract No. 7657.

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

**File created:** 4/7/2017      **In control:** BOARD OF PUBLIC WORKS

**On agenda:** 5/2/2017      **Final action:** 5/2/2017

**Enactment date:** 5/8/2017      **Enactment #:** RES-17-00354

**Title:** Approving plans and specifications for public improvements required to serve Phase 2 of the Subdivision known as Village at Autumn Lake Replat and authorizing construction to be undertaken by the Developer, Private Contract No. 7657. (17th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
5/2/2017	1	COMMON COUNCIL	Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25	Pass
4/19/2017	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	
4/7/2017	1	Engineering Division	Refer	

#### Fiscal Note

In the adopted 2017 capital budget Engineering Major Streets has budgeted \$300,000 for the minor project for public improvements made in conjunction with private development contracts within the Rural to Urban capital program (MUNIS 11125). This proposed resolution approves plan documents for the Phase 2 private development of the Village at Autumn Lake, of which the City will be responsible for no more than \$10,000 of the costs, funded by GO borrowing.

#### MUNIS:

11125-402-170: 54410 (96339)

#### Title

Approving plans and specifications for public improvements required to serve Phase 2 of the Subdivision known as Village at Autumn Lake Replat and authorizing construction to be undertaken by the Developer, Private Contract No. 7657. (17<sup>th</sup> AD)

#### Body

WHEREAS, the developer, VAL, LLC, has received the City of Madison's approval to create the subdivision known as Village at Autumn Lake Replat; 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 approval for the project on January 5, 2016 by RES-16-00025, File Number 41112;

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WHEREAS, the Fiscal Note was incorrect in RES-16-00025, File Number 41112; and,

WHEREAS, the developer proposes to provide public improvements to serve Lots 591-593, 614-616, 630-634, 671-681, and OutLot 44 as Phase 2.

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 Village at Autumn Lake, Phase 2, with VAL, 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: Reimbursement not to exceed the statutory limit for the cost of street improvements that benefit the City and abut lands owned by the City, in accordance with Section 16.23(9)(d)(6)(d).
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 RES-16-00025, File Number 41112 is hereby rescinded.