



## Legislation Details (With Text)

<b>File #:</b>	54402	<b>Version:</b>	1	<b>Name:</b>	Approving Addendum No. 1 to First Addition to 1000 Oaks - Phase 6.
<b>Type:</b>	Resolution	<b>Status:</b>		<b>Status:</b>	Passed
<b>File created:</b>	1/15/2019	<b>In control:</b>		<b>In control:</b>	Engineering Division
<b>On agenda:</b>	2/5/2019	<b>Final action:</b>		<b>Final action:</b>	2/5/2019
<b>Enactment date:</b>	2/8/2019	<b>Enactment #:</b>		<b>Enactment #:</b>	RES-19-00063
<b>Title:</b>	Approving Addendum No. 1 to First Addition to 1000 Oaks - Phase 6 , Contract No. 8198 (9th AD)				
<b>Sponsors:</b>	BOARD OF PUBLIC WORKS				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. 8198 Addendum 1.pdf, 2. 1000 Oaks Phase 6 Map.pdf, 3. 1000 Oaks Ph 6 Streets.pdf				

Date	Ver.	Action By	Action	Result
2/5/2019	1	COMMON COUNCIL	Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25	Pass
1/23/2019	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
1/15/2019	1	Engineering Division	Refer	

### Fiscal Note

The proposed resolution approves plan documents for the private contract for the 1000 Oaks subdivision at a cost to the City not to exceed \$25,000. The Engineering Major Streets adopted 2019 capital budget provides funding for minor improvements to land within private developments via the Reconstruction Streets capital program. Funding is provided by GO Borrowing.

### MUNIS:

11136-402-170: 54410 (96339)

### Title

Approving Addendum No. 1 to First Addition to 1000 Oaks - Phase 6 , Contract No. 8198 (9th AD)

### Body

WHEREAS, on December 27, 2018, the developer, VH 1000 Oaks, LLC, hereinafter the "Developer" had entered into a *Contract For the Construction of Public Improvements that will be Accepted by the City of Madison* hereinafter the "Contract" with the City of Madison, and;

WHEREAS, the Developer has received conditional approval from the City for 1000 Oak Replat No. 1 which is located in the previously approved First Addition to 1000 Oaks - Phase 6 limits, and;

WHEREAS, the Lots within the First Addition to 1000 Oaks - Phase 6 have been replatted and now consist of Lots 25-30 in First Addition to 1000 Oaks and 282-290 in 1000 Oaks Replat No. 1, and;

WHEREAS, the Developer and the City have since mutually agreed to expand the scope of work for the project as required to include the public improvements within the replat and existing Phase 6 limits.

WHEREAS, the Developer shall provide the required surety as necessary to construct public improvements to serve First Addition to 1000 Oaks - Phase 6.

NOW, THEREFORE, BE IT RESOLVE:

1. That the Mayor and City Clerk are hereby authorized and directed to execute Addendum No. 1 to First Addition to 1000 Oaks - Phase 6, Contract No. 8198, with VH 1000 Oaks, LLC.
2. That the revised plans and specifications for the public improvements necessary to serve this project 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.
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. The developer shall be permitted to assign this contract for the purposes of obtaining financing in a form to be approved by the City Attorney.