Legislation Details (With Text)

File #:	62408	**Version:**	1	**Name:**	Approving plans and specifications for public improvements required to serve Phase 1of the Subdivision known as Paragon Place Addition No. 1 and authorizing construction to be undertaken by the Developer, and Rescinding Resolution RES-20-00197. Private Co
Type:	Resolution			**Status:**	Passed
File created:	9/29/2020			**In control:**	Engineering Division
On agenda:	10/20/2020			**Final action:**	10/20/2020
Enactment date:	10/26/2020			**Enactment #:**	RES-20-00724

Title: Approving plans and specifications for public improvements required to serve Phase 1of the Subdivision known as Paragon Place Addition No. 1 and authorizing construction to be undertaken by the Developer, and Rescinding Resolution RES-20-00197. Private Contract No. 8436. (9th AD)

Sponsors: BOARD OF PUBLIC WORKS

Indexes:

Code sections:

Attachments: 1. Paragon Place Addition No. 1 - Phase 1 Exhibit.pdf

Date	Ver.	Action By	Action	Result
10/20/2020	1	COMMON COUNCIL	Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25	Pass
10/7/2020	1	BOARD OF PUBLIC WORKS		
9/29/2020	1	Engineering Division	Refer	

Fiscal Note

Private contract. No City funds required.

Title

Approving plans and specifications for public improvements required to serve Phase 1of the Subdivision known as Paragon Place Addition No. 1 and authorizing construction to be undertaken by the Developer, and Rescinding Resolution RES-20-00197. Private Contract No. 8436. (9th AD)

Body

WHEREAS, the developer, Paragon Place at Bear Claw Way II LLC, has received the City of Madison's conditional approval to create the subdivision known as Paragon Place Addition No. 1; 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 7 and 8 as Phase 1; and,

WHEREAS, the developer received approval for a Future Phase developer agreement contract only on March 20, 2020 by Resolution RES-20-00197, File No. 59735.

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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 Addition No. 1 - Phase 1, with Paragon Place at Bear Claw Way II LLC.

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. 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.

7. That Resolution RES-20-00197, File No. 59735 is hearby rescinded.

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