# Legislation Details (With Text)

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| **File #:** | 65276 | **Version:** | 1 | **Name:** | Approving plans and specifications for public improvements necessary for the project known as 5622 Eastpark Boulevard and authorizing construction to be undertaken by the Developer, Private Contract No. 9045. |
| **Type:** | Resolution | | | **Status:** | Passed |
| **File created:** | 4/28/2021 | | | **In control:** | Engineering Division |
| **On agenda:** | 5/18/2021 | | | **Final action:** | 5/18/2021 |
| **Enactment date:** | 5/24/2021 | | | **Enactment #:** | RES-21-00353 |

**Title:** Approving plans and specifications for public improvements necessary for the project known as 5622 Eastpark Boulevard and authorizing construction to be undertaken by the Developer, Private Contract No. 9045. (17th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

**Indexes:**

**Code sections:**

**Attachments:** 1. 9045 Exhibit_5622 Eastpark Blvd.pdf

| Date | Ver. | Action By | Action | Result |
|---|---|---|---|---|
| 5/18/2021 | 1 | COMMON COUNCIL | Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25 | Pass |
| 5/5/2021 | 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 |
| 4/28/2021 | 1 | Engineering Division | Refer | |

## Fiscal Note

Private contract. No City funds required.

## Title

Approving plans and specifications for public improvements necessary for the project known as 5622 Eastpark Boulevard and authorizing construction to be undertaken by the Developer, Private Contract No. 9045. (17th AD)

## Body

WHEREAS, the developer, Eastpark Residential, LLC, has received the City of Madison's conditional approval for a mixed-use development containing 4,300 SF of commercial space and 306 dwelling units with accessory pool and amenities building at 5622 Eastpark Boulevard, and,

WHEREAS, Section 16.23(9) of the Madison General Ordinances and the conditions of approval require the developer to install the public improvements necessary to serve the rezoning.

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 5622 Eastpark Boulevard, with Eastpark Residential, LLC.

2. That the plans and specifications for the public improvements necessary to serve the development 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. 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.



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