



Legislation Details (With Text)

**File #:** 70718      **Version:** 1      **Name:** Approving plans and specifications for public improvements required to serve the Subdivision known as The American Center Plat Eastpark Fourth Addition and authorizing construction to be undertaken by the Developer, Private Contract No. 9122.

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

**File created:** 3/28/2022      **In control:** Engineering Division

**On agenda:** 4/19/2022      **Final action:** 4/19/2022

**Enactment date:** 4/25/2022      **Enactment #:** RES-22-00285

**Title:** Approving plans and specifications for public improvements required to serve the Subdivision known as The American Center Plat Eastpark Fourth Addition and authorizing construction to be undertaken by the Developer, Private Contract No. 9122. (17th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

**Indexes:**

**Code sections:**

**Attachments:** 1. 9122 Exhibit American Center Plat.pdf

Date	Ver.	Action By	Action	Result
4/19/2022	1	COMMON COUNCIL	Adopt Unanimously	Pass
4/6/2022	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
3/28/2022	1	Engineering Division	Refer	

**Fiscal Note**

Private project. No City funds required.

**Title**

Approving plans and specifications for public improvements required to serve the Subdivision known as The American Center Plat Eastpark Fourth Addition and authorizing construction to be undertaken by the Developer, Private Contract No. 9122. (17<sup>th</sup> AD)

**Body**

WHEREAS, the developer, American Family Mutual Insurance Co., S.I., has received the City of Madison's conditional approval to create the subdivision known as The American Center Plat Eastpark Fourth Addition; and,

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

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 The American Center Plat Eastpark Fourth Addition, with American Family Mutual Insurance Co., S.I.
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.