Legislation Text

File #: 36987, **Version:** 1

Fiscal Note

No City Funds required. Private contract.

Title

Approving plans and specification a project known as The Willows - Offsite Utilities Only and authorizing construction to be undertaken by the Developer, Private Contract No. 2419. (9th AD)

Body

WHEREAS, the developer, TRMcKenzie, Inc, has received the City of Madison's conditional approval for a preliminary plat known as The Willows; and,

WHEREAS, the developer has requested that the City allow for public sanitary sewer and storm sewer be installed at the developer's expense to the plat; and,

WHEREAS, the construction of the remaining infrastructure to serve the plat will be completed under a separate contract with the City; 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 the future build out of The Willows 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 Willows - Offsite Utilities Only, with TRMcKenzie, Inc. 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 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.