Legislation Text

File #: 55147, **Version:** 1

Fiscal Note

Private Contract; No Appropriation Required

Title

Approving plans and specifications for public improvements required to serve Phase 2 of the Subdivision known as Northeast Addition to Grandview Commons and authorizing construction to be undertaken by the Developer, and Rescinding RES-2019-00135, File Number 54529. Private Contract No. 8341 (3rd AD)

Body

WHEREAS, the developer, VH GVC NE, LLC, has received the City of Madison's conditional approval to create the subdivision known as Northeast Addition to Grandview Commons; 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 has requested a decrease in the size of this plat phase that was approved for the project on March 1, 2019 by Resolution RES-19-00135, File Number 54529; and,

WHEREAS, the developer proposes to provide public improvements to serve Lots 1040-1049, 1063-1072, 1116, 1117, 1164, 1165, and Outlets 50 and 54 as Phase 2.

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 Northeast Addition to Grandview Commons - Phase 2, with VH GVC NE, 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 RES-19-00135, File Number 54529 is hereby rescinded.

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