



## Legislation Text

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**File #:** 55834, **Version:** 1

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### **Fiscal Note**

The proposed resolution authorizes the maintenance agreement between the City of Madison and Hawk's Landing Golf Land LLC for maintenance of stormwater management facilities. There is no immediate appropriation of expenditures necessary for this agreement. The Stormwater Utility shall be responsible for funding the maintenance costs associated with this agreement in future years via the Stormwater Utility's annually adopted operating and capital budgets.

### **Title**

Authorizing the Mayor and City Clerk to enter into a maintenance agreement with the Hawk's Landing Golf Land LLC, for maintenance of stormwater management facilities located in the Hawk's Landing Golf Club Plat Environmental Corridor. (1st AD)

### **Body**

WHEREAS, the Hawk's Landing Golf Club Plat was recorded in 2000 and designed with public drainage routed through, and incorporated within, the private golf course area to a series of ponds; and,

WHEREAS, as a condition of plat approval, the City and the owner of the Hawk's Landing Golf Course entered into a maintenance agreement associated with those facilities that addressed each party's responsibility over the drainage ways, retention ponds and vegetated buffers on the golf course; and,

WHEREAS, the maintenance agreement does not adequately establish the City or the Owner's respective responsibilities for the drainage within the golf course, and the agreement has been the subject of ongoing disputes and litigation between the City and the Owner; and

WHEREAS, following recent flooding on the golf course and downstream of portions of the golf course, the City and the Owner worked together to make some drainage improvements to the Property and are in agreement that a new maintenance agreement is necessary to sufficiently and adequately address each party's respective obligations regarding the storm water and drainage improvements located on the Hawk's Landing Golf Course Property and now wish to replace the original maintenance agreement with a new agreement to better address these issues.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Clerk are authorized to enter into a Maintenance Agreement for the Hawk's Landing Golf Club Plat Environmental Corridor with Hawks Golf Land, LLC and Hawks Landing Golf Corp., for the maintenance of stormwater management facilities located within the Hawk's Landing Golf Club Plat Environmental Corridor, in a form and manner that has approved by the City Engineer and the City Attorney and that is consistent with the agreement attached hereto.