



## Legislation Text

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**File #:** 59297, **Version:** 1

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### **Fiscal Note**

The proposed resolution approves plan documents for public improvement required to serve Phase 7 of the Subdivision known as Village at Autumn Lake Replat at an estimated cost not to exceed \$15,000. Funds are available in the 2020 Adopted Capital Budget for the Engineering Reconstruction Streets Project (Acct. No. 12873-402-170: 54410).

### **Title**

Approving plans and specifications for public improvements required to serve Phase 7 of the Subdivision known as Village at Autumn Lake Replat and authorizing construction to be undertaken by the Developer, and Rescinding RES-19-00129, File Number 54521, Private Contract No. 8176. (17<sup>th</sup> AD)

### **Body**

WHEREAS, the developer, VAL, LLC, has received the City of Madison's conditional approval to create the subdivision known as Village at Autumn Lake Replat, a subdivision known as Village at Autumn Lake Replat No. 4, and a four-lot CSM (#15073); 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 received approval for the project on February 26, 2019 by Resolution RES-19-00129, File Number 54521; and,

WHEREAS, the developer has further subdivided portions of the project which changed lot numbers for the project that was approved on February 26, 2019 by Resolution RES-19-00129, File Number 54521; and,

WHEREAS, the developer proposes to provide public improvements to serve Lots 529-530, 541-547, 706-709 and Outlot 40 of Village at Autumn Lake Replat; Lot 1120-1129 of Village at Autumn Lake Replat No. 4; and Lots 1 and 2 of CSM 15073 as Phase 7.

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 Village at Autumn Lake - Phase 7, with VAL, 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-2019-00129, File Number 54521 is hereby rescinded.