



Legislation Text

File #: 60596, **Version:** 1

Private project. No City funds required.

Approving a future phase contract for public improvements required to serve the Certified Survey Map located at 10250 Mineral Point Road, Private Contract No. 8924. (9th AD)

WHEREAS, the developer, Herrling Family Limited Partnership, has received the City of Madison's conditional approval to create a land subdivision by Certified Survey Map (CSM) at 10250 Mineral Point Road; 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 proposes to provide public improvements for Outlot 1 and Outlot 2 when they are further subdivided in the future for development.

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 10250 Mineral Point Road CSM, with Herrling Family Limited Partnership.
2. 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)
3. 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.
4. 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.