Legislation Text

File #: 64397, **Version:** 1

Fiscal Note

The proposed resolution approves plans and authorizes the developer to undertake construction for public surface pavement improvements at the Village at Autumn Lake at an estimated cost not to exceed $10,000. Funds are available in Munis 13163-402-170. No additional appropriation is required.

Title

Approving plans and specifications for public surface pavement improvements required to serve Phase 11 of the Subdivision known as Village at Autumn Lake and authorizing construction to be undertaken by the Developer, and Rescinding Resolution RES-21-00019, Private Contract No. 8977. (17th 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; and,

WHEREAS, Section 16.23(9) of the Madison General Ordinances requires the developer to install the public surface asphalt pavement improvements necessary to serve the subdivision; and,

WHEREAS, Section 16.23(9) of the Madison General Ordinances allows the developer to install the surface pavement 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 Lots 666,667, 683-696, 909-915, Outlots 47, 55, 57, and 59 of Village at Autumn Lake Replat and Lots 1188-1193, 1206-1220, 1222-1262, and Outlots 72 and 73 of Village at Autumn Lake Replat No. 5 as Phase 11.

WHEREAS, the developer received approval for the project on January 11, 2021 by Resolution RES-21-00019, File No. 63362; and,

WHEREAS, the developer was required to renumber the lots in Village at Autumn Lake Replat No. 5 prior to recording the plat and the developer now proposes to provide public improvements to serve Lots 666,667, 683-696, 909-915, Outlots 47, 55, 57, and 59 of Village at Autumn Lake Replat and Lots 1189-1194, 1207-1221, 1223-1263, and Outlots 72 and 73 of Village at Autumn Lake Replat No. 5 as Phase 11.

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 Surface Paving - Phase 11, 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. The Resolution RES-21-00019, File No. 63362 is hereby rescinded.

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