



## Legislation Text

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**File #:** 74469, **Version:** 1

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### **Fiscal Note**

No City Funds required. Private contract.

### **Title**

Approving plans and specifications for public asphalt surface pavement required to serve Phase 12 Surface Paving of the Subdivision known as Village at Autumn Lake and authorizing construction to be undertaken by the Developer, and Rescinding Resolution RES-22-00128, File Number 69536, Private Contract No. 9099. (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; and,

WHEREAS, Section 16.23(9) of the Madison General Ordinances requires the developer to install the public asphalt surface pavement 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 been approved for Village at Autumn Lake Replat No. 6 which will change the dimensions of lots within a portion of this project that was approved on February 25, 2022 by RES-22-00128, File Number 69536; and,

WHEREAS, the developer proposes to provide public improvements to serve Lots 1156-1173, 1184-1188, 1195-1206, and 1222 of Village at Autumn Lake Replat No. 5; and 1264-1268 of Village at Autumn Lake Replat No. 6 as Phase 12 Surface Paving.

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 12 Surface Paving, 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: None
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 RES-22-00129, File Number 69536 is hereby rescinded.