



Legislation Text

File #: 90816, **Version:** 1

Fiscal Note

No City Funds required. Private Contract.

Title

Approving plans and specifications for public improvements required to serve the Subdivision known as Hill Valley Phase 2B and authorizing construction to be undertaken by the Developer, Private Contracts 9680, 9711 and 9664 (District 1)

Body

WHEREAS, the developer, VH Hill Valley, LLC, has received the City of Madison's conditional approval to create the subdivisions known as First Addition to Hill Valley and Hill Valley; 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 (excluding surface asphalt pavement and stormwater management) to serve Lots 141-148, 167-172 and 204-206 and Outlots 6, 7, 10 and 11 as Hill Valley Phase 2B (contract 9680); and,

WHEREAS, the developer proposes to provide public surface asphalt pavement improvements to serve to serve Lots 141-148, 167-172 and 204-206 and Outlots 6, 7, 10 and 11 as Hill Valley Phase 2B - Surface Paving (contract 9711); and,

WHEREAS, the developer proposes to provide public stormwater management improvements to serve to serve Lots 141-148, 167-172 and 204-206 and Outlots 6, 7, 10 and 11 as Hill Valley Phase 2B - Stormwater Management (contract 9664)

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 Hill Valley Phase 2B with VH Hill Valley, LLC, or designee with the approval of the City Engineer.
2. 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 Hill Valley Phase 2B - Surface Paving, with VH Hill Valley, LLC, or designee with approval of the City Engineer.
3. 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 9664, Hill Valley

Phase 2B - Stormwater Management, to include stormwater management on Outlots 6, 7, 10 and 11.

4. That the plans and specifications for the public improvements necessary to serve this subdivision are hereby approved.

5. 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).

6. 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.

7. 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.

8. The developer shall be permitted to assign these contracts with the approval of the City Engineer, and in a form to be approved by the City Attorney.