

**TOWN OF COTTAGE GROVE
RESOLUTION NO. 2022-09-06a**

ACCEPTANCE OF PUBLIC IMPROVEMENTS IN KENNEDY HILLS PHASE 1

WHEREAS, the Town Board approved the Final Plat of Kennedy Hills Phase 1 (the "Development").

WHEREAS, in conjunction with the approval, the Town of Cottage Grove entered into a Development Agreement with Kennedy Hills, LLC (the "Developer") entitled an Agreement for Public Improvements and Other Matters Relating to Plat of Kennedy Hills, dated August 21, 2020 (the "Development Agreement"), which is incorporated herein in full by reference.

WHEREAS, the Development Agreement required the Developer to construct certain public improvements in compliance with the applicable standards, all as specified in the Development Agreement (the "Public Improvements") and to dedicate them to the Town.

WHEREAS, the Development Agreement further required the Developer to post a letter of credit with the Town to ensure the Developer's obligations with respect to the Public Improvements are satisfied (the "Letter of Credit"), which the Developer has done.

WHEREAS, the Developer has constructed the Public Improvements, desires to dedicate them to the Town and for the Town to release the Letter of Credit.

WHEREAS, the Town Engineer inspected the Public Improvements and recommended acceptance of them.


NOW THEREFORE, BE IT HEREBY RESOLVED by the Town Board of the Town of Cottage Grove as follows:

1. Acceptance of Public Improvements. The Town Board accepts the Public Improvements identified in the Development Agreement, subject to the Developer's warranty of same as set forth in the Development Agreement. This acceptance is conditioned upon the Developer providing to the Town as-built drawings of all of the Public Improvements within 30 days of the date of this resolution.
2. Release of Surety. The Town Clerk is authorized to release the letters of credit provided by the Developer pursuant to the Development Agreement.

This Resolution was duly adopted by the Town Board of the Town of Cottage Grove, Dane County, Wisconsin at a meeting on September 6, 2022, by a vote of 5 in favor, 0 opposed, and 0 not voting.

TOWN OF COTTAGE GROVE

Attested by:



Kris Hampton, Town Chair



Kim Banigan, Town Clerk