



## Legislation Text

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**File #:** 111016, **Version:** 0

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Original

### The Chair

Resolution authorizing the Commissioner of Public Works to enter into an Out-of-Program Agreement with HD Development, LLC for the installation of a public water main.

This resolution authorizes the Commissioner of Public Works to execute an Out-of-Program Agreement on behalf of the City of Milwaukee between HD Development, LLC (Developer) and the City of Milwaukee. This agreement pertains to the installation of a public water main to serve the site at 1136 East North Avenue.

Whereas, The Developer is the owner of the church property at 1136 East North Avenue, Milwaukee, Wisconsin (the "Property"), as shown in Exhibit "A"; and

Whereas, The Developer has requested an agreement that provides for installation of a public water main to serve the Property; and

Whereas, The public water main for the Property could be installed under the terms of an out-of-program agreement upon condition that title to such facilities shall vest in the City of Milwaukee subject to conditions more fully hereinafter stated; and

Whereas, The cost of the relocation of the water main will be funded entirely by the Developer, cost to include construction costs, material costs, and engineering and inspection costs; (WT430113004) (Developer Authority Water Fund Budget Line 6410 -- \$6,000); and

Whereas, The Developer has requested that the construction of the water main be completed by the Developer, now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Out-of-Program Agreement attached to this file is hereby approved and the proper City officers are hereby authorized to execute said agreement on behalf of the City; and, be it

Further Resolved, That the Commissioner of Public Works is authorized to accept funds from the Developer as outlined in the Out-of-Program Agreement for the purpose of preparing design engineering plans and for the purpose of inspecting construction of the public water main; and, be it

Further Resolved, That the Commissioner is authorized to make minor changes to the Out-of-Program Agreement prior to its execution.

DPW-ADM  
MDL:mra  
November 17, 2011  
HD Development OPA Res