

# The Town of Cedarburg, Wisconsin

IN THE NAME AND BY THE AUTHORITY OF THE TOWN OF CEDARBURG,  
WISCONSIN

## RESOLUTION #2022-16

“Resolution Approving a Major Land Division and Subdivision Development Agreement for Brandt Woods Subdivision, and Accepting a Roadway Extension as a Public Improvement”

**WHEREAS**, the Subdivider is the owner of approximately ~88 acres of land in the Town located in the Northeast ¼ and the Southeast ¼ of the Northwest ¼, and the Southwest ¼ of the Northeast ¼ in Section 5 and desires to subdivide, improve and develop those certain lands into 7 lots known as the Brand Woods Subdivision located in the Town as further described in the attached Subdivision Development Agreement Attachment; and

**WHEREAS**, Section 236.13(2)(3)(b)(1a) of the Wisconsin State Statutes and Section 184-13-A-2-b of the Town of Cedarburg Municipal Code provides that as a condition of approval, the governing body of a municipality may require that the Subdivider make and install or have made and have installed, public improvements deemed reasonably necessary, and that the Subdivider provide an irrevocable letter of credit, a surety bond, or other security approved by the Town Attorney guaranteeing that the Subdivider will make and install or have made and installed those improvements within a reasonable time; and

**WHEREAS**, Section 279-6 of the Town of Cedarburg Municipal Code allows for the provision of a private shared driveway(s) that may serve up to a maximum of seven parcels subject to certain restrictions specified in the Code. The Town is not responsible for paving or maintenance of private shared driveways. All officially approved shared driveway agreements shall run with the land and shall be recorded in the Ozaukee County Register of Deeds; and

**WHEREAS**, All other lands within the subdivision are private, and will be wholly maintained by the Subdivider and/or Lot Owners, including improvements related to stormwater, private driveway, ditches and culverts, entrance, and mailbox/refuse/recycling cart storage area; and

**WHEREAS**, the Subdivider has submitted to the Town Board a preliminary plat that was approved by the Town Board on July 7, 2022; and


**WHEREAS**, the Subdivision regulations of the Town of Cedarburg provide that approval of the final subdivision plat shall be conditioned upon the installation of all public improvements with the exception of the upper layer of the road paving/road finishing work, prior to the acceptance of dedication of public roads, easements etc.; and

**WHEREAS**, the Town believes that the orderly planned development of Town lands will best promote the health, safety and general welfare of the community; and

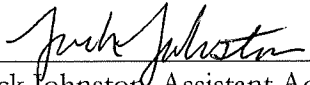
**WHEREAS**, in consideration of the approval by the Town Board of a final plat of the lands described in Attachment "A" and the development thereof, the Subdivider does hereby agree to subdivide and develop said land in accordance with the Town Code of Ordinances and all other laws and regulations governing subdivisions and development, without exception and in particular according to the Subdivision Development Agreement attached hereto and incorporated by reference.

**NOW THEREFORE, BE IT RESOLVED** that the Town Board of Supervisors in Cedarburg, Wisconsin does hereby approve a major land division and Subdivision Development Agreement for Brandt Woods Subdivision, and as set forth in said Agreement the Town Board accepts a roadway extension as a public improvement from the Subdivider of Brandt Woods Subdivision.

Passed and adopted this 5<sup>th</sup> day of October, 2022.

  
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David M. Salvaggio, Town Chairman

*Attest:*

  
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Jack Johnston, Assistant Administrator/Clerk