

**VILLAGE OF WINDSOR
RESOLUTION 2020-26**

**ACCEPTANCE OF A DEDICATION OF PUBLIC INFRASTRUCTURE AND
APPROVAL OF A RELEASE IN THE LETTER OF CREDIT
FOR SCHROEDER'S FIELD – PHASES 2 & 3**

WHEREAS, Windsor-Bristol Investments, LLC (“Developer”) is developing property within the Village referred to as Schroeder’s Field – Phases 2 and 3 (the “Development”); and

WHEREAS, as part of the Development, the Developer is required to construct certain public infrastructure serving the Development (the “Infrastructure”); and

WHEREAS, the Developer has provided a letter of credit to the Village to secure completion of the Infrastructure (the “Letter of Credit”); and

WHEREAS, the Developer has now completed the Infrastructure and dedicated same to the Village as specifically described in the Developer’s Dedication of Public Lands and Improvements which is incorporated herein; and

WHEREAS, the Developer has requested a release in the Letter of Credit; and

WHEREAS, the Village Engineer has reviewed the Infrastructure and approved same, and recommends approval of the Developer’s request to release the Letter of Credit; and

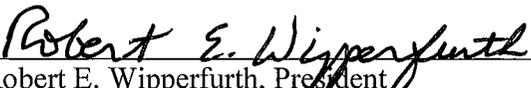
NOW, THEREFORE, BE IT RESOLVED by the Village Board of the Village of Windsor as follows:

- A. The Infrastructure is hereby accepted by the Village.
- B. The Developer’s Letter of Credit for Phases 2 & 3 shall be released in its entirety, as approved by the Village Engineer, contingent upon receipt by the Village of lien waivers in a form satisfactory to the Village Engineer for all work upon which the release is based.
- C. The Developer may provide a copy of this Resolution and the attachments thereto to any third party requesting verification of the Village's approval of the release.

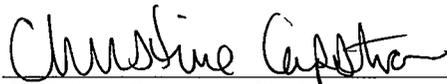
The above and foregoing Resolution was duly adopted by the Village Board of the Village of Windsor, Dane County, Wisconsin at a meeting held on March 19, 2020 by a vote of 5 in favor and 0 opposed.

SIGNATURES ON FOLLOWING PAGE

VILLAGE OF WINDSOR


Robert E. Wipperfurth, President

Attested by:


Christine Capstran, Clerk

Incorporated by Reference:
Letter of Credit
Dedication of Public Lands and Improvements
Engineer's Memo 03-12-2020

A SINGLE LETTER OF CREDIT COVERING VILLAGE OF WINDSOR AND DANE COUNTY

Issued On: 04/13/2019

Expires On: 04/13/2020

The Village of Windsor and Dane County are beneficiaries (individually, a “Beneficiary” and collectively, the “Beneficiaries”) under this Letter of Credit. The Letter of Credit is issued to guarantee and ensure: (1) to the Village of Windsor that the Borrower shall perform in accordance with the Development Agreement; and, (2) to Dane County that the Borrower shall perform in accordance with the Stormwater and Erosion Control Permit.

Drafts will be honored upon presentation after the Issuer receives notice in writing from the Village of Windsor (with respect to the Village Development Agreement, including stormwater management facilities) and/or Dane County (with respect to stormwater management facilities subject to County permit) that **EITHER** (1) **OR** (2) below have occurred.

(1) RE: Village Development Agreement

- (a) Windsor – Bristol Investments, LLC, and its heirs, successors and assigns (“Borrower”) has failed to complete the work under the Agreement for Public Improvements and Other Matters Relating to Plat of Schroeder’s Field, Village of Windsor, Dane County Wisconsin, including all exhibits, addenda and schedules thereto, by and between the Village of Windsor and Borrower entered into as of _____, as amended, supplemented, modified, or extended from time to time (“Development Agreement”), including, without limitation, any default under the Development Agreement related to stormwater facilities, in a manner sufficiently consistent with the Development Agreement, as determined by the Village; and
- (b) No draw on the Letter of Credit for the same alleged default has previously been made under paragraph (2) below; and
- (c) The amount drawn under this Letter of Credit is required to complete the unfinished or unsatisfactory work.

OR (2) RE: Dane County Stormwater Permit

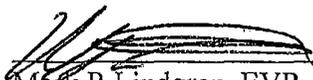
- (a) Borrower has failed to complete the work under Dane County Stormwater Management Permit No. _____ (the “Permit”) in a manner sufficiently consistent with the Permit, as determined by Dane County; and
- (b) Dane County has requested, in writing, that the Village of Windsor draw on this Letter of Credit in an amount not to exceed \$43,068.00 (Forty Three Thousand Sixty Eight Dollars); and

- (c) No draw on the Letter of Credit for the same alleged default has previously been made under paragraph (1) above; and
- (d) The amount drawn under this Letter of Credit is required to complete the unfinished of unsatisfactory work.

This Letter of Credit is irrevocable. The Issuer shall honor drafts hereunder without notice to or subject to confirmation by Borrower or its guarantors, if any. The Letter of Credit may be reduced from time to time as and to the extent that the portion of work required is completed and paid for; provided, however, that no such reduction shall occur until the Issuer has received a written statement from the Beneficiaries. Said statement shall set forth the amount of reduction and the amount of remaining balance under this Letter of Credit. At such time that a Beneficiary's remaining balance is zero, this Letter of Credit shall terminate as to said Beneficiary.

This Letter of Credit shall be deemed automatically extended without amendment for one year from the expiration date hereof or any future expiration date unless as least sixty (60) days prior to any expiration date, the Issuer notifies the Beneficiaries in writing by certified mail or overnight courier service that the Issuer elects not to renew this Letter of Credit for such additional one-year period.

Sincerely,
DMB Community Bank


Mark R Lindgren, EVP



Windsor

Growing Forward

Dedication of Public Lands and Improvements

The undersigned hereby dedicates the below listed property interests and/or public improvements to the Village of Windsor, and represents in their individual capacity they possess the legal authority to do so.

The undersigned further acknowledges no dedication is effective until accepted by resolution of the Windsor Village Board

Property Owner / Petitioner

Name Windsor Bristol Investments LLC

Address 4607 Oak Spring Circle

City, State, Zip Code De Forest, WI 53532

Phone (Residence / Business Cell) 608-234-7093

Email wmp@centurytel.net

Signature William Paulson

If signing on behalf of a corporation, limited liability company or partnership indicate your full name and title:

Name William Paulson

Title managing partner

Dedication of Public Lands

Unless specifically identified in the below Certified Survey Map or Plat, the lands hereby dedicated shall be specifically described in an attached document.

Certified Survey Map # Document # Date Recorded
Plat Name

Document # 4831300 Jan 10, 2012
Schroeder's Field - Apple Valley

- Right-of-Way
- Easement (per Windsor policy)
 - Utility
 - Stormwater
 - Multi-Use Path
- Park, Conservancy, and/or Open Space (per Windsor CORP)
 - Park
 - Conservancy
 - Open Space
- Stormwater System (per Windsor/Dane County SWM Agreement)
 - Swale
 - Culvert and Storm Sewer
 - Wet Detention Basin
 - Infiltration Basin
 - Other. _____

Other: _____

Dedication of Public Improvements

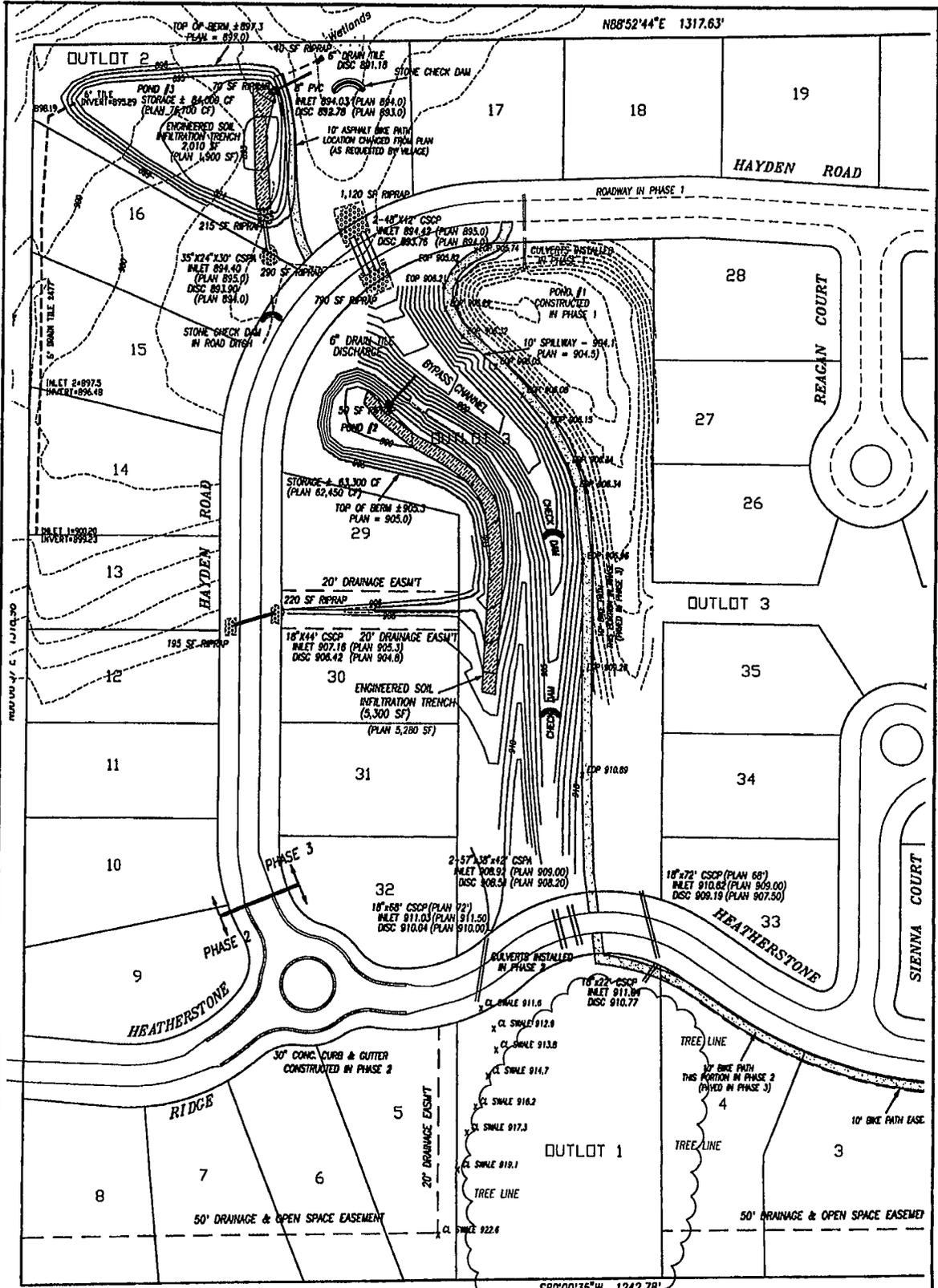
Acceptance of Public Improvements and Reduction in Letter of Credit will require submittal of: (1) Computation of Quantities Completed, and (2) As-Built Plan Set for the Development Phase.

Phase = Date Inspected by Village Date Accepted *Phase 3 Oct 4 & 8 2019*

- Right-of-Way
 - Street
 - Sanitary Sewer Main
 - Water Main
 - Storm Sewer Main
 - Culvert and Ditch
 - Sidewalk
 - Trees
 - Lighting
 - Signage
- Easement
 - Utility
 - Stormwater
 - Multi-Use Path
 - Paving (Surface Course)
 - Site Stabilization (Grade, Seed, and Matte)
- Park, Conservancy, and/or Open Space
 - Park
 - Site Stabilization (Grade, Seed, and Matte)
 - Conservancy
 - Site Stabilization (Grade, Seed, and Matte)
 - Open Space
 - Site Stabilization (Grade, Seed, and Matte)
- Other: _____

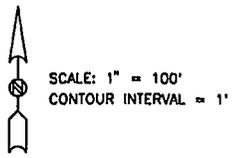
Phase = Date Inspected by County Date Accepted *Phase 3 Sept 22, 2019*

- Stormwater System (per Stormwater Management Agreement)
 - Swale
 - Culvert and Storm Sewer
 - Wet Detention Basin
 - Infiltration Basin
 - Other.



N88°52'44"E 1317.63'

FIELD SURVEY PERFORMED APRIL, 2018 FOR PHASE 2
& NOVEMBER, 2018 FOR PHASE 3

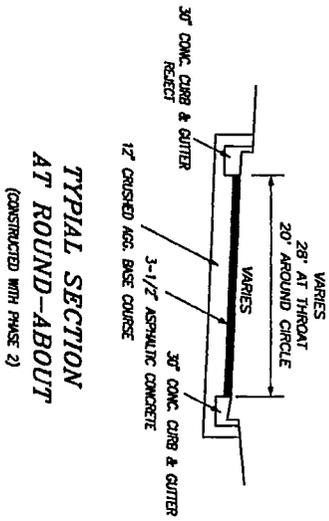


SHEET 1 OF 1

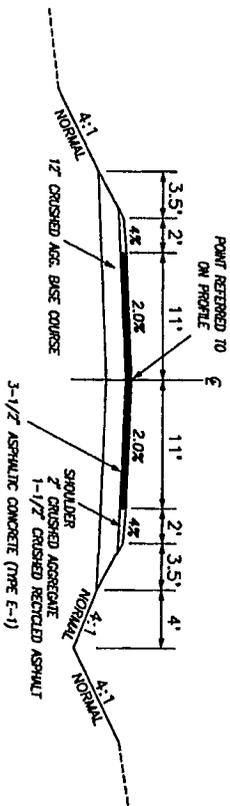
SOIL SAVERS, LLC
1367 Swardleaf Lane, Sun Prairie, WI 53590 (608)220-0132

SCHROEDER'S FIELD PHASE 2&3
VILLAGE OF WINDSOR, DANE COUNTY, WISCONSIN
AS-BUILT PLAN

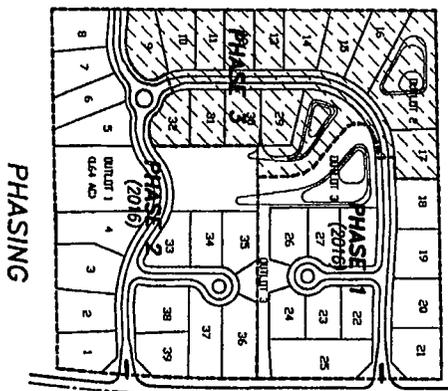
12/10/2018



TYPICAL SECTION AT ROUND-ABOUT
(CONSTRUCTED WITH PHASE 2)



TYPICAL RURAL SECTION
HAYDEN ROAD



PHASING

DRAINAGE STRUCTURES

KEY	LOCATION	SIZE	LENGTH	INLET	DISC	END SECTIONS
C-4	STA 3+95 HAYDEN ROAD	18"	44'	905.30	904.80	2
C-5	HAYDEN ROAD TO POND #3	35"x24"	30'	895.00	894.00	2
C-6	STA 8+30 HAYDEN ROAD	2-48"	42'	895.00	894.40	4
C-9	STA 8+94 LT. UNDER BIKE PATH	18"	22'	897.80	896.70	2
PVC-2	DISCHARGE FROM POND #2	8" PVC	52'	901.00	900.00	
PVC-3	DISCHARGE FROM POND #3	8" PVC	40'	894.00	893.50	

ALL PIPES ARE CORRUGATE STEEL WITH CONVENTIONAL STEEL APRON END SECTIONS.

REVISED 03/11/2020
REVISED 04/11/2018
04/06/2018

SCHROEDER'S FIELD - PHASE 3
VILLAGE OF WINDSOR, DANE COUNTY
ROAD PLANS

WINDSOR LOC**STORMWATER LOC****AS-BUILT**

SCHRC
VILLAGE OF WINDSOR

Updated April 4, 2018

ESTIMATED QUANTITIES FOR VILLAGE BOND

ITEM	DESCRIPTION	ESTIMATED		UNIT	TOTAL
		QUANT.	UNIT	PRICE	
1	ROAD GRADING RAW CUT=3,000 CY RAW FILL=1,100 CY	3,000		CY 2.00	6,000 00
2	18" CSCP (C-4)	44		LF 30.00	1,320 00
3	18" END SECTION	2		EA 120 00	240 00
4	35"x24" CSPA (C-5)	30		LF 50 00	1,500 00
5	35"x24" END SECTION	2		EA 325 00	650 00
6	48" CSCP (C-6)	84		LF 74 00	6,216 00
7	48" END SECTION	4		EA 800.00	3,200 00
8	SALVAGED TOPSOIL	5,100		SY 0 30	1,530 00
9	CRUSHED AGGREGATE BASE COURSE ROADWAYS - 12"	1,900		TON 7 00	13,300 00
10*	CRUSHED AGGREGATE BASE COURSE BIKE PATH - 8"	100		TON 8 00	800 00
11	3-1/2" ASPHALTIC CONC PAVEMENT, TYPE E-1 ROADWAYS	440		TON 50 00	22,000 00
12**	3" ASPHALTIC CONC PAVEMENT, TYPE E-1 BIKE PATH	35		TON 50 00	1,750 00
13	ASPHALTIC TACK COAT	120		GAL 2 00	240 00
14	2-FOOT CRUSHED AGGREGATE SHOULDERS	80		TON 10 00	800 00
TOTAL ESTIMATE					\$59,546 00
+ 20%					11,909 00
TOTAL					\$71,455 00

* Estimate for base course on this phase is only for the bike path on Outlot 3. The middle section between Heatherstone Ridge and Hayden Road and the portion along the south side of Heatherstone ridge were included in Phase 2

** Asphalt estimate on this phase is only for that section of the bike path on Outlot 3

Prepared by:
Soil Savers, LLC
1367 Swordleaf Lane
Sun Prairie, WI 53590
(608)220-0132

From: Kevin Richardson kevin@windsorwi.gov
 Subject: Schroeder's Field Letter of Credit Reduction
 Date: Jul 26, 2018 at 5:11:41 PM
 To: Bill Paulson (wmp@centurytel.net) wmp@centurytel.net
 Cc: Jamie Rybarczyk Jamie@windsorwi.gov

Bill,

Currently the letters of credit for Phase 1 & 2 total approximately \$367,000. I have estimated the cost of remaining work to be approximately \$84,000 +10% per state statutes for a letter of credit of \$94,000. My estimate is shown below. If you agree with this amount, I will prepare a memo to the Village Board recommending that the two existing letter of credits be combined into one reduced letter of credit of \$94,000 to cover the remaining work to be completed Schroeder's Field.

Schroeders Field Remaining Work Phase 1 & 2
 Village of Windsor
 Estimated Quantities for LOC Reduction

July 26 2018

ITEM	DESCRIPTION	ESTIMATED		UNIT	TOTAL
		QUANT.	UNIT	PRICE	
	Phase 1 Pavement Surface Coarse	455	Ton	65 00	29 575 00
	Phase 1 2 FT Shoulder Touch up	10	Ton	20 00	200 00
	Phase 2 Pavement Surface Coarse	525	Ton	65 00	34 125 00
	Phase 2 Bike Path	290	Ton	65 00	18 850 00
	Phase 2 2 FT Shoulder Touch up	60	Ton	20 00	1 200 00
TOTAL ESTIMATE					\$83 950.00
					+ 10%
TOTAL LOC AMOUNT					92,345.00

Kevin Richardson PE, BCEE
 Village Engineer
 Village of Windsor
 4084 Mueller Rd.
 DeForest WI 53532
 Phone: 608-888-0066*New Phone #
 www.windsorwi.gov

(All above work completed
 October 2019.)

2005 W. Beltline Highway, Suite 201
Madison, WI 53713
608.277.1230
www.baxterwoodman.com
info@baxterwoodman.com



Memo

To: Village of Windsor

From: Jerry Groth

Date: March 12, 2020

Project No.: 181368.90

Subject: Schroeder's Field Letter of Credit Reduction

I made a field observation of the asphalt road condition at Schroeder's Field and would agree to release of the existing Letter of Credit currently being held for this subdivision.

Respectfully Submitted

A handwritten signature in cursive script that reads "Gerald D. Groth".

Gerald D. Groth, P.E., Village Engineer