

Council Member _____ introduced the following Resolution, which was seconded by Council Member _____:



RESOLUTION 051225-A

A RESOLUTION ACCEPTING ROADS FOR MAINTENANCE IN THE WYNLAKE SUBDIVISION, SECTOR 6, PHASE 1 SUBJECT TO WARRANTY; AND RELEASING DEVELOPER'S IMPROVEMENT BOND

WHEREAS, the Planning & Zoning Commission issued a final plat relating to the subdivision of property known as the Wynlake Subdivision, Sector 5 and Sector 6, Phase 1 ("Subdivision"); and,

WHEREAS, Valor Communities, LLC an Alabama Limited Liability Company, ("Developer") as developer of the property posted a surety bond in the amount of \$52,500.00 (Sector 5) & \$67,768.80 (Sector 6 Phase 1) for the faithful performance of all required improvements in the Subdivision (Harco National Insurance Company number 0787960 & 0840064 – the "Bonds"); and

WHEREAS, the Developer has represented to the Planning & Zoning Commission that all required improvements within the Subdivision have been completed in a good and workmanlike manner; and,

WHEREAS, the City Engineer and Building Official have each certified to the Planning & Zoning Commission that all required improvements have been completed to the satisfaction of the City, and have made recommendation that the roads therein, namely, portions of Wynlake Drive and North Wynlake Drive, be accepted by the City of Alabaster for ongoing maintenance and upkeep, subject to a two-year warranty period and;

WHEREAS, the Developer has delivered to the City a Right-of-Way dedication deed for said roads, or portions thereof, attached hereto as Exhibit A; and,

WHEREAS, the Planning & Zoning Commission, at a meeting held April 22, 2025, has recommended to the City Council that said roads or portions thereof be accepted by the City of Alabaster for ongoing maintenance, subject to a two-year warranty against early failure secured by a \$16,344.000 bond; and

WHEREAS, the Planning & Zoning Commission has recommended that the Developer's Bonds in the amount of \$52,500.00 & \$67,768.80, subject to the above conditions;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Alabaster, Alabama, as follows:

1. Upon the posting of a \$16,344.00 warranty bond by the Developer, portions of Wynlake Drive and North Wynlake Drive, together with their curb and gutters system, are accepted by the City of Alabaster for ongoing maintenance subject to a two-year Developer's warranty from the date of the posting of the warranty bond.
2. That said warranty shall be a warranty against any roadway failure caused by faulty design, construction or materials. Developer's warranty shall not be limited by the amount of the bond.

- 3. That, upon the posting of the warranty bond, the Mayor and City Clerk are hereby authorized and directed to execute all necessary papers to release the Developer’s improvement bond.
- 4. That two years from the date of the posting of the warranty bond, there being no defects on said roads relating to design, construction, or materials, (normal wear and tear excluded) that remains unresolved, unfinished or incomplete as certified by the Public Works director, said warranty bond shall be released.
- 5. That the Mayor is authorized to sign the Right of Way dedication deed.
- 6. That the City Clerk (or his designee) is hereby authorized and directed to file an original and/or provide a copy of this Resolution to the Developer.
- 7. That the City Clerk, upon the posting of the warranty bond, is hereby directed to notate that portions of Silver Creek Lane, Silver Creek Trace, and Barkley Drive are accepted City Roads for purposes of maintenance and upkeep.
- 8. That the City of Alabaster does not accept for maintenance any other required improvements, including, but not limited to, detention and retention ponds, street lights, lot grades and drainage plans, or roadways not set forth herein and such are explicitly excluded from this Resolution, nor release any other bonds.
- 9. That the Mayor and City Clerk are authorized to take any and all actions, execute any and all documents and instruments, make all determinations on behalf of the City of Alabaster, Alabama, necessary to carry out and effectuate the purposes of the above Resolution.

ADOPTED AND APPROVED THIS 12TH DAY MAY, 2025.

ATTEST:

CITY OF ALABASTER

J. Mark Frey, City Clerk

Sophie Martin, Council President

APPROVED:

Scott Brakefield, Mayor