

RESOLUTION 2013-46

(7-16-13)

**RESOLUTION BY THE STORM AND WASTEWATER COMMITTEE ADOPTING AN
EROSION CONTROL BOND REFUND POLICY**

WHEREAS, the Village of Sturtevant currently collects a bond for one thousand dollars for the construction of New-Single Family Dwellings; and

WHEREAS, the Village of Sturtevant currently refunds the bond to the payee once the payee proves that the grading of the is in compliance by providing documentation that the lot has been recertified and stabilized; and

WHEREAS, the Village of Sturtevant has not released the bonds of the properties that failed to confirm compliance; and

WHEREAS, there is a need establish a policy for the refund of erosion control bond monies in which the payee failed to provide documentation to the Village of Sturtevant that the lot has been certified and stabilized within 360 days of the issuance of the occupancy permit.

NOW THEREFORE, The Village Board of the Village of Sturtevant, Racine County does hereby resolve that the letters and waiver form contained therein are hereby adopted and approved:

- Exhibit A Erosion Control Bond Refund-BuilderorDeveloper
- Exhibit B Erosion Control-Homeowner Refund
- Exhibit C Waiver-Erosion Control

Adopted by the Village Board of the Village of Sturtevant, Racine County, Wisconsin, this 16th of July, 2013.

Village of Sturtevant

By _____
Steven Jansen, President

Attest _____
Mary Cole, Village Clerk

Exhibit A-Resolution 2013-46

Enter Date

Developer / Builder

Address

Enter City, State Zip

RE: Erosion Control Bond Status

Lot address

Tax ID No:

Dear Enter Name of Addressee:

The Village is currently holding the \$1,000 Erosion Control Bond for the above referenced property as there is no record of an approved survey certifying the lot was graded to conform to the approved site grading plan.

Please provide a survey confirming the approved site grading plan elevations for review within 30 days from the date of this letter for consideration of the release of the bond monies. Failure to respond within this time frame will cause forfeiture of the bond and the monies will be released to the lot owner of record.

Sincerely,

Village Administrator
Village of Sturtevant

Exhibit B-Resolution 2013-46

Enter Date

Owner Name

Address

Enter City, State Zip

Re: Release of Erosion Control Bond

Dear Enter Name of Addressee:

As part of the building permit process a \$1,000 erosion control bond was required and held until such time that the lot elevation grades were verified by a survey to conform to the approved grading / drainage plan and to also ensure that grass was established. The Village has attempted to contact the entity that secured the bond requesting that the elevation survey be provided. The Village has not received a response within the required timeframe.

At this time the Village is offering to release the bond money to the current property owner per the conditions of the attached agreement which states, in part, that the owner has established the required lot elevations and that the drainage functions per the approved grading / drainage plan.

Please review the agreement and contact me with any questions.

Sincerely,

Village Administrator
Village of Sturtevant

Exhibit C-Resolution 2013-46

I, _____, confirm that I am the current property owner of _____, parcel 1810322_____.

I understand that the builder, _____, posted an Erosion Control Bond in the amount of \$1,000.00 to complete drainage and grading requirements. I confirm that the builder didn't complete the requirements prior to my purchase of the property, and that all requirements were completed by me.

I am aware of the lot grading requirements as shown on Subdivision / Site Grading Plan and/or Building Plat Survey Map. I hereby certify that the lot grading and restoration has been completed.

I agree that I will hold the Village of Sturtevant harmless against any claims against the village for payment of the Erosion Control Bond by other parties.

I have read the document above, and fully agree, and accept these terms as stated.

Property Owner Signature

Date