



Legislation Details (With Text)

File #: 76854 **Version:** 2 **Name:** Authorizing the Purchase of the Property Located at 305 S. Bedford from Dane County for Future Assemblage with Brittingham Park. (4th A.D.).

Type: Resolution **Status:** Passed

File created: 3/14/2023 **In control:** FINANCE COMMITTEE

On agenda: 4/25/2023 **Final action:** 4/25/2023

Enactment date: 4/28/2023 **Enactment #:** RES-23-00340

Title: SUBSTITUTE - Authorizing the Purchase of the Property Located at 305 S. Bedford from Dane County for Future Assemblage with Brittingham Park. (4th A.D.).

Sponsors: Michael E. Verveer

Indexes:

Code sections:

Attachments: 1. Res 76854, version 1.pdf, 2. Bedford Purchase Public Submittals.pdf

Date	Ver.	Action By	Action	Result
4/25/2023	2	COMMON COUNCIL	Adopt Unanimously	Pass
4/19/2023	2	BOARD OF PARK COMMISSIONERS	Return to Lead with the Recommendation for Approval	Pass
3/27/2023	2	FINANCE COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
3/21/2023	1	FINANCE COMMITTEE	Referred	
3/21/2023	1	COMMON COUNCIL	Refer	Pass
3/14/2023	1	Parks Division	Referred for Introduction	

Fiscal Note

The proposed resolution authorizes the purchase of a foreclosed property located at 305 S. Bedford Street from Dane County for purposes of expanding Brittingham Park. The land and improvements on the property are assessed in the amount of \$627,000. The total purchase price will not exceed \$200,000 for 5,455 square feet of land. These costs include, but may not be limited to: unpaid taxes from 2015 through 2022 totaling \$154,671, 1% of the assessed value, eviction costs, real estate costs for title work, miscellaneous closing costs, and staff time. In addition, the Parks Division anticipates approximately \$75,000 in demolition costs. Total costs up to \$300,000 will be funded by impact fees in the Land Acquisition project. Funding is available in this project for the purchase of the property and associated costs based on the estimate. No additional appropriation is required.

..Title

SUBSTITUTE - Authorizing the Purchase of the Property Located at 305 S. Bedford from Dane County for Future Assemblage with Brittingham Park. (4th A.D.).

Body

WHEREAS, Dane County (the "County") has foreclosed on a tax certificate issued against, the property located at 305 S. Bedford St. (Parcel Number - 251/0709-234-0217-0) in the City of Madison, Dane County, Wisconsin ("Property"), and has taken title to the Property from the prior owner, Barbara J. Rottier, pursuant to a tax deed; and,

WHEREAS, Dane County (the "County") deposited a 2019 tax certificate with the County Clerk, subsequently executed and recorded a tax deed on June 10, 2022 in the office of the Dane County Register of Deeds for the non-payment of property taxes and special assessments, and has therefore taken title to the property located at 305 S. Bedford Street (the "Property"), which is legally described as follows:

All that part of Lots One (1) and Two (2), Block Twenty-nine (29), Original Plat, located in the City of Madison, Dane County, Wisconsin, lying Southeasterly of the right of way of the Chicago, Milwaukee, St. Paul, and Pacific Railroad, EXCEPT THE FOLLOWING;

(a) That part contained in instrument filed June 13, 1907 as Document No. 281245;

(b) That part contained in Deed recorded May 14, 1921 in Volume 289 of Deeds Page 127;

(c) That part contained in Deed recorded April 22, 1931 in Volume 351 of Deeds, Page 104, as Document No. 526821;

(d) That part contained in Deed recorded April 22, 1931 in Volume 351 of Deeds, Page 106, as Document No. 536822.

Together with any rights under the easement recorded September 22, 1989 in Volume 13342 of Records, page 88, as Document No. 2163316. Lot Fifteen (15), Block Six (6), Morningside Heights, City of Madison, Dane; and,

WHEREAS, the Property is immediately adjacent to the City-owned parcel located at ~~326 S. Broom Street~~ 388 S. Bassett Street, which is part of Brittingham Park, running from S. Bedford Street to S. Broom Street, and between North Shore Drive, John Nolen Drive and the railroad corridor; and,

WHEREAS, under Dane County Ordinance Sec. 26.16, the County is authorized to sell a tax deeded property to the City for the sum of all the real estate taxes, including special assessments, interests and penalties, owing on the property, along with a 1% service charge; and,

WHEREAS, it is in the City's interest to acquire the Property to allow for future assemblage with Brittingham Park and blight elimination, as the acquisition of properties in the vicinity of Brittingham Park is a long term goal of the City's Parks Division; and,

WHEREAS, the City's adopted 2018 Comprehensive Plan (Legistar File # 51349) notes that the Property is located within an area identified for significant mixed use and high density residential redevelopment. The Comprehensive Plan recommends that the City facilitate partnerships and pursue acquisition of parkland in areas which have had significant redevelopment to ensure complete neighborhoods with adequate access to park and open space; and,

WHEREAS, the Downtown Plan adopted by the City of Madison Common Council on July 17, 2012 (Legistar File No. 24468) identifies that the current amount of downtown park land is inadequate to meet the growing needs of the area; and,

WHEREAS, proposed acquisition would add approximately 5,455 square feet (.13 of an acre) of park and open space near the downtown area, while providing expanded opportunities for recreational uses in this densely populated urban center. The acquisition is consistent with the City's adopted 2018 Park and Open Space Plan (Legistar File No. 52928), which includes the recommendation to "Acquire parkland to reduce parkland deficiencies and address increasing residential density"; and

WHEREAS, the County is agreeable to selling the Property to the City for an amount not to exceed \$170,000 \$200,000, which represents the sum of all amounts owed for back taxes, 1% of the current assessed value and eviction costs; and

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the City is authorized to purchase the Property from the County at a cost not to exceed ~~\$170,000~~ \$200,000, and the Director of the Economic Development Division, or his designee, is authorized to accept, on behalf of the City, a deed from the County for the Property for the purposes of assemblage with Brittingham Park, and to execute any other forms necessary to effectuate the purchase of the Property; and

BE IT FURTHER RESOLVED, that the form of the deed and any other document(s) needed to effectuate the purchase of the Property shall be approved by the City Attorney.