



Legislation Details (With Text)

File #: 76507 **Version:** 1 **Name:** Determining a Public Purpose and Necessity and adopting Transportation Project Plat Number: 12777-1-4.08, Amendment 1 (5th AD)

Type: Resolution **Status:** Passed

File created: 3/1/2023 **In control:** BOARD OF PUBLIC WORKS

On agenda: 3/7/2023 **Final action:** 3/21/2023

Enactment date: 3/24/2023 **Enactment #:** RES-23-00238

Title: Determining a Public Purpose and Necessity and adopting Transportation Project Plat Number: 12777-1-4.08, Amendment 1 (5th AD)

Sponsors: Keith Furman, Regina M. Vidaver, Erik Paulson

Indexes:

Code sections:

Attachments: 1. 12777-1-4.08 Amendment 1 12-28-2022.pdf, 2. CampusDrivePlans.pdf, 3. Aerial.pdf

| Date | Ver. | Action By | Action | Result |
|-----------|------|---------------------------|---|--------|
| 3/21/2023 | 1 | COMMON COUNCIL | Adopt Unanimously | Pass |
| 3/13/2023 | 1 | PLAN COMMISSION | Return to Lead with the Recommendation for Approval | Pass |
| 3/8/2023 | 1 | BOARD OF PUBLIC WORKS | RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER | Pass |
| 3/7/2023 | 1 | BOARD OF PUBLIC WORKS | Refer | |
| 3/7/2023 | 1 | COMMON COUNCIL | Refer | Pass |
| 3/1/2023 | 1 | Transportation Department | Referred for Introduction | |

Fiscal Note

The Amendment to this Transportation Project Plat requires no additional expenditures.

Title

Determining a Public Purpose and Necessity and adopting Transportation Project Plat Number: 12777-1-4.08, Amendment 1 (5th AD)

Body

WHEREAS, Transportation Project Plat Numbers 12777-1- 4.01 through 12777-2- 4.11, and also Numbers 12777-2 - 4.01 through 12777-2 - 4.15, for the required acquisitions per the Plats of Land Interests for the East-West Bus Rapid Transit project were adopted by the Madison Common Council on May 24, 2022 as RES-22-00371; and

WHEREAS, further design of the proposed public improvements for the reconstruction of East-West Bus Rapid Transit project requires a revision of the configuration of the proposed interests within Parcel 26 and the removal of all proposed interests within Parcel 27 of Transportation Project Plat No: 12777-1-4.08, recorded with the Dane County Register of Deeds as Document No. 5839710 and filed in Volume 61-066A of Plats on page 404; and

WHEREAS, further design of the proposed public improvements for the reconstruction of East-West Bus Rapid Transit project requires additional proposed interests within a new Parcel 25 to be added by Amendment to said Transportation Project Plat No: 12777-1-4.08; and,

WHEREAS, a copy of the amended Relocation Order - Transportation Project Plat No: 12777-1-4.08, Amendment No. 1 is attached hereto and made part of this resolution.

NOW THEREFORE BE IT RESOLVED, that the City of Madison, Dane County, Wisconsin, by its City Common Council and for its Relocation Order hereby resolves as follows:

1. That this Resolution is a Relocation Order in accordance with Section 32.05(1) and 62.22, Wisconsin Statutes for the purpose of the within described public acquisition project and that these acquisitions are determined to be a necessity in accordance with Section 32.07(2), Wisconsin Statutes, and the acquisitions shall allow for the construction of planned public improvements of East-West Bus Rapid Transit
2. That the City of Madison hereby determines that it is necessary and a public purpose exists to acquire necessary land interests from the properties /parties as identified in the Schedule of Lands & Interests on the attached Relocation Order Map and such acquisitions are required to allow for the construction of said public improvements.
3. That the Common Council of the City of Madison, does hereby adopt this relocation order to acquire the necessary land interests required for the construction of planned public improvements associated with East-West Bus Rapid Transit Relocation Order Maps in accordance with Section 32.05(1) and 62.22, Wisconsin Statutes.
4. That the Office of Real Estate Services of the Economic Development Division and the City Attorney are hereby authorized to proceed by negotiation or condemnation under authority of Section 32 and 62.22 of the Wisconsin Statutes to acquire the real estate interests shown on said Relocation Order and any Uneconomic Remnant (Section 32.05(3m) of the Wisconsin Statutes) that may be subsequently determined to exist by the City of Madison. Also, the Office Real Estate Services is further authorized to obtain title reports, appraisals, survey information, environmental site assessment reports, and any other essential material or reports as may be necessary to perform due diligence in accomplishing the acquisition.
5. That the City of Madison Office of Real Estate Services Division of the Economic Development Division shall administer the acquisition of all land interests.
6. That the City of Madison Office of Real Estate Services of the Economic Development Division is hereby authorized to execute the jurisdictional offer, lis pendens, and award of compensation if condemnation proceedings under Section 32 of the Wisconsin Statutes are necessary.
7. That the Mayor and City Clerk are authorized to sign all necessary documents to accomplish the acquisitions.