



Legislation Text

File #: 30019, **Version:** 1

Fiscal Note

No expenditure required.

Title

Authorizing the City of Madison to accept ownership from Cherokee Park Neighborhood Association of an existing neighborhood entrance sign located in Cherokee Marsh Conservation Park.

Body

WHEREAS, the Cherokee Park Neighborhood Association entrance sign (the "Sign") exists on land located at 1302 Wheeler Road and commonly known as Wheeler Triangle, which was formerly owned by a private corporation; and

WHEREAS, the Wheeler Triangle was conveyed to the City of Madison for the expansion of park land via Warranty Deed recorded on January 04, 2013 as Document Number 4947071; and

WHEREAS, the Cherokee Park Neighborhood Association ("the Association") has made application for Privilege in Streets, so the Sign that is now located on public land will be of record and permitted to remain; and

WHEREAS, the location of the Sign is shown on attached Exhibit A and an image of the Sign is shown on attached Exhibit B; and

WHEREAS, the Association will transfer ownership of the Sign to the City, in exchange for the ongoing maintenance and repair of the Sign by the Association; and

WHEREAS, City staff from the Offices of the City Attorney, Engineering, Traffic Engineering, Risk Management, Planning, and Building Inspection have reviewed this Privilege in Streets request application and approved it with conditions.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Madison authorizes the acceptance of ownership from the Cherokee Park Neighborhood Association, of an existing neighborhood entrance sign located in Cherokee Marsh Conservation Park, as shown on the attached Exhibit A and illustrated on Exhibit B; subject to the following conditions:

1. The Association shall be responsible for all costs of maintenance and repair of the Sign, which includes any and all associated electric costs for the Sign lighting.
2. The existing Sign shall remain in its current location, as approved by the City Parks Division.
3. The Association shall comply with all Madison General Ordinances and City requirements regarding any maintenance work on the Sign within the publicly owned lands, including any and all applicable City of Madison permits for excavation and site restoration needed.
4. The Association shall agree that the City shall not be held responsible for any damage to the Sign that may be caused by the City, its employees, contractors, or others.
5. The City may remove the Sign if not properly maintained, including applicable vehicular vision clearances, by giving the Association sixty (60) days written notice prior to removal.

The City may remove the Sign if the area occupied by said items is required for transportation or other public purposes, by giving the Association sixty (60) days written notice prior to removal. Transportation purposes include, without limitation because of enumeration, public alleys, streets, highways, bike paths, sidewalks, and facilities for the development, improvement and use of public mass transportation systems.