

COMMUNITY DEVELOPMENT AUTHORITY
OF THE CITY OF MADISON, WISCONSIN

Resolution No. 4575

Approving and granting to Bayview Housing Partners, LLC an Amendment to Temporary Limited Easement across Community Development Authority-owned property at 755 Braxton Place.

Presented October 12, 2023
Referred _____
Reported Back _____
Adopted _____
Placed on File _____
Moved By _____
Seconded By _____
Yeas _____ Nays _____ Absent _____
Rules Suspended _____
Legistar File Number 80261

RESOLUTION

WHEREAS, the CDA and Bayview Housing Partners, LLC (the "Grantee") are parties to that certain Temporary Limited Easement for Construction Purposes, dated May 13, 2021, and recorded June 3 2021, with the Dane County Register of Deeds as Document No. 5735685 (the "Easement"); and

WHEREAS, the Easement provides Grantee with a non-exclusive temporary limited easement for construction staging purposes over a portion of the CDA's property located at 755 Braxton Place (the "Existing Easement Area"); and

WHEREAS, CDA and Grantee wish to extend the effective date of Grantee's use of the Existing Easement Area at their mutual option, as allowed by Paragraph 1(i.) of the Easement; and

WHEREAS, Grantee also requests use of a second area upon CDA's parcel at 755 Braxton Place, most recently occupied by community gardens and a playground, for temporary use as a parking lot during Grantee's redevelopment project ("Additional Easement Area").

NOW, THEREFORE, BE IT RESOLVED that the CDA consents to amend the Easement to extend Grantee's use of the Existing Easement Area, and to allow for temporary occupation of the proposed Additional Easement Area, subject to certain terms and conditions included in the Amendment to Temporary Limited Easement ("Amendment") attached hereto as Exhibit A.

BE IT FURTHER RESOLVED that all other provisions of the Easement for the Existing Easement Area shall apply to this Amendment and shall remain in full force and effect.

BE IT FURTHER RESOLVED that the Chair and Executive Director and are hereby authorized to execute and deliver said Amendment on substantially the same terms as presented in the attached Exhibit A.

BE IT FINALLY RESOLVED that the Executive Director is hereby authorized to take such other actions as shall be necessary or desirable to accomplish the purposes of this resolution in a form approved by the City Attorney.