



# City of Madison

City of Madison  
Madison, WI 53703  
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## Master

**File Number: 21257**

<b>File ID:</b> 21257	<b>File Type:</b> Resolution	<b>Status:</b> Items Referred
<b>Version:</b> 1	<b>Reference:</b>	<b>Controlling Body:</b> PLAN COMMISSION
<b>Lead Referral:</b> BOARD OF PUBLIC WORKS	<b>Cost:</b>	<b>File Created Date :</b> 02/01/2011
<b>File Name:</b> Determining a Public Purpose and Necessity and adopting an Alternative Relocation Order for the acquisition of land interests required for the construction of South Point Road from Mineral Point Road to 2600 feet south - Engineering Project No. 53W0902.		<b>Final Action:</b>
<p><b>Title:</b> Determining a Public Purpose and Necessity and adopting an Alternative Relocation Order for the acquisition of land interests required for the construction of South Point Road from Mineral Point Road to 2600 feet south - Engineering Project No. 53W0902. (9th AD)</p>		
<b>Notes:</b> Eric Pederson		
<b>Code Sections:</b>	<b>CC Agenda Date:</b> 02/22/2011	
<b>Indexes:</b>	<b>Agenda Number:</b> 8.	
<b>Sponsors:</b> Paul E. Skidmore	<b>Enactment Date:</b>	
<b>Attachments:</b> 53W0902 3741 SOUTH POINT TLE Legal.pdf, 53W0902 REVISED Relocation Order Map COLOR.pdf	<b>Enactment Number:</b>	
<b>Author:</b> Rob Phillips, City Engineer	<b>Hearing Date:</b>	
<b>Entered by:</b> mhacker@cityofmadison.com	<b>Published Date:</b>	

### Approval History

Version	Date	Approver	Action
1	02/03/2011	Craig Franklin	Approve

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	02/03/2011	Referred for Introduction				
	<b>Action Text:</b>	This Resolution was Referred for Introduction					
	<b>Notes:</b>	Board of Public Works, Plan Commission					

1	COMMON COUNCIL	02/22/2011	Referred	BOARD OF PUBLIC WORKS	03/16/2011	
	<b>Action Text:</b>	This Resolution was Referred to the BOARD OF PUBLIC WORKS				
	<b>Notes:</b>	Additional Referral to: Plan Commission.				
1	BOARD OF PUBLIC WORKS	02/22/2011	Refer	PLAN COMMISSION	03/07/2011	
	<b>Action Text:</b>	This Resolution was Refer to the PLAN COMMISSION				
	<b>Notes:</b>					
1	PLAN COMMISSION	03/07/2011	Return to Lead with the Recommendation for Approval	BOARD OF PUBLIC WORKS	03/16/2011	Pass
	<b>Action Text:</b>	A motion was made by Olson, seconded by Kerr, to Return to Lead with a Recommendation for Approval to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.				
	<b>Notes:</b>					
1	BOARD OF PUBLIC WORKS	03/16/2011				
	<b>Action Text:</b>	This matter was				
	<b>Notes:</b>					

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### Text of Legislative File 21257

#### Title

Determining a Public Purpose and Necessity and adopting an Alternative Relocation Order for the acquisition of land interests required for the construction of South Point Road from Mineral Point Road to 2600 feet south - Engineering Project No. 53W0902. (9th AD)

#### Body

**WHEREAS**, the City of Madison Common Council previously approved and established the South Point Road Assessment District from Valley View Road to Mineral Point Road per RES-10-00693 adopted August 03, 2010; and

**WHEREAS**, the City of Madison Engineering Division is currently preparing Plans, Specifications, and Schedule of Assessments associated with the South Point Road from Mineral Point Road to 2600 feet south - Engineering Project No. 53W0902; and

**WHEREAS**, the City of Madison Common Council previously approved a Relocation Order per RES-10-00853 indicating the need to acquire fee title right-of-way interests as well as temporary construction easements from the property owned by Roger M. & Virginia M. Rowe, which is addressed by Dane County to 3741 South Point Road and assigned a Town Parcel Identification Number of 038/0708-282-8480-4; and

**WHEREAS**, this property is located in the Town of Middleton, and is an island parcel surrounded entirely by the city of Madison; and

**WHEREAS**, as an alternative plan, preliminary designs have been modified by the City Engineering Division to no longer require the acquisition of fee title right-of-way interests from the Rowe property, only a temporary construction easement; and

**WHEREAS**, the property is owned by Roger M. & Virginia M. Rowe addressed by Dane County to 3741 South Point Road and a Town Parcel Identification Number of 038/0708-282-8480-4; and

**WHEREAS**, upon approval of alternative final plans and specifications associated with City of

Madison Engineering Division Project No. 53W0902, only Temporary Construction and Grading Easement land interest acquisitions are required from the Rowe owned Town of Middleton property; and

**WHEREAS**, the City of Madison Office of Real Estate Services Project Number 9467 has been established to administer all necessary land interest acquisitions as required per attached Relocation Order Map and legal descriptions based on preliminary plans by City Engineering per Engineering Project No. 53W0902; and

**BE IT RESOLVED**, the City of Madison, Dane County, Wisconsin, by its City 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 this acquisition is determined to be a necessity in accordance with Section 32.07(2), Wisconsin Statutes, and the acquisition shall allow for the construction of South Point Road from Mineral Point Road to 2600 feet south - Engineering Project No. 53W0902;
2. That the City of Madison Real Estate Section of the Community and Economic Development Unit 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 the Real Estate Section 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;
3. That the City of Madison Real Estate Section of the Community and Economic Development Unit is hereby authorized to execute the jurisdictional offer, lis pendens, and award of the compensation if condemnation proceedings under Section 32 of the Wisconsin Statutes are necessary;
4. That the Mayor and City Clerk are authorized to sign all necessary documents necessary to accomplish the acquisition.

**Fiscal Note**

Previously approved RES-10-00853 authorized the estimated land interest acquisition costs and Real Estate staff time, funds not to exceed \$73,000 as available in: CS53-58110-810571-00-53W0902 (R/W acquisitions in FEE title) and CS53-58130-810571-00-53W0902 (Easement acquisitions). This alternative plan estimates a cost not to exceed \$7,500 for Temporary Limited Easement Acquisition and Landscaping costs and fee title acquisitions no longer necessary.