



City of Madison

City of Madison
Madison, WI 53703
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Master

File Number: 15778

File ID: 15778

File Type: Resolution

Status: Items Referred

Version: 1

Reference:

Controlling Body: BOARD OF ESTIMATES

File Created Date : 08/24/2009

File Name: 9093 Authorizing use of nonstandard indemnification language in University Research Park Ped/Bike Easement Easemnet

Final Action:

Title: Authorizing the use of non-standard indemnification language in an Easement for Public Pedestrian and Bicycle Path purposes between the City and University Research Park, Incorporated.

Notes: Proj No 9093

CC Agenda Date: 09/01/2009

Agenda Number: 104.

Sponsors: David J. Cieslewicz

Enactment Date:

Attachments:

Enactment Number:

Author: Dana J Warren

Hearing Date:

Entered by: dwarren@cityofmadison.com

Published Date:

Approval History

Version	Date	Approver	Action
1	08/26/2009	Daniel Bohrod	Approve

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Community and Economic Development Unit	08/26/2009	Referred for Introduction				
	Action Text:		This Resolution was Referred for Introduction				
	Notes:		Board of Estimates				
1	COMMON COUNCIL	09/01/2009	Referred	BOARD OF ESTIMATES	10/20/2009		
	Action Text:		This Resolution was Referred to the BOARD OF ESTIMATES				
	Notes:						

Text of Legislative File 15778

Fiscal Note

No expenditure required; however, there is the potential for additional costs in the event of a lawsuit requiring the City to incur legal expenses that might otherwise be paid by the University Research Park, Incorporated if the standard indemnification language were used.

Title

Authorizing the use of non-standard indemnification language in an Easement for Public Pedestrian and Bicycle Path purposes between the City and University Research Park, Incorporated.

Body

WHEREAS, The Common Council adopted Resolution ID No.14912 approving the Plans and Specifications and authorizing the Board of Public works to advertize and receive bids for contract NO. 6035, University Research Park Path between Tocora Lane and Science Drive; also Accepting a Permanent Limited Easement for Pedestrian and Bicycle purposes and a Temporary Limited Easement for construction purposes from University Research park, Inc. across Lot 4, University Research park - University of Wisconsin, Madison property; also revising the "No Vehicular Access" restriction placed on the Plat of University Research park - University of Wisconsin, Madison to say " No Vehicular Access by Motorized Vehicles,"

NOW, THEREFORE, BE IT RESOLVED, that the following indemnity provision is authorized for inclusion in the Easement for Public Pedestrian and Bicycle Path purposes between the City and University Research Park, Incorporated for construction of a path between Tocora Lane and Science Drive, as follows:

The City shall be liable to and agrees to indemnify, defend and hold harmless the Grantor and its officers, officials, agents and employees against all loss or expense, including liability costs and attorney's fees, by reason of any claim or suit, for damages because of personal bodily injury, including death at any time resulting therefrom, sustained by any person or persons while using the pedestrian/bike path described in this easement.

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