

**COMMUNITY DEVELOPMENT AUTHORITY OF THE CITY OF MADISON, WISCONSIN**

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Resolution No. 2952

Adopting a relocation order to extinguish a perpetual easement for vehicular and pedestrian travel for the purpose of ingress and egress to the rear of a property located at 4706-10 Crescent Road to facilitate Phase II of the CDA's redevelopment of the Allied Drive Neighborhood.

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Presented April 8, 2010  
Referred \_\_\_\_\_  
Reported Back \_\_\_\_\_  
Adopted April 8, 2010  
Placed on File \_\_\_\_\_  
Moved By Tim Bruer  
Seconded By Alice Fike  
Yeas 7 Nays 0 Absent 0  
Rules Suspended \_\_\_\_\_

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WHEREAS the Community Development Authority of the City of Madison ("CDA") created the Allied Drive Redevelopment District and adopted the Redevelopment Plan for the Allied Drive Redevelopment District on May 11, 2006, which Redevelopment Plan was also adopted by the City of Madison Common Council on July 18, 2006. In 1974 a perpetual easement for vehicular and pedestrian travel for the purpose of ingress and egress to the rear entrance of a property located at 4706-10 Crescent Road was recorded with the Dane County Register of Deeds as Document Number 1393907 (the "Easement"). The Easement is an encumbrance on CDA-owned property located in the Allied Drive Redevelopment District on Lot 4, Certified Survey Map 12506 (the "CDA Property"). The Easement is depicted on attached Exhibit A (the "Relocation Order Map") and is legally described as follows:

A strip of land twenty-five (25) feet in width across the southerly part of Lot 4, Certified Survey Map 12506, as depicted on Sheet 5 of 8 of said CSM, as recorded with the Dane County Register of Deeds as Document Number 4455511, Volume 78 of CSM's on pages 138-145.

WHEREAS in order to facilitate Phase II of its redevelopment plan for the Allied Drive Neighborhood, it will be necessary for the CDA to extinguish the Easement on the CDA Property in order to accomplish blight elimination in this redevelopment area and further the objectives of the Redevelopment Plan under Section 66.1333, Wisconsin Statutes; and

WHEREAS the CDA is desirous of proceeding under Section 32.05 of the Wisconsin Statutes to extinguish the Easement.

NOW, THEREFORE BE IT RESOLVED that the CDA does hereby adopt a relocation order for the purpose of extinguishing the Easement on the CDA Property to facilitate Phase II of the CDA's redevelopment of the Allied Drive Neighborhood.

BE IT FURTHER RESOLVED that in order to comply with certain statutory time periods regarding the filing of a relocation order, the CDA hereby rescinds Resolution No. 2933 adopted on January 14, 2010, which previously approved the adoption of this relocation order

BE IT STILL FURTHER RESOLVED that the CDA hereby elects, in accordance with Section 32.05 of the Wisconsin Statutes, to proceed to extinguish the Easement pursuant to the procedure set forth in Section 32.05, Wisconsin Statutes, and hereby approves as necessary and as a public purpose the undertaking of blight elimination the CDA Property.

BE IT STILL FURTHER RESOLVED that the Office of Real Estate Services of the Economic Development Division of the City of Madison and such counsel as the CDA may retain, on behalf of the CDA, are hereby authorized to proceed by negotiation or condemnation on the authority of Chapter 32 and Section 66.1333 of the Wisconsin Statutes, to extinguish the Easement shown on the Relocation Order Map.

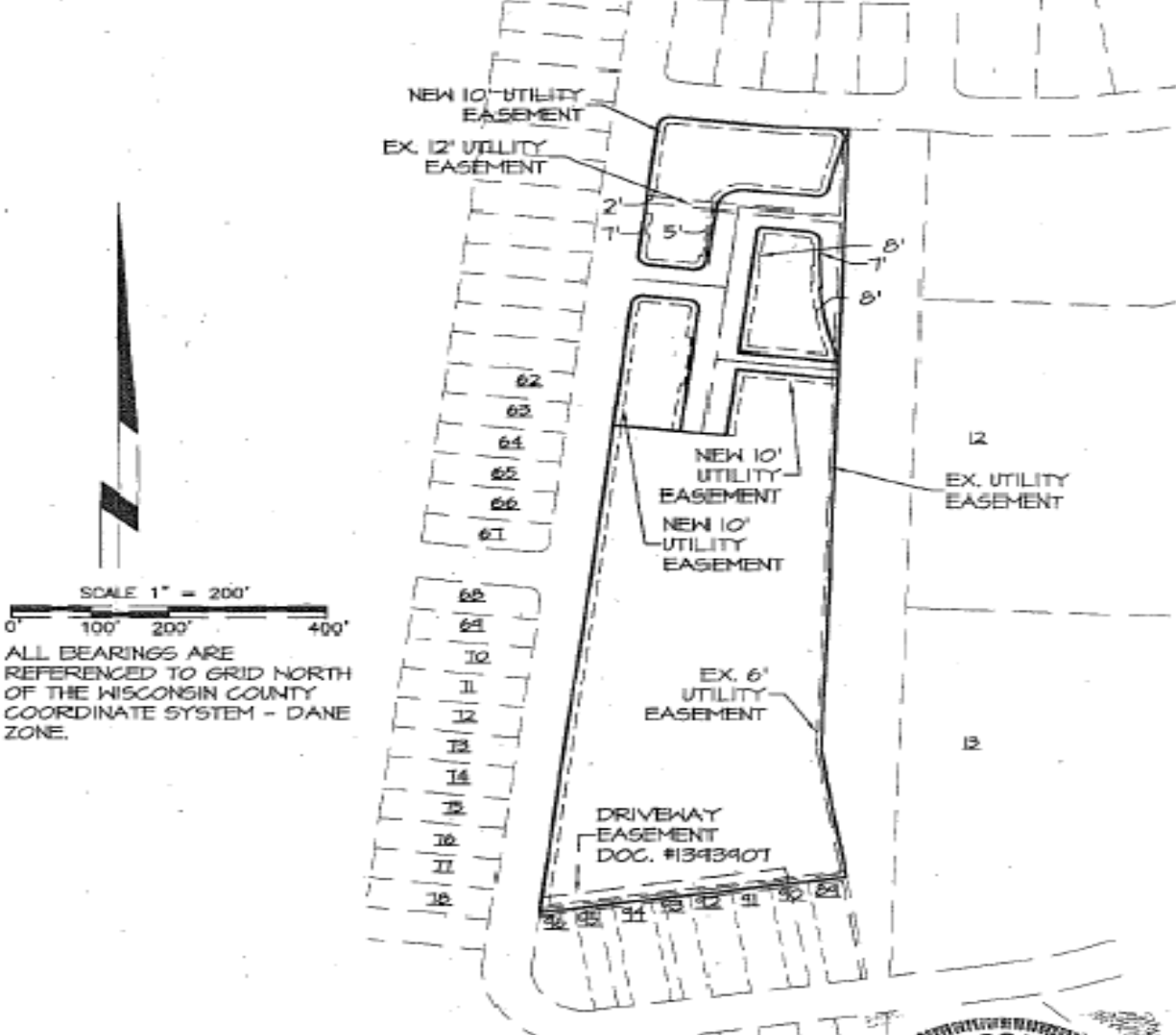
BE IT STILL FURTHER RESOLVED that the Office of Real Estate Services of the Economic Development Division of the City of Madison is authorized on behalf of the CDA to solicit bids and retain any and all necessary services relating to extinguishing the Easement such as appraisals, title reports, environmental testing and remediation of the CDA Property,

BE IT FURTHER RESOLVED that the Executive Director and the Chair are authorized to execute the jurisdictional offers, lis pendens, and awards of compensation if condemnation proceedings under Chapter 32 of the Wisconsin Statutes are necessary to accomplish the extinguishment of the Easement, and contracts for professional services related to extinguishing the Easement.

# Exhibit A Relocation Order Map

## CERTIFIED SURVEY MAP

LOTS 97, 98, 99, 100, 101, 102, 103, AND 104, FIRST ADDITION TO ALLIED TERRACE BEING PART OF THE NE1/4, NW1/4, SW1/4 AND SE1/4 OF THE NW1/4 OF SECTION 5, T6N, R9E, IN THE CITY OF MADISON, DANE COUNTY, WISCONSIN



SCALE 1" = 200'  
 0' 100' 200' 400'

ALL BEARINGS ARE REFERENCED TO GRID NORTH OF THE WISCONSIN COUNTY COORDINATE SYSTEM - DANE ZONE.

### EASEMENTS

NOTE:  
 ALL NEW UTILITY EASEMENTS ARE 10' WIDE EXCEPT AS SHOWN.

SURVEYED FOR:  
 CITY OF MADISON  
 ENGINEERING DIVISION  
 210 MARTIN LUTHER KING JR BLVD  
 MADISON, WI 53703

THIS INSTRUMENT WAS DRAFTED BY FRANCIS THOUSAND

WISCONSIN  
 FRANCIS R. THOUSAND  
 S-1303  
 MADISON, WIS.  
 5/13/08  
 LAND SURVEYOR  
*Francis R. Thousand*  
 revised 7/25/08  
 DATE APRIL 4, 2008  
 JOB # 08013  
 SHEET 5 OF 8