



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 20436

File ID: 20436

File Type: Resolution

Status: Passed

Version: 1

Reference:

Controlling Body: BOARD OF PUBLIC WORKS

Lead Referral: BOARD OF PUBLIC WORKS

Cost:

File Created Date : 11/02/2010

File Name: Relocation Order SW Bikepath - University's Charter Street Heating Plant and agreement w/UW for fiscal reimbursement.

Final Action: 01/04/2011

Title: Determining a Public Purpose and Necessity and adopting a City of Madison Relocation Order for the acquisition of Plat of Land Interests required for the relocation of a portion of the Southwest Commuter Trail Bike Path between West Washington Avenue and East Campus Mall in connection with the future renovation and expansion of the University's Charter Street Heating Plant

And

Authorizing the Mayor and City Clerk to Enter into an Agreement with the University of Wisconsin-Madison for financing costs related to the relocation of a portion of the Southwest Commuter Trail Bike Path between West Washington Avenue and East Campus Mall in connection with the renovation and expansion of the University's Charter Street Heating Plant

Notes: Eric Pederson

Code Sections:

CC Agenda Date: 01/04/2011

Indexes:

Agenda Number: 30.

Sponsors: Michael E. Verveer and Bryon A. Eagon

Enactment Date: 01/05/2011

Attachments: SK5 Legal Description Alexander Fee Title Acquisition.pdf, SK5 Legal Description Alexander PLE Acquisition.pdf, SK5 Map Alexander Fee Title Acquisition.pdf, SK5 Map Alexander PLE Acquisition.pdf, SK5 Map Alexander TLE Acquisition.pdf, SK5B Legal Descriptions _2_.pdf

Enactment Number: RES-11-00011

Author: Rob Phillips, City Engineer

Hearing Date:

Entered by: mhacker@cityofmadison.com

Published Date:

Approval History

Version	Date	Approver	Action
1	11/03/2010	Craig Franklin	Approve

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	11/03/2010	Referred for Introduction				
	Action Text:	This Resolution was Referred for Introduction					
	Notes:	Board of Public Works, Plan Commission, Pedestrian Bicycle Motor Vehicle Commission					
1	COMMON COUNCIL	11/09/2010	Referred	BOARD OF PUBLIC WORKS		12/15/2010	Pass
	Action Text:	A motion was made by Ald. Clear, seconded by Ald. Cnare, to Referred to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.					
	Notes:	Additional referrals to Plan Commission and Pedestrian/Bicycle/Motor Vehicle Commission.					
1	BOARD OF PUBLIC WORKS	11/09/2010	Refer	PLAN COMMISSION		11/22/2010	
	Action Text:	This Resolution was Refer to the PLAN COMMISSION					
	Notes:						
1	BOARD OF PUBLIC WORKS	11/09/2010	Refer	PEDESTRIAN/BIC YCLE/MOTOR VEHICLE COMMISSION		11/23/2010	
	Action Text:	This Resolution was Refer to the PEDESTRIAN/BICYCLE/MOTOR VEHICLE COMMISSION					
	Notes:						
1	PLAN COMMISSION	11/22/2010	Return to Lead with the Recommendation for Approval	BOARD OF PUBLIC WORKS		12/15/2010	Pass
	Action Text:	A motion was made by Olson, seconded by Cnare, to Return to Lead with the Recommendation for Approval to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.					
	Notes:	The motion passed unanimously.					
1	PEDESTRIAN/BICYCLE/ MOTOR VEHICLE COMMISSION	11/23/2010	Return to Lead with the Recommendation for Approval	BOARD OF PUBLIC WORKS		12/15/2010	Pass
	Action Text:	A motion was made by Holloway, seconded by Skidmore, to Return to Lead with the Recommendation for Approval to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.					
	Notes:						
1	BOARD OF PUBLIC WORKS	12/15/2010	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER				Pass
	Action Text:	A motion was made by Dailey, seconded by Ald. Skidmore, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.					
	Notes:						
1	COMMON COUNCIL	01/04/2011	Adopt				Pass
	Action Text:	A motion was made by Ald. Clear, seconded by Ald. Cnare, to Adopt . The motion passed by voice vote/other.					
	Notes:						

Text of Legislative File 20436

Fiscal Note

City absorb initial costs and 100% reimbursement from University of Wisconsin-Madison (Estimate from Office of Real Estate Services \$85,312.50)

Budget authority is available in the following accounts:
CS53-56290-810375-00-53W1155 (Bikeways - Inter D CED)
CS53-58110-810375-00-53W1155 (Bikeways - Land)
CS53-58130-810375-00-53W1155 (Bikeways - Easements)

Title

Determining a Public Purpose and Necessity and adopting a City of Madison Relocation Order for the acquisition of Plat of Land Interests required for the relocation of a portion of the Southwest Commuter Trail Bike Path between West Washington Avenue and East Campus Mall in connection with the future renovation and expansion of the University's Charter Street Heating Plant

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Body

WHEREAS, on May 18, 2010 the City of Madison Common Council adopted ORD-10-00053 which rezoned the appropriate University of Wisconsin-Madison owned properties and approved the demolition of University of Wisconsin-Madison Physical Plant Building to facilitate the construction of a new Biomass Fuel Handling and Storage Facility on the east side of N. Mills Street and renovation and expansion of the N. Charter Street Plant to burn Biomass and Gas; and

WHEREAS, the existing Southwest Commuter Trail Bike Path between East Campus Mall (formerly N. Murray Street) and West Washington Avenue, located within city of Madison owned property, requires relocation to the South to facilitate the new University of Wisconsin-Madison Biomass Fuel Handling and Storage Facility on the East side of North Mills Street as well as the renovation and expansion of the North Charter Street Plant to burn Biomass and Gas; and

WHEREAS, the relocation of the existing bike path to the South is necessary to allow for the expansion of the existing railroad corridor to include a new additional rail siding for receiving train shipments of biomass product to the new University of Wisconsin-Madison Biomass Fuel Handling and Storage Facility; and

WHEREAS, the relocation of the public bike path requires the acquisition of land interests from adjacent private properties; and

WHEREAS, discussions between University of Wisconsin-Madison representatives and city of Madison staff has led to the University of Wisconsin-Madison requesting the city of Madison to acquire the necessary land interests from adjacent private property owners; and

WHEREAS, the City of Madison Engineering Division and Office of Real Estate Services are willing to assist the University of Wisconsin-Madison and acquire the necessary property interest if the University of Wisconsin-Madison agrees to reimburse all costs associated with the same; and

WHEREAS, various exhibits depicting the land interests required are attached hereto and

made part of this resolution.

NOW, THEREFORE, BE IT RESOLVED that the City Of Madison, Dane County, Wisconsin, by its City Common Council and for its Relocation Order hereby resolves as follows:

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 necessity in accordance with Section 32.07(2), Wisconsin Statutes, and the acquisition shall allow for the relocation of a portion of the Southwest Commuter Trail Bike Path between West Washington Avenue and East Campus Mall, City of Madison, Dane County, Wisconsin.

BE IT FURTHER RESOLVED 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.

BE IT STILL FURTHER RESOLVED 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.

BE IT FINALLY RESOLVED that the Mayor and City Clerk are authorized to sign all necessary documents necessary to accomplish the acquisition.

BE IT FINALLY RESOLVED, that the Mayor and City Clerk are hereby authorized to enter into an agreement with the University of Wisconsin-Madison for financing costs related to the relocation of a portion of the Southwest Commuter Trail Bike Path between West Washington Avenue and East Campus Mall in connection with the renovation and expansion of the University's Charter Street Heating Plant