



City of Madison

City of Madison
Madison, WI 53703
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Master

File Number: 80099

File ID: 80099

File Type: Resolution

Status: Report of Officer

Version: 1

Reference:

Controlling Body: FINANCE
COMMITTEE

File Created Date : 09/27/2023

File Name: Authorizing the Purchase of the Property Located at
305 S. Bedford from Dane County for Future
Assemblage with Brittingham Park. (District 4).

Final Action:

Title: Authorizing the Purchase of the Property Located at 305 S. Bedford from Dane
County for Future Assemblage with Brittingham Park. (District 4).

Notes:

Sponsors: Michael E. Verveer

Effective Date:

Attachments:

Enactment Number:

Author: Lisa Laschinger

Hearing Date:

Entered by: nmiller@cityofmadison.com

Published Date:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	9/28/2023	Robert Mulcahy	Approve	10/17/2023

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Parks Division	09/27/2023	Referred for Introduction				
	Action Text:		This Communication was Referred for Introduction				
	Notes:		Finance Committee (10/9/23), Board of Park Commissioners (10/11/23), Common Council (10/17/23)				
1	COMMON COUNCIL	10/03/2023	Refer	FINANCE COMMITTEE	10/09/2023		Pass
	Action Text:		A motion was made by Currie, seconded by Figueroa Cole, to Refer to the FINANCE COMMITTEE. The motion passed by voice vote/other.				
	Notes:		Additional referral to Board of Park Commissioners.				
1	FINANCE COMMITTEE	10/03/2023	Refer	BOARD OF PARK COMMISSIONER S	10/11/2023		
	Action Text:		This Resolution was Refer to the BOARD OF PARK COMMISSIONERS				

1	FINANCE COMMITTEE	10/09/2023	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER		Pass
	Action Text: A motion was made by Currie, seconded by Verveer, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.				
1	BOARD OF PARK COMMISSIONERS	10/11/2023	Return to Lead with the Recommendation for Approval	FINANCE COMMITTEE	Pass
	Action Text: Motion made by McDonald, seconded by Figueroa Cole, to RETURN TO LEAD WITH RECOMMENDATION TO ADOPT. Motion passed by voice vote/other.				

Text of Legislative File 80099

Fiscal Note

The proposed resolution authorizes the purchase of a tax deeded parcel located at 305 S. Bedford Street from Dane County for purposes of expanding Brittingham Park. The land and improvements on the property are assessed in the amount of \$627,000.00, and have an estimated fair market value, according to the City Assessor, of \$654,762. The total purchase price approved by Dane County Tax Deed Subcommittee is \$654,762 for 5,455 square feet of land and the existing improvements. Total costs are anticipated to be approximately \$700,000 for the transaction, miscellaneous title and closing costs and staff time will be funded by impact fees in the Land Acquisition project (Munis project #17128). No additional appropriation is required.

Title

Authorizing the Purchase of the Property Located at 305 S. Bedford from Dane County for Future Assemblage with Brittingham Park. (District 4).

Body

WHEREAS, Dane County (the "County") deposited a 2019 tax certificate with the County Clerk, subsequently executed and recorded a tax deed on June 10, 2022 in the office of the Dane County Register of Deeds for the non-payment of property taxes and special assessments, and has therefore taken title to the property located at 305 S. Bedford Street (the "Property"), which is legally described as follows:

- All that part of Lots One (1) and Two (2), Block Twenty-nine (29), Original Plat, located in the City of Madison, Dane County, Wisconsin, lying Southeasterly of the right of way of the Chicago, Milwaukee, St. Paul, and Pacific Railroad, EXCEPT THE FOLLOWING;
- (a) That part contained in instrument filed June 13, 1907 as Document No. 281245;
- (b) That part contained in Deed recorded May 14, 1921 in Volume 289 of Deeds Page 127;
- (c) That part contained in Deed recorded April 22, 1931 in Volume 351 of Deeds, Page 104, as Document No. 526821;
- (d) That part contained in Deed recorded April 22, 1931 in Volume 351 of Deeds, Page 106, as Document No. 536822.

Together with any rights under the easement recorded September 22, 1989 in Volume 13342 of Records, page 88, as Document No. 2163316. Lot Fifteen (15), Block Six (6), Morningside Heights, City of Madison, Dane; and,

WHEREAS, the Property is immediately adjacent to, and the grantee of a driveway and parking

lot easement over, the City-owned parcel located at 388 S. Bassett Street, which is part of Brittingham Park, running from S. Bedford Street to S. Broom Street, and between North Shore Drive, John Nolen Drive and the railroad corridor, and the Property ; and,

WHEREAS, based upon a recent Supreme Court case, the County is required to sell the Property at fair market value; and,

WHEREAS, on August 28, 2023, the Dane County Personnel & Finance Tax Deed Subcommittee unanimously approved sale of this parcel (0709-234-0217-0) to the municipality of the City of Madison (2023 ACT-124) at the City Assessor's 2023 estimated value market value for the Property (\$654,762); and,

WHEREAS, it is in the City's interest to acquire the Property to allow for future assemblage with Brittingham Park and blight elimination, and the elimination of the parking and driveway easement, as the acquisition of properties in the vicinity of Brittingham Park and elimination of private uses of park land is a long term goal of the City's Parks Division; and,

WHEREAS, the City's adopted 2018 Comprehensive Plan (Legistar File # 51349) notes that the Property is located within an area identified for significant mixed use and high density residential redevelopment. The Comprehensive Plan recommends that the City facilitate partnerships and pursue acquisition of parkland in areas which have had significant redevelopment to ensure complete neighborhoods with adequate access to park and open space; and,

WHEREAS, the Downtown Plan adopted by the City of Madison Common Council on July 17, 2012 (Legistar File No. 24468) identifies that the current amount of downtown park land is inadequate to meet the growing needs of the area; and,

WHEREAS, proposed acquisition would add approximately 5,455 square feet (.13 of an acre) of park and open space near the downtown area, while providing expanded opportunities for recreational uses in this densely populated urban center. The acquisition is consistent with the City's adopted 2018 Park and Open Space Plan (Legistar File No. 52928), which includes the recommendation to "Acquire parkland to reduce parkland deficiencies and address increasing residential density".

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the City is authorized to purchase the Property from the County at a cost not to exceed \$700,000, which cost is to include the purchase price, closing costs, and other immediate costs incurred by the Parks Division upon receipt of the Property, and the Director of the Economic Development Division, or his designee, is authorized to accept, on behalf of the City, a deed from the County for the Property for the purposes of assemblage with Brittingham Park, and to execute any other forms necessary to effectuate the purchase of the Property; and

BE IT FURTHER RESOLVED, that the form of the deed and any other document(s) needed to effectuate the purchase of the Property shall be approved by the City Attorney; and,

BE IT FINALLY RESOLVED, that the Parks Division and the Economic Development Division are authorized to take any additional actions necessary to secure the Property for City use, and the Parks Superintendent and the Director fo the Economic Development Division, or their designees, are further authorized to execute any additional documents or agreements that may be necessary for this purpose, in a format approved by the City Attorney.

