



Legislation Details (With Text)

**File #:** 16938      **Version:** 1      **Name:** Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for the construction of the Old Middleton Road from Capital Avenue to Countryside Lane - Engineering Project No. 53B0765.

**Type:** Resolution      **Status:** Passed

**File created:** 12/21/2009      **In control:** BOARD OF PUBLIC WORKS

**On agenda:** 1/5/2010      **Final action:** 2/23/2010

**Enactment date:** 2/26/2010      **Enactment #:** RES-10-00139

**Title:** Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for the construction of the Old Middleton Road from Capital Avenue to Countryside Lane - Engineering Project No. 53B0765. (17th AD)

**Sponsors:** Mark Clear

**Indexes:**

**Code sections:**

**Attachments:** 1. 53B0765 Parcel 1 TLE Legal.pdf, 2. 53B0765 Parcel 2 FEE Legal.pdf, 3. 53B0765 Parcel 3 TLE Legal.pdf, 4. 53B0765 Parcel 4 PLE\_TLE Legal.pdf, 5. 53B0765 Parcel 5 TLE Legal.pdf, 6. Parcel 5 map.pdf, 7. Parcel 4 map.pdf, 8. Parcel 3 map.pdf, 9. Parcel 2 map.pdf, 10. Partcel 1 map.pdf, 11. OVERALL\_LOCATOR\_MAP.pdf

Date	Ver.	Action By	Action	Result
2/23/2010	1	COMMON COUNCIL	Adopt	Pass
2/3/2010	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
1/26/2010	1	PEDESTRIAN/BICYCLE/MOTOR VEHICLE COMMISSION (ended 6/2018)	Return to Lead with the Recommendation for Approval	Pass
1/25/2010	1	PLAN COMMISSION	Return to Lead with the Recommendation for Approval	Pass
1/6/2010	1	BOARD OF PUBLIC WORKS	Refer	
1/6/2010	1	PLAN COMMISSION	Refer	
1/5/2010	1	COMMON COUNCIL	Referred	
12/21/2009	1	Engineering Division	Referred for Introduction	

**Title**  
Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for the construction of the Old Middleton Road from Capital Avenue to Countryside Lane - Engineering Project No. 53B0765. (17th AD)

**Body**  
**WHEREAS**, the City of Madison Common Council has previously approved and established the Old Middleton Road Assessment District per RES-09-00954 adopted November 17, 2009; and

**WHEREAS**, the City of Madison Engineering Division has prepared Plans, Specifications, and Schedule of Assessments associated with the Old Middleton Road street improvements from Capital Avenue to

Countryside Lane - Engineering Project No. 53B0765; and

**WHEREAS**, the approval of the plans and specifications associated with City of Madison Engineering Division Project No. 53B0765 has been introduced for approval per Legislative File ID No. 16894; and

**WHEREAS**, upon approval of these plans and specifications associated with City of Madison Engineering Division Project No. 53B0765, land interest acquisitions are required from five (5) different properties, one (1) property within the Town of Middleton and four (4) properties within the City of Madison; and

**WHEREAS**, the City of Madison Office of Real Estate Services Project Numbers 9320-9324 (inclusive) have been established to administer all necessary land interest acquisitions as required per attached Relocation Order Map and legal descriptions based on approved plans per Engineering Project No. 53B0765; 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 Old Middleton Road from Capital Avenue to Countryside Lane - Engineering Project No. 53B0765;
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**

The estimated land interest acquisition costs and Real Estate staff time, funds not to exceed \$35,000 is available in: CS53-58110-810571-00-53B0765 (R/W acquisitions in FEE title) and CS53-58130-810571-00-53B0765 (Easement acquisitions) CS53-56290-810571-00-53B0765 (Inter-D payments to CED).