



Legislation Details (With Text)

**File #:** 06577      **Version:** 1      **Name:** Determining a Public Purpose & Necessity & adopting a Relocation Order for the acquisition of Plat of land interests within the existing Union Pacific RR Co. owned RR corridor operated by the Wisconsin & Southern RR Co. required for LaFollette Ave.

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

**File created:** 6/5/2007      **In control:** BOARD OF PUBLIC WORKS

**On agenda:** 8/7/2007      **Final action:** 8/7/2007

**Enactment date:** 8/8/2007      **Enactment #:** RES-07-00787

**Title:** Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of Plat of land interests within the existing Union Pacific Railroad Co. owned railroad corridor operated by the Wisconsin & Southern Railroad Co. required for the relocation involving the reconstruction / relocation of La Follette Avenue from Winnebago Street to Division Street-Engineering Project No. 53W0387. (6th AD)

**Sponsors:** Marsha A. Rummel

**Indexes:**

**Code sections:**

**Attachments:** 1. Relocation Order Map.pdf

Date	Ver.	Action By	Action	Result
8/7/2007	1	COMMON COUNCIL	Adopt	Pass
7/18/2007	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
6/18/2007	1	PLAN COMMISSION	Return to Lead with the Recommendation for Approval	Pass
6/5/2007	1	COMMON COUNCIL	Refer	
6/5/2007	1	BOARD OF PUBLIC WORKS	Refer	
5/25/2007	1	Engineering Division	Fiscal Note Required / Approval	
5/25/2007	1	Finance Dept/Approval Group	Approved Fiscal Note By The Comptroller's Office	
5/25/2007	1	Engineering Division	Referred for Introduction	

**Fiscal Note**

The \$25,000 estimated land interest acquisition costs and Real Estate staff time, funds available in: CS53-58110-810556-00-53W0387-53TIF037

**Title**

Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of Plat of land interests within the existing Union Pacific Railroad Co. owned railroad corridor operated by the Wisconsin & Southern Railroad Co. required for the relocation involving the reconstruction / relocation of La Follette Avenue from Winnebago Street to Division Street-Engineering Project No. 53W0387. (6th AD)

**Body**

**PREAMBLE**

The City of Madison Common Council on June 20, 2006 adopted RES-06-00531 Approving Plans, Specifications, And

Schedule Of Assessments For Union Corners Reconstruction Assessment District - 2006 (Union Corners, Winnebago Street); and

The City of Madison Common Council on July 18, 2006 adopted RES-06-00607, which Created Tax Incremental Finance (TIF) District #37 (Union Corners) City of Madison and approved a Project Plan and Boundary for said TIF District; and

The City of Madison Common Council on March 20, 2007 adopted RES-07-00313 Approving Plans, Specifications, And Schedule Of Assessments For Union Corners - Winnebago Street Reconstruction Assessment District - 2007. Public Works Contract No. 6006 (6th AD); and

City Engineering has created Engineering Project No. 53W0387 - Union Corners - Winnebago Street Phase 2; and

The City of Madison was granted public street easement rights from the Chicago & Northwestern Railroad Co. recorded September 18, 1939 in Volume 142 Miscellaneous, Page 402 as Document No. 624008 for the existing LaFollette Avenue street between Winnebago Street and Division Street; and

In preparation of plans related to this project, City Engineering has determined that it is necessary to acquire additional permanent limited easement rights from the Union Pacific Railroad Co. owned railroad corridor operated by the Wisconsin & Southern Railroad Co. adjacent to the existing street easement rights to facilitate the proposed intersection relocation public improvements planned with Engineering Project No. 53W0387 - Union Corners - Winnebago Street Phase 2; and

LaFollette Ave construction is scheduled to begin in August 2007 per agreement with the Office of the Commissioner of the Railroads and the Union Pacific Railroad Co. owned railroad corridor operated by the Wisconsin & Southern Railroad Co.; and

The City of Madison Real Estate Department has created Project No. 8773 - as a master file to administer all necessary land interest acquisitions; 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 necessity in accordance with Section 32.07(2), Wisconsin Statutes, and the acquisition shall allow for the construction of LaFollette Avenue public street improvements related to Engineering Project No. 53W0387 - Union Corners - Winnebago Street Phase 2;
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;