



Legislation Details (With Text)

**File #:** 14912      **Version:** 1      **Name:** Approving Plans and Specifications and authorizing the Board of Public Works to advertise and receive bids for Contract No. 6035, University Research Park Path between Tocora Lane and Science Drive; also Accepting a Permanent Limited Easement for Pedestri

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

**File created:** 5/27/2009      **In control:** BOARD OF PUBLIC WORKS

**On agenda:** 6/16/2009      **Final action:** 6/16/2009

**Enactment date:** 6/17/2009      **Enactment #:** RES-09-00596

**Title:** Approving Plans and Specifications and authorizing the Board of Public Works to advertise and receive bids for Contract No. 6035, University Research Park Path between Tocora Lane and Science Drive; also Accepting a Permanent Limited Easement for Pedestrian and Bicycle purposes and a Temporary Limited Easement for construction purposes from University Research Park, Inc. across Lot 4, University Research Park - University of Wisconsin, Madison property; also revising the "No Vehicular Access" restriction placed on the Plat of University Research Park - University of Wisconsin, Madison to say "No Vehicular Access by Motorized Vehicles. (20th AD)

**Sponsors:** BOARD OF PUBLIC WORKS

**Indexes:**

**Code sections:**

**Attachments:** 1. University Research Park Path Attachment.pdf, 2. 14912 Registration Stmt.pdf

Date	Ver.	Action By	Action	Result
6/16/2009	1	COMMON COUNCIL	Adopt	Pass
6/16/2009	1	COMMON COUNCIL	Move the Previous Question	Pass
6/3/2009	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass

**Title**

Approving Plans and Specifications and authorizing the Board of Public Works to advertise and receive bids for Contract No. 6035, University Research Park Path between Tocora Lane and Science Drive; also Accepting a Permanent Limited Easement for Pedestrian and Bicycle purposes and a Temporary Limited Easement for construction purposes from University Research Park, Inc. across Lot 4, University Research Park - University of Wisconsin, Madison property; also revising the "No Vehicular Access" restriction placed on the Plat of University Research Park - University of Wisconsin, Madison to say "No Vehicular Access by Motorized Vehicles. (20th AD)

**Body**

Currently the west end of Tocora Lane is a dead end at the property line of University Research Park with no provisions for pedestrians or bicyclists to access the park and there is no bicycle or pedestrian access into the Research Park from the west for a distance of a half mile from Tokay Boulevard and Mineral Point Road. A bike / pedestrian access in this location is included in the PBMV Committee's current list of recommended projects and in the recently-completed Westmorland - Midvale Heights Neighborhood Plan.

On April 16, 2009 the University Research Park Design Review Board agreed to accept the path if the City approves its construction. The Research Park has agreed to provide the necessary easements for the path at no cost to the City.

At the time the University Research Park was platted, the City required that the plat indicate "No Vehicular Access" to the Park from the end of Tocora Lane. Staff understands that this was intended to refer to motor vehicles and therefore prevent any future westward extension of Tocora Lane. However, since that time State Statutes have been revised to define bicycles as "vehicles". Therefore, creation of a bike path in this location requires clarification of the plat restriction to allow bicycle access while continuing to prevent motor vehicle access.

This project may be let with one or more other separate bike path projects. Therefore the actual contract name may not be identical to project name used herein. This resolution is for approval of this specific path and not any others included in the contract will need to be approved separately.

NOW THEREFORE BE IT RESOLVED,

That the plans and specifications for University Research Park Path be and are hereby approved.

That the Board of Public Works be and is hereby authorized to advertise and receive bids for said project.

That the Common Council of the City of Madison hereby revises the "No Vehicular Access" restriction placed on the plat of University Research Park - University of Wisconsin, Madison to state "No Vehicular Access By Motorized Vehicles".

That the Common Council of the City of Madison hereby accepts a Permanent Limited Easement and a Temporary Limited Easement for Public Pedestrian / Bicycle purposes at no cost to the City from University Research Park, Incorporated across the following described property:

Legal Description:

A permanent public pedestrian and bicycle easement of variable width, with a portion being Eighteen (18) feet in width and a portion being Sixty (60) feet in width, all being a part of said Lot 4, University Research Park-University of Wisconsin Madison, a subdivision plat recorded November 21, 1984 in the Dane County Register of Deeds Office in Volume 55 of Plats on Page 8 as Document No. 1859477, being located in parts of the Northeast ¼ and the Northwest ¼ of the Northeast ¼ of Section Thirty (30), Town 07 North, Range 09 East, City of Madison, Dane County, Wisconsin, the **centerline** of said variable width public pedestrian and bicycle easement, described as follows:

Commencing at the Northwest corner of said Lot 4, which is also a point on the Easterly right-of-way line of Science Drive; thence South 24° 15' 08" East, along the West line of said Lot 4 and the Easterly right-of-way line of Science Drive, 61.81 feet to the **Point of Beginning** of the centerline of the easement portion being Eighteen (18) feet wide; thence North 66° 08' 17" East, 15.87 feet to a point of curve; thence Easterly 238.19 feet along the arc of a 500.00 feet radius curve to the right having a long chord of North 79° 47' 07" E, 235.95 feet; thence South 86° 33' 59" East, 102.10 feet to a point of curve; thence Easterly 36.52 feet along the arc of a 500.00 feet radius curve to the left having a long chord of South 88° 39' 34" East, 36.51 feet; thence North 89° 14' 54" East, 98.44 feet to a point of curve; thence Southeasterly 88.70 feet along the arc of a 90.00 feet radius curve to the right having a long chord of South 62° 30' 56" East, 85.16 feet; thence South 34° 17' 01" East, 10.28 feet to a point of curve; thence Southeasterly 48.98 feet along the arc of a 50.00 feet radius curve to the left having a long chord of South 62° 20' 54" East, 47.05 feet to the point where the Eighteen (18) feet width now increases to Sixty (60) feet; thence N 89°35' 15" East, 11.29 feet to the point of intersection with the West end of Tocora Lane \*\* and the point of termination of said Sixty (60) feet wide public pedestrian and bicycle easement.

Permanent Easement Area Contains 12,126 square feet.

\*\* West limits of Tocora Lane is common with the West line of platted Outlot A, Lyn Maar. Outlot A was platted as a 1.0 foot by 60 feet "spite strip" later conveyed to the City of Madison by Personal Representatives Deed recorded in Volume 7991 of records on Page 17 as Document No. 1929702 and later declared as public right-of-way by City of Madison to City of Madison Quit Claim Deed as Document No. 3513586.

**Together with** variable width temporary construction easements on both sides of said permanent easement as depicted on easement map Exhibit B. The temporary easements are hereby granted and expire upon completion of work related to the installation of the public pedestrian and bicycle path improvements.

Temporary Easement Area Contains 6,133 square feet square feet on the north side and 6,977 square feet on the South side of the above described permanent easement area.

**Fiscal Note**

Estimated cost: \$70,000 (including contingencies)

Funds are available in:

CS53-58240-810375-00-53W0532 Bikeways