



Legislation Details (With Text)

**File #:** 27200      **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 Capital City Trail - Segment 2 public bike path between Leona Court and Sandlewood Circle.

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

**File created:** 7/25/2012      **In control:** BOARD OF PUBLIC WORKS

**On agenda:** 9/4/2012      **Final action:** 9/4/2012

**Enactment date:** 9/6/2012      **Enactment #:** RES-12-00661

**Title:** Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for the construction of the Capital City Trail - Segment 2 public bike path between Leona Court and Sandlewood Circle. (16th AD)

**Sponsors:** Jill Johnson

**Indexes:**

**Code sections:**

**Attachments:** 1. 53W1242EN-Easement.pdf, 2. 13 22 Sandlewood TLEs.pdf

| Date      | Ver. | Action By             | Action  | Result |
|-----------|------|-----------------------|---|--------|
| 9/4/2012  | 1    | COMMON COUNCIL        | Adopt   | Pass   |
| 8/22/2012 | 1    | BOARD OF PUBLIC WORKS | RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER   | Pass   |
| 8/20/2012 | 1    | PLAN COMMISSION       | Return to Lead with the Recommendation for Approval | Pass   |
| 8/7/2012  | 1    | COMMON COUNCIL        | Referred  | Pass   |
| 7/25/2012 | 1    | Engineering Division  | Referred for Introduction                           |        |

**Fiscal Note**

Real Estate acquisition costs for the TLE acquisition are not to exceed \$5,000 for this project and are available in Acct. No. CS53-58130-810379-00-53W1242 (Easement Acquisition).

**Title**

Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for the construction of the Capital City Trail - Segment 2 public bike path between Leona Court and Sandlewood Circle. (16th AD)

**Body**

**RELOCATION ORDER OF THE CITY OF MADISON, DANE COUNTY, WISCONSIN**

**PREAMBLE**

On June 19, 2012 the City of Madison Common Council approved Resolution No. RES-12-00478, File No. 20,854 Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Capital City Trail Segment 2 - Leona Court to Sandlewood Circle. (16th); and,

The Engineering Division recommends the construction of a bike path between Leona Court and Sandlewood Circle to close a gap in the Capital City Trail; and,

To accomplish this, the acquisition of public land interests (Temporary Limited Easements for Construction Purposes) for the Capital City Trail are required from two properties, both of which are owned by Lake City Church. The first easement is located at 13 Sandlewood Circle (City P.I.N. 0710-152-0502-4) and designated as Parcel 1 on the Relocation Order Map. The second easement is located at 22 Sandlewood Circle (City P.I.N. 0710-154-0618-7) and designated as Parcel 2 on the Relocation Order Map; and,

The necessary Sandlewood Circle land interests that are required to complete this public bike path installation by the City of Madison are identified on the City of Madison Relocation Order Map and Schedule of Land Interests Required dated July 23, 2012 which is attached hereto and made part of this resolution; and,

The metes and bounds legal description of the same land interests is also attached hereto and made part of this resolution.

**NOW THEREFORE BE IT RESOLVED,**

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 a public bike path northeast of Sandlewood Circle.
2. That the City of Madison hereby determines that it is necessary and a public purpose exists to acquire land interests from the Lake City Church properties located at 13 Sandlewood Circle and 22 Sandlewood Circle. These land interest (Temporary Limited Construction Easement) acquisitions are required to allow for the construction of said public bike path.
3. City Of Madison Office of Real Estate Services has established Master File Project No. 9995 to administer the acquisition of said land interests.
4. That the Common Council of the City of Madison, does hereby adopt a relocation order to acquire the necessary land interests required for the installation of public bike path improvements associated with Engineering Division Project Number 53W1242 - Capital City Trail - Segment 2 (Leona Court - Sandlewood Circle) consisting of the included Relocation Order Map and legal description exhibits in accordance with Section 32.05(1) and 62.22, Wisconsin Statutes.
5. That the Office of Real Estate Services Division 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.
6. That the Office of Real Estate Services 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.
7. That the Mayor and City Clerk are hereby authorized to sign all necessary documents to accomplish the land interest acquisitions.