



Legislation Details (With Text)

File #: 09643 **Version:** 1 **Name:** Release and accept relocated Sanitary Sewer and Water Main Easements 89 East Towne Mall
Type: Resolution **Status:** Passed
File created: 3/17/2008 **In control:** BOARD OF PUBLIC WORKS
On agenda: 5/20/2008 **Final action:** 5/20/2008
Enactment date: 5/23/2008 **Enactment #:** RES-08-00513

Title: Authorizing the Mayor and the City Clerk to execute a release of Public Sanitary Sewer and Water Main Easements and accept replacement Sanitary Sewer and Water Main Easements from Madison Joint Venture across property located at 89 East Towne Mall.

Sponsors: Joseph R. Clausius

Indexes:

Code sections:

Attachments: 1. 8929 Easement Release Maps.pdf, 2. 8929 New Sanitary Easement.pdf, 3. 8929 New Water Easement.pdf

Date	Ver.	Action By	Action	Result
5/20/2008	1	COMMON COUNCIL	Adopt	Pass
5/7/2008	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
4/8/2008	1	COMMON COUNCIL	Refer	
3/17/2008	1	Community and Economic Development Unit	Referred for Introduction	

Fiscal Note

\$1000 Administrative Fee to be deposited into General Fund Revenue Account No. GN01-78231 (Easements).

Title

Authorizing the Mayor and the City Clerk to execute a release of Public Sanitary Sewer and Water Main Easements and accept replacement Sanitary Sewer and Water Main Easements from Madison Joint Venture across property located at 89 East Towne Mall.

Body

WHEREAS, the property owner, Madison Joint Venture, has requested the release of portions of existing Sanitary Sewer and Water Main Easements and relocation of affected Sanitary Sewer and Water Main facilities to accomodate a new business building; and

WHEREAS, the City of Madison Engineering Division has reviewed and recommends both the release of existing Easements and acceptance of the relocated new Easements, at no cost to the City of Madison.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the City Clerk are hereby authorized to execute a Release of Sanitary Sewer and Water Main Easements described as follows:

Sanitary Sewer Easement Releases

#1 Release of all of an existing fifteen (15) foot wide Sanitary Sewer Easement recorded as Document Number 2265765, Dane County Registry. Said easement being located in the Northeast Quarter (1/4) of the Southeast Quarter (1/4) of Section 28, Township 08 North, Range 10 East, in the City of Madison, Dane County, Wisconsin.

#2 Release of that portion of an existing ten (10) foot wide Sanitary Sewer Easement known as "Easement #8", as recorded in Volume 307 of Records, on Pages 230-247, as Document Number 1313067, Dane County Registry. Said easement being located in the Southeast Quarter (1/4) of the Southeast Quarter (1/4) and the Northeast Quarter (1/4) of the Southeast Quarter (1/4) all in Section 28, Township 08 North, Range 10 East, in the City of Madison, Dane County, Wisconsin, the centerline of which being more fully described as follows:

Commencing at the Southeast corner of said Section 28, said point also being the Southwest corner of Section 27; thence North 88 degrees 36 minutes 24 seconds East along the South line of the Southwest Quarter (1/4) of said Section 27, 130.70 feet; thence North 35 degrees 31 minutes 48 seconds West, 1736.66 feet; thence North 54 degrees 28 minutes 12 seconds East, 46.50 feet to the point of beginning of the centerline of the aforementioned existing ten (10) foot wide Sanitary Sewer Easement known as "Easement #8"; thence along said centerline for the next five (5) courses; 1-thence South 51 degrees 23 minutes 30 seconds East, 134.72 feet; 2-thence South 54 degrees 53 minutes 31 seconds East, 380.00 feet; 3-thence North 35 degrees 06 minutes 22 seconds East, 318.91 feet; 4-thence North 16 degrees 51 minutes 24 seconds East, 380.02 feet to the point of beginning of the centerline of the easement to be released; 5-thence continuing North 16 degrees 51 minutes 24 seconds East, 94.32 feet to the end of said described centerline.

The side lines of said easement to be released shall be prolonged or shortened so as to terminate on the southwest by a line perpendicular measure to said described centerline, and on the northeast by a line bearing North 47 degrees 37 minutes 52 seconds East.

The bearings in this description are based upon the NAD 83/97 Coordinate System, Wisconsin, South Zone, the South line of the Southwest Quarter (1/4) of Section 27, Township 08 North, Range 10 East, measured as bearing North 88 degrees 36 minutes 24 seconds East.

#3 Release of all of an existing ten (10) foot wide Sanitary Sewer Easement known as "Easement #9", as recorded in Volume 307 of Records, on Pages 230-247, as Document Number 1313067, Dane County Registry. Said easement being located in the Northwest Quarter (1/4) of the Southwest Quarter (1/4) of Section 27, and the Northeast Quarter (1/4) of the Southeast Quarter (1/4) of Section 28, all in Township 08 North, Range 10 East, in the City of Madison, Dane County, Wisconsin, the centerline of which being more fully described as follows:

Commencing at the Southeast corner of said Section 28, said point also being the Southwest corner of Section 27; thence North 88 degrees 36 minutes 24 seconds East along the South line of the Southwest Quarter (1/4) of said Section 27, 130.70 feet; thence North 35 degrees 31 minutes 48 seconds West, 1736.66 feet; thence North 54 degrees 28 minutes 12 seconds East, 46.50 feet to the point of beginning of the centerline of the aforementioned existing ten (10) foot wide Sanitary Sewer Easement known as "Easement #8"; thence along said centerline for the next five (5) courses; 1-thence South 51 degrees 23 minutes 30 seconds East, 134.72 feet; 2-thence South 54 degrees 53 minutes 31 seconds East, 380.00 feet; 3-thence North 35 degrees 06 minutes 22 seconds East, 318.91 feet; 4-thence North 16 degrees 51 minutes 24 seconds East, 380.02 feet to the point of beginning of the centerline of the easement to be released; 5-thence South 83 degrees 02 minutes 36 seconds East, 178.78 feet to the end of said described centerline.

The side lines of said easement to be released shall be prolonged or shortened so as to terminate on the west and east by a line perpendicular measure to said described centerline.

The bearings in this description are based upon the NAD 83/97 Coordinate System, Wisconsin, South Zone, the South line of the Southwest Quarter (1/4) of Section 27, Township 08 North, Range 10 East, measured as bearing North 88 degrees 36 minutes 24 seconds East.

Water Main Easement Release

#1 Release of that portion of an existing fifteen (15) foot wide Water Main Easement recorded as Document Number 2659330, Dane County Registry. Said easement being located in the Northeast Quarter (1/4) of the Southeast Quarter (1/4) of Section 28, Township 08 North, Range 10 East, in the City of Madison, Dane County, Wisconsin, the centerline of which being more fully described as follows:

Commencing at the Southeast corner of said Section 28, said point also being the point of commencement for the centerline of the said existing fifteen (15) foot wide Water Main Easement; thence along said centerline for the next nine (9) courses; 1-thence South 89 degrees 09 minutes 52 seconds West along the southerly line of said Section 28, 184.63 feet; 2-thence North 35 degrees 31 minutes 07 seconds West, 911.77 feet to a point in the centerline of Eagan Road; 3-thence North 54 degrees 28 minutes 53 seconds East, 40.00 feet to a point on the easterly right of way line of Eagan road, said point also being a point of non-tangential curvature; 4-thence 72.45 feet along the arc of a 366.14 foot radius curve concave to the Northeast, through a central angle of 11 degrees 20 minutes 14 seconds, and a chord bearing North 29 degrees 51 minutes 21 seconds West, 72.33 feet to a point of non-tangential curvature; 5-thence 172.78 feet along the arc of a 300.00 foot radius curve concave to the Northwest, through a central angle of 32 degrees 59 minutes 53 seconds, and a chord bearing North 51 degrees 36 minutes 58 seconds East, 170.40 feet; 6-thence North 35 degrees 07 minutes 03 seconds East, 580.48 feet; 7-thence North 12 degrees 37 minutes 05 seconds East, 17.71 feet to the point of beginning of the centerline of the easement to be released; 8-thence continuing North 12 degrees 37 minutes 05 seconds East, 28.50 feet; 9-thence North 77 degrees 22 minutes 55 seconds West, 33.50 feet to the end of said described centerline.

The side lines of said easement to be released shall be prolonged or shortened so as to terminate by a line perpendicular measure to said described centerline.

The bearings in this description are based upon the NAD 83/97 Coordinate System, Wisconsin, South Zone, the South line of the Southwest Quarter (1/4) of Section 27, Township 08 North, Range 10 East, measured as bearing North 88 degrees 36 minutes 24 seconds East.

BE IT FURTHER RESOLVED, that the Common Council of the City of Madison hereby accepts, at no cost to the City, Sanitary Sewer and Watermain Easements from Madison Joint Venture described as follows:

New Public Sanitary Sewer Easement

A fifteen (15) foot wide public sanitary sewer easement over, under, and across part of the Northeast Quarter (1/4) of the Southeast Quarter (1/4) of Section 28, Township 08 North, Range 10 East, in the City of Madison, Dane County, Wisconsin, the centerline of which being more fully described as follows:

Commencing at the Southeast corner of said Section 28, said point also being the Southwest corner of Section 27; thence North 88 degrees 36 minutes 24 seconds East along the South line of the Southwest Quarter (1/4) of said Section 27, 130.70 feet; thence North 35 degrees 31 minutes 48 seconds West, 1736.66 feet; thence North 54 degrees 28 minutes 12 seconds East, 46.50 feet to the point of beginning of the centerline of an existing ten (10) foot wide Sanitary Sewer Easement known as "Easement #8", as recorded in Volume 307 of Records, on Pages 230-247, as Document Number 1313067, Dane County Registry; thence along said centerline for the next three (3) courses; 1-thence South 51 degrees 23 minutes 30 seconds East, 134.72 feet; 2-thence South 54 degrees 53 minutes 31 seconds East, 380.00 feet; 3-thence North 35 degrees 06 minutes 22 seconds East, 318.91 feet to the point of beginning of the centerline of the aforementioned fifteen (15) foot wide public sanitary sewer easement; thence North 37 degrees 56 minutes 04 seconds West, 61.39 feet; thence North 18 degrees 19 minutes 54 seconds East, 24.36 feet; thence North 12 degrees 53 minutes 03 seconds East, 310.68 feet; thence North 47 degrees 37 minutes 52 seconds East, 129.10 feet to the end of said described centerline.

The side lines of said fifteen (15) foot wide public sanitary sewer easement shall be prolonged or

shortened so as to terminate on the southeast by a line perpendicular measure to said described centerline, and terminate on the northeast by a line bearing North 16 degrees 51 minutes 24 seconds East, said line being the westerly line of the aforementioned Sanitary Sewer Easement known as "Easement #8".

The bearings in this description are based upon the NAD 83/97 Coordinate System, Wisconsin, South Zone, the South line of the Southwest Quarter (1/4) of Section 27, Township 08 North, Range 10 East, measured as bearing North 88 degrees 36 minutes 24 seconds East.

New Water Main Easement

A fifteen (15) foot wide public water main easement over, under, and across part of the Northeast Quarter (1/4) of the Southeast Quarter (1/4) of Section 28, Township 08 North, Range 10 East, in the City of Madison, Dane County, Wisconsin, the centerline of which being more fully described as follows:

Commencing at the Southeast corner of said Section 28, said point also being the point of commencement for the centerline of the an existing fifteen (15) foot wide Water Main Easement recorded as Document Number 2659330; thence along said centerline for the next six (6) courses; 1-thence South 89 degrees 09 minutes 52 seconds West along the southerly line of said Section 28, 184.63 feet; 2-thence North 35 degrees 31 minutes 07 seconds West, 911.77 feet to a point in the centerline of Eagan Road; 3-thence North 54 degrees 28 minutes 53 seconds East, 40.00 feet to a point on the easterly right of way line of Eagan road, said point also being a point of non-tangential curvature; 4-thence 72.45 feet along the arc of a 366.14 foot radius curve concave to the Northeast, through a central angle of 11 degrees 20 minutes 14 seconds, and a chord bearing North 29 degrees 51 minutes 21 seconds West, 72.33 feet to a point of non-tangential curvature; 5-thence 172.78 feet along the arc of a 300.00 foot radius curve concave to the Northwest, through a central angle of 32 degrees 59 minutes 53 seconds, and a chord bearing North 51 degrees 36 minutes 58 seconds East, 170.40 feet; 6-thence North 35 degrees 07 minutes 03 seconds East, 572.86 feet; thence North 74 degrees 45 minutes 41 seconds West, 5.32 feet to the "Point of Beginning #1" of the centerline of the new easement, said point also lying on the westerly line of an existing 10 foot wide "Mall Loop" Easement as recorded in Document Number 1432746; thence continuing North 74 degrees 45 minutes 41 seconds West, 29.39 feet; thence North 09 degrees 57 minutes 33 seconds West, 44.22 feet to the southerly line of the aforementioned existing fifteen (15) foot wide Water Main Easement and the end of said described centerline. Said point hereinafter referred to as "Point A".

The side lines of said easement shall prolonged or shortened so as to terminate on the southeast by a line bearing North 35 degrees 07 minutes 03 seconds East, said line being the aforementioned westerly line of the existing 10 foot wide "Mall Loop" easement, and terminate on the northeast by a line bearing North 77 degrees 22 minutes 55 seconds West, said line being the southerly line of the existing fifteen (15) foot wide Water Main Easement.

TOGETHER WITH a fifteen (15) foot wide public water main easement over, under, and across part of the Northeast Quarter (1/4) of the Southeast Quarter (1/4) of Section 28, Township 08 North, Range 10 East, in the City of Madison, Dane County, Wisconsin, the centerline of which being more fully described as follows:

Commencing at the aforementioned "Point A"; thence North 77 degrees 22 minutes 55 seconds West along the southerly line of the aforementioned existing fifteen (15) foot wide Water Main Easement, 8.86 feet to the westerly line of said existing fifteen (15) foot wide Water Main Easement; thence North 12 degrees 37 minutes 05 seconds East along said westerly easement line, 107.50 feet to the "Point of Beginning #2" of the centerline of the new easement; thence North 77 degrees 22 minutes 55 seconds West, 25.33 feet to the end of said described centerline.

The side lines of said easement shall be prolonged or shortened so as to terminate by a line perpendicular measure to said described centerline.

TOGETHER WITH a fifteen (15) foot wide public water main easement over, under, and across part of

the Northeast Quarter (1/4) of the Southeast Quarter (1/4) of Section 28, Township 08 North, Range 10 East, in the City of Madison, Dane County, Wisconsin, the centerline of which being more fully described as follows:

Commencing at the aforementioned "Point of Beginning #2"; thence North 12 degrees 37 minutes 05 seconds East along the westerly line of the aforementioned fifteen (15) foot wide Water Main Easement, 235.00 feet; thence South 77 degrees 22 minutes 55 seconds East, 15.00 feet to the easterly line of said fifteen (15) foot wide Water Main Easement and the "Point of Beginning #3 of the centerline of the new easement; thence continuing South 77 degrees 22 minutes 55 seconds East, 41.00 feet to the end of said described centerline. Said point hereinafter referred to as "Point B".

The side lines of said easement shall be prolonged or shortened so as to terminate by a line perpendicular measure to said described centerline.

TOGETHER WITH an eight (8) foot wide public water main easement over, under, and across part of the Northeast Quarter (1/4) of the Southeast Quarter (1/4) of Section 28, Township 08 North, Range 10 East, in the City of Madison, Dane County, Wisconsin, the centerline of which being more fully described as follows:

Commencing at the aforementioned "Point B"; thence North 12 degrees 37 minutes 05 seconds East, 48.50 feet; thence North 77 degrees 22 minutes 55 seconds West, 15.00 feet to the "Point of Beginning #4 of the centerline of the new easement; thence continuing North 77 degrees 22 minutes 55 seconds West, 12.50 feet; thence North 12 degrees 37 minutes 05 seconds East, 19.00 feet to the end of said described centerline.

The side lines of said easement are to be prolonged or shortened so as to terminate by a line perpendicular measure to said described centerline.

The bearings in these descriptions are based upon the NAD 83/97 Coordinate System, Wisconsin, South Zone, the South line of the Southwest Quarter (1/4) of Section 27, Township 08 North, Range 10 East, measured as bearing North 88 degrees 36 minutes 24 seconds East.