



Legislation Details (With Text)

File #: 42688 **Version:** 1 **Name:** Determining a Public Purpose and Necessity and adopting a Transportation Project Plat No. 5992-09-81 - 4.08 CTH M - Prairie Hill Road to Cross Country Road for the acquisition of Plat of Land Interests required. Located in part of the NW ¼ of the NE ¼ of

Type: Resolution **Status:** Passed

File created: 4/27/2016 **In control:** PLAN COMMISSION

On agenda: 5/17/2016 **Final action:** 5/17/2016

Enactment date: 5/19/2016 **Enactment #:** RES-16-00389

Title: Determining a Public Purpose and Necessity and adopting a Transportation Project Plat No. 5992-09-81 - 4.08 CTH M - Prairie Hill Road to Cross Country Road for the acquisition of Plat of Land Interests required. Located in part of the NW ¼ of the NE ¼ of Section 3, T6N, R8E.

Sponsors: Barbara Harrington-McKinney

Indexes:

Code sections:

Attachments: 1. TPP 5992-09-81_CTH M_Title Sheet.pdf, 2. TPP 5992-09-81-4 08_CTH M-TPP.pdf

Date	Ver.	Action By	Action	Result
5/17/2016	1	COMMON COUNCIL	Adopt	Pass
5/9/2016	1	PLAN COMMISSION	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
5/4/2016	1	BOARD OF PUBLIC WORKS	Return to Lead with the Recommendation for Approval	
5/4/2016	1	PLAN COMMISSION	Refer	
5/3/2016	1	COMMON COUNCIL	Refer	Pass
4/27/2016	1	Engineering Division	Referred for Introduction	

Fiscal Note

In the adopted 2016 capital budget, Engineering Major Streets has budgeted for \$3 million for the reconstruction of County Highway M at the Midtown Road area (MUNIS 10233). Funding for the project is from GO borrowing and other municipal participation.

The proposed resolution approves adoption of the associated land plat associated with the project at an estimated cost not to exceed \$335,000, split as \$25,000 for easement acquisition and \$310,000 fee acquisition.

MUNIS:
10233-402-160
10233-402-110

Title

Determining a Public Purpose and Necessity and adopting a Transportation Project Plat No. 5992-09-81 - 4.08 CTH M - Prairie Hill Road to Cross Country Road for the acquisition of Plat of Land Interests required. Located in part of the NW ¼ of the NE ¼ of Section 3, T6N, R8E.

Body

PREAMBLE

WHEREAS, the City of Madison is proposing to reconstruct County Trunk Highway M (CTH M) from Prairie Hill Road to Cross Country Road. The project also includes the reconstruction of CTH M/Midtown Road and CTH M/CTH PD intersections. The City applied for Federal Funds in the Surface Transportation Program Fund and the project received approval for 50% Federal funding of Construction; and,

WHEREAS, the City of Madison Engineering Division has established Project Numbers 10232 and 10233 CTH M - Prairie Hill Road to Cross Country Road; and,

WHEREAS, the City of Madison Common Council adopted RES-10-00902 on November 9, 2010 authorizing the Mayor and the City Clerk to execute an agreement with MSA Professional Services for design engineering services for CTH M, Prairie Hill Road to Cross Country Road. Being amended by the following enactments. Amendment 1: RES-11-00870, Amendment 2: RES-12-00479, Amendment 3: RES-14-00569; and,

WHEREAS, the City of Madison Common Council adopted RES-12-00660 on September, 4, 2012, approving the roadway geometry for the CTH M - Prairie Hill Road to Cross Country Road project; and,

WHEREAS, the City of Madison Common Council adopted RES-14-00413 on May 20, 2014, approving the revised roadway geometry for the CTH M / CTH PD intersection; and,

WHEREAS, the City of Madison Common Council adopted RES-15-00257 on March 17, 2015, authorizing the Mayor and City Clerk to execute an agreement with the State of Wisconsin Department of Transportation for the improvement of County Trunk Highway M (CTH M - Prairie Hill Rd to Cross Country Rd) and authorizing the Mayor and City Clerk to execute an agreement with City of Verona and Dane County for cost sharing on the project; and,

WHEREAS, a need has been determined to utilize the Early Acquisition Process, as set forth for by Chapter 3.2.2 of the Wisconsin Department of Transportation Real Estate Program Manual, to acquire the lands and interests in conjunction with Parcel 34 of Transportation Project Plat No. 5992-09-81 - 4.08, a copy of which is attached hereto and made part of this resolution; and,

WHEREAS, the Environmental Assessment (EA) and Design Study Report (DSR) for the CTH M - Prairie Hill Road to Cross Country Road project have not yet been approved by the City of Madison Common Council; and,

WHEREAS, the City of Madison Office of Real Estate Services of the Economic Development Division has established a Master File / Project No. 9899 to facilitate and administer the land interest acquisitions required for the CTH M - Prairie Hill Road to Cross Country Road as identified in Transportation Project Plat 5992-09-81-4.08; and,

NOW THEREFORE BE IT RESOLVED, that the City of Madison, Dane County, Wisconsin, by its City Common 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 planned public improvements in of CTH M - Prairie Hill Road to Cross Country Road Improvements.
2. That the City of Madison hereby determines that it is necessary and a public purpose exists to acquire

necessary land interests from the properties/parties as identified in the Schedule of Lands & Interests on the attached Relocation Order Map and such acquisitions are required to allow for the construction of said public improvements.

3. That the Common Council of the City of Madison, does hereby adopt this relocation order to acquire the necessary land interests required for the construction of planned public improvements associated with Engineering Division Project Numbers 10232 and 10233 CTH M - Prairie Hill Road to Cross Country Road, consisting of the attached Relocation Order Map in accordance with Section 32.05(1) and 62.22, Wisconsin Statutes. The final approval of this relocation order and subsequent execution of the approval certificates on the Relocation Order Map are hereby contingent upon the draft Environmental Assessment being accepted and signed by the Wisconsin Department of Transportation. The approval certificates on Transportation Project Plat 5992-09-81-4.08 shall be executed and the relocation map recorded only upon the satisfaction of this contingency.
4. That the Office of Real Estate Services of the Economic Development Division 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 any Uneconomic Remnant (Section 32.05(3m) of the Wisconsin Statutes) that may be subsequently determined to exist by the City of Madison. Also, the Office Real Estate Services 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.
5. That the City Of Madison Office of Real Estate Services Division of the Economic Development Division staff shall administer the acquisition of all land interests by Real Estate Master Project No. 9899.
6. That the City of Madison Office of Real Estate Services of the Economic Development Division 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 authorized to sign all necessary documents to accomplish the acquisitions.

BE IT FURTHER RESOLVED that the Mayor and the City Clerk are authorized to execute an annexation petition and all documents related thereto to cause the Property to be annexed to the City from the Town of Verona.

BE IT FURTHER RESOLVED that the Department of Planning and Community and Economic Development is authorized to file the annexation petition with the State of Wisconsin, Town of Verona, and City of Madison Clerk.

BE IT FURTHER RESOLVED the City of Madison, as determined by the City Engineer, is hereby authorized to demolish any existing structures lying within the lands acquired upon obtaining all required approvals and permits related thereto.