



## Legislation Details (With Text)

<b>File #:</b>	43681	<b>Version:</b>	1	<b>Name:</b>	Relocation Order - Capital City Trail Segment 1, a new shared-use (bicycle and pedestrian) path along the Wisconsin Department of Transportation Railroad Corridor from E. Buckeye Road to Dondee Road / Tarragon Drive.
<b>Type:</b>	Resolution	<b>Status:</b>	Passed		
<b>File created:</b>	7/11/2016	<b>In control:</b>	PLAN COMMISSION		
<b>On agenda:</b>	7/19/2016	<b>Final action:</b>	8/2/2016		
<b>Enactment date:</b>	8/8/2016	<b>Enactment #:</b>	RES-16-00590		
<b>Title:</b>	Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for the construction and maintenance of the Capital City Trail Segment 1, a new shared-use (bicycle and pedestrian) path along the Wisconsin Department of Transportation Railroad Corridor from E. Buckeye Road to Dondee Road / Tarragon Drive. Located in part of the SW ¼ of the NW ¼ of Section 15, T7N, R10E, in the City of Madison. (16th AD)				
<b>Sponsors:</b>	Denise DeMarb				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Cap City Seg 1 Vicinity Map.pdf, 2. 10154 Relocation Order.pdf				

Date	Ver.	Action By	Action	Result
8/2/2016	1	COMMON COUNCIL	Adopt	Pass
7/25/2016	1	PLAN COMMISSION	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
7/20/2016	1	BOARD OF PUBLIC WORKS	Return to Lead with the Recommendation for Approval	
7/20/2016	1	PLAN COMMISSION	Refer	
7/19/2016	1	COMMON COUNCIL	Refer	Pass
7/12/2016	1	Engineering Division	Referred for Introduction	

### Fiscal Note

In the adopted 2016 capital budget the Engineering - Ped/Bike division has budgeted \$520,000 for extension of the Capital City Trail multi-use path from Buckeye Rd to I-39 (MUNIS 10143). The minor project for Segment 1 of this work is established with sufficient budget authority for the real estate acquisition costs itemized in the proposed resolution. Funding is provided by GO Borrowing.

The proposed resolution adopts the relocation order for the acquisition of land interests at an estimated amount of \$196,600.

MUNIS:  
10154-403-160

### Title

Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for the construction and maintenance of the Capital City Trail Segment 1, a new shared-use (bicycle and pedestrian) path along the Wisconsin Department of Transportation Railroad Corridor from E.

Buckeye Road to Dondee Road / Tarragon Drive. Located in part of the SW ¼ of the NW ¼ of Section 15, T7N, R10E, in the City of Madison. (16th AD)

**Body**

**PREAMBLE**

**WHEREAS**, The City of Madison is proposing to construct a paved multi-use (bicycle / pedestrian) path that will extend the Capital City Trail from E. Buckeye Road to Dondee Road/Tarragon Drive on the southeast side of Madison, generally following the corridor of the Wisconsin Department of Transportation Railroad Corridor. This is an important segment of the remaining 6-mile gap in what will become a continuous 140-mile path across the State, the goal of a 1996 MOU between the Madison, Fitchburg, Dane County and the Wisconsin DNR. This project is an important segment to support a bike route of local, regional and Statewide importance; and

**WHEREAS**, the City of Madison Common Council adopted RES-16-00208 on March 21, 2016, approving a cost sharing agreement with the County of Dane for construction and construction oversight of the Capital City Path Segment 1 project; and,

**WHEREAS**, the Pedestrian/Bicycle/Motor Vehicle Commission reviewed the proposed path project on March 22, 2016. Legistar File Number 42186, and provided suggestions for the design of the trail; and

**WHEREAS**, the City of Madison Engineering Division has established Engineering Project No. 10154 - Cap City Trail Segment 1 for the design and construction of public infrastructure associated with the proposed bike and pedestrian path; and

**WHEREAS**, the City of Madison Office of Real Estate Services has established a Master File / Project No. 10744 to facilitate and administer acquisition of required land interests to construct the necessary public improvements associated with the bike and pedestrian path; and

**WHEREAS**, attached hereto and made part of this resolution is a City of Madison Relocation Order Map titled "PLAT OF LAND INTERESTS REQUIRED FOR THE CONSTRUCTION AND MAINTENANCE OF IMPROVEMENTS FOR A PEDESTRIAN/BIKE PATH, LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 15, ALL IN TOWNSHIP 07 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN; and,

**WHEREAS**, this Relocation Order Map identifies the necessary public land interest areas of acquisition as shown on the City of Madison Relocation Order Map and Schedule of Land Interests Required for the Demetral Park Path public improvements; and,

**WHEREAS**, all required funding for the land interest acquisitions by the City of Madison will be available in Account Number 10154-403-160 Cap City Trail Segment 1 (Easement Acquisition).

**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 planned public improvements of Capital City Path Segment 1, Engineering Project No. 10154.
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 Land Interests on the attached Relocation Order Map and such acquisitions are required to allow for the construction of

said public bike and pedestrian path 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 installation of the public bike and pedestrian path improvements associated with Engineering Division Project Number 10154 - Cap City Trail Segment 1 consisting of the attached Relocation Order Map in accordance with Section 32.05(1) and 62.22, Wisconsin Statutes.
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. 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. 10744.
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 acquisition.