



Legislation Details (With Text)

**File #:** 23899      **Version:** 1      **Name:** 9722 First Add to Park Towne  
**Type:** Resolution      **Status:** Passed  
**File created:** 9/13/2011      **In control:** BOARD OF PUBLIC WORKS  
**On agenda:** 10/18/2011      **Final action:** 10/18/2011  
**Enactment date:** 10/21/2011      **Enactment #:** RES-11-00888

**Title:** Authorizing the execution of a release of the platted access restriction affecting property located at 6613-6637 Mineral Point Road and execution of a new access restriction agreement with the property owner, Grand Canyon Collection, LLC.

**Sponsors:** Mark Clear

**Indexes:**

**Code sections:**

**Attachments:** 1. 9722 Reso Exhibit A.pdf

Date	Ver.	Action By	Action	Result
10/18/2011	1	COMMON COUNCIL	Adopt	Pass
10/5/2011	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
10/3/2011	1	PLAN COMMISSION	Return to Lead with the Recommendation for Approval	Pass
9/20/2011	1	BOARD OF PUBLIC WORKS	Refer	
9/20/2011	1	COMMON COUNCIL	Referred	
9/13/2011	1	Economic Development Division	Referred for Introduction	

**Fiscal Note**

\$500 administrative fee to be deposited into Account No. GN01-78231.

**Title**

Authorizing the execution of a release of the platted access restriction affecting property located at 6613-6637 Mineral Point Road and execution of a new access restriction agreement with the property owner, Grand Canyon Collection, LLC.

**Body**

WHEREAS, Grand Canyon Collection LLC (“Owner”) is the owner of Lots 19 and 20, First Addition to Park Towne, located at 6613-6637 Mineral Point Road (the “Owner’s Property”); and

WHEREAS, the plat of First Addition to Park Towne, a copy of which is attached as Exhibit A, contains the following access restriction: “Lot 20 restricted to one ingress from Mineral Point Road for Fire Department vehicles only;” and

WHEREAS, this restriction has not been enforced and has been overlooked by all parties, and the Owner has requested that the City release the platted access restriction and enter into a new access restriction agreement with the Owner that better reflects the nature of the current development and use of the Owner’s Property; and

WHEREAS, City Engineering, Traffic Engineering, Fire Department and City Attorney’s Office staff have reviewed such request and recommend that the City release the platted access restriction in accordance with Wis. Stats. 236.293 and that the City enter into a new access restriction agreement with the Owner.

NOW, THEREFORE, BE IT RESOLVED that, in accordance with Wis. Stats. 236.293, the Mayor and the City Clerk are authorized to execute a Release of Plat Restriction releasing the following access restriction affecting Lot 20, plat of First Addition to Park Towne, City of Madison, Dane County, Wisconsin:

“Lot 20 restricted to one ingress from Mineral Point Road for Fire Department vehicles only.”

BE IT FURTHER RESOLVED that the Mayor and the City Clerk are authorized to enter into an Access Restriction Agreement with Grand Canyon Collection LLC, the owner of Lots 19 and 20, First Addition to Park Towne, located at 6613-6637 Mineral Point Road (the “Property”), which Agreement shall provide that access to Lot 20 is restricted to one ingress and egress to and from Mineral Point Road for the benefit of customers, invitees, and employees of the commercial development on the Property and for the benefit of all fire department and emergency response vehicles.