



Legislation Details (With Text)

**File #:** 40641      **Version:** 1      **Name:** Determining a Public Purpose & Necessity & adopting a Relocation Order for the acquisition of land interests required for the re-grading the East Mendota-Pheasant Branch Greenway - Mineral Point Section between the West Beltline Highway & Tree Lane.

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

**File created:** 10/28/2015      **In control:** BOARD OF PUBLIC WORKS

**On agenda:** 12/1/2015      **Final action:** 12/1/2015

**Enactment date:** 12/4/2015      **Enactment #:** RES-15-00920

**Title:** Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for the re-grading the East Mendota-Pheasant Branch Greenway - Mineral Point Section between the West Beltline Highway and Tree Lane. (9th AD)

**Sponsors:** Paul E. Skidmore

**Indexes:**

**Code sections:**

**Attachments:** 1. 10310 Vicinity Map Regrade REVISED.pdf, 2. 92 Drainage Rel.pdf, 3. 92 Drainage Consent.pdf, 4. 91 Utilities Consent.pdf, 5. 91 Utilities Rel.pdf, 6. 10310 Tree Ln Greenway Regrading Easements.pdf, 7. 53W0861 Sauk Creek RO.pdf

Date	Ver.	Action By	Action	Result
12/1/2015	1	COMMON COUNCIL	Adopt	Pass
11/18/2015	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	
11/16/2015	1	PLAN COMMISSION	Return to Lead with the Recommendation for Approval	Pass
11/3/2015	1	BOARD OF PUBLIC WORKS	Refer	
11/3/2015	1	COMMON COUNCIL	Refer	Pass
10/28/2015	1	Engineering Division	Referred for Introduction	

**Fiscal Note**

Real Estate acquisition costs and staff time estimated \$16,000 for this project are available in Acct. No.: 10310-84-160-84200 (Land/Easement - Easement Acquisition).

**Title**

Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for the re-grading the East Mendota-Pheasant Branch Greenway - Mineral Point Section between the West Beltline Highway and Tree Lane. (9<sup>th</sup> AD)

**Body**

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

**PREAMBLE**

**WHEREAS**, the Common Council approved plans and specifications and authorized the Board of Public Works to advertise and receive bids for the re-grading of the East Mendota-Pheasant Branch Greenway - Mineral Point Section between Tree Lane and the West Beltline Highway on August 4<sup>th</sup>, 2015 per RES-15-00660, File No. 39311; and,

**WHEREAS**, this project will re-grade approximately 650 linear feet of channel between the West Beltline Highway and Tree Lane. This includes the relocation of the low-flow channel within the larger drainage way, and removal of accumulated sediment. A large quantity of invasive trees and brushy vegetation will be removed from channel and replaced with native, herbaceous vegetation and a few native trees; and,

**WHEREAS**, City Engineering Division has established Engineering Project No. 10310 Sauk Creek Greenway - Old Sauk to South, to design and re-grade the channel within the dedicated public greenway; and,

**WHEREAS**, there is an existing constriction at the entrance to the channel that will require part of the realigned channel to flow across the southwesterly corner of the private property located at 7930 Tree Lane; and,

**WHEREAS**, grading and sloping in conjunction with the project will be required to extend beyond the northern boundaries of the dedicated public greenway; and,

**WHEREAS**, the City of Madison Office of Real Estate Services Division of the Economic Development Division has established a Master File / Project No. 10899 to facilitate and administer acquisition of required land interests necessary to re-grade the East Mendota-Pheasant Branch Greenway - Mineral Point Section between the West Beltline Highway and Tree Lane; and

**WHEREAS**, to accomplish the re-grading of the East Mendota-Pheasant Branch Greenway - Mineral Point Section between the West Beltline Highway and Tree Lane as proposed by the Engineering Division, the acquisition of public land interests are required as shown on the Relocation Order titled "Plat of Land Interests Required For The Construction of Improvements for Public Storm Drainage", Part of Lot 2, CSM 6469, Being Located in the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Sec 23, T 7 N, R 8 E, City of Madison, Dane County, WI", which is attached hereto and made part of this resolution; and,

**WHEREAS**, this Relocation Order identifies the required public land interest areas of acquisition as shown on the City of Madison Relocation Order map and Schedule of Land Interests Required for the re-grading of the East Mendota-Pheasant Branch Greenway - Mineral Point Section between the West Beltline Highway and Tree Lane; and,

**WHEREAS**, all required funding for the land interest acquisitions by the City of Madison will be available in Account Number 10310-84-160-84200 (Land/Easement - 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 necessary in accordance with Section 32.07(2), Wisconsin Statutes, and the acquisition shall allow for the re-grading the East Mendota-Pheasant Branch Greenway - Mineral Point Section between the West Beltline Highway and Tree Lane, Engineering Project No. 10310.
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 re-grading the East Mendota-Pheasant Branch Greenway - Mineral Point Section between the West Beltline Highway and Tree Lane.
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 re-grading of the East Mendota-Pheasant Branch Greenway -

Mineral Point Section between the West Beltline Highway and Tree Lane, Engineering Division Project Number 10310, 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 Division 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 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. 10899.

6. That the City of Madison Office of Real Estate Services Division 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 hereby authorized to sign all necessary documents to accomplish the land interest acquisitions.