



### Legislation Details (With Text)

**File #:** 27860      **Version:** 1      **Name:** Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for storm sewer construction between Highland Avenue and 2202 University Avenue.

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

**File created:** 9/28/2012      **In control:** PLAN COMMISSION

**On agenda:** 11/27/2012      **Final action:** 11/27/2012

**Enactment date:** 11/28/2012      **Enactment #:** RES-12-00887

**Title:** Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for storm sewer construction between Highland Avenue and 2202 University Avenue. (5th AD)

**Sponsors:** Shiva Bidar, Chris Schmidt

**Indexes:**

**Code sections:**

**Attachments:** 1. 2012 Royal Oak\_Campus Dr ROW Survey Map Revised\_11-01-12 (2).pdf, 2. Rel Order Univ Rlf Strm Ph 4\_W TOPO COLOR.pdf, 3. Rel Order Univ Rlf Strm Ph 4\_BW.pdf, 4. Rel Order Univ Rlf Strm Ph 4.pdf, 5. display.pdf

Date	Ver.	Action By	Action	Result
11/27/2012	1	COMMON COUNCIL	Adopt	Pass
11/7/2012	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
11/5/2012	1	PLAN COMMISSION	Return to Lead with the Recommendation for Approval	Pass
10/3/2012	1	BOARD OF PUBLIC WORKS	Refer	
10/2/2012	1	COMMON COUNCIL	Refer	Pass
9/28/2012	1	Engineering Division	Referred for Introduction	

**Fiscal Note**

Real Estate acquisition costs estimated at \$175,000 for this project are available in Acct. Nos. ESTM-58130-810514-00-53W1399 (Land/Easement - Easement Acquisition) and ESTM-56290-810514-00-53W1399 (Inter-D to CED).

**Title**

Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for storm sewer construction between Highland Avenue and 2202 University Avenue. (5th AD)

**Body**

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

**PREAMBLE**

The Engineering Division recommends the construction of a 96-inch storm sewer main between Highland Avenue and 2202 University Avenue; and,

To accomplish this, the acquisition of public land interests (Permanent and Temporary Easements) for the storm sewer installation are required from five properties. The first permanent easement is located at 2308 University Avenue and is owned by University Heights LLC (P.I.N. 0709-211-0105-5). The second permanent easement is located at 2302 University Avenue and is owned by Casa Blanca LLC (P.I.N. 0709-211-0104-7). The third permanent easement is located at 2216 University Avenue and is owned by University E&K LLC (P.I.N. 0709-222-0501-2). The three temporary easements are located at 2216, 2208, and 2202 University Avenue and are owned by University Avenue E&K LLC (P.I.N. 0709-222-0501-2), Donald Kalscheur (P.I.N. 0709-222-0502-0), and University Car Wash (P.I.N. 0709-222-0503-8) respectively; and,

The necessary land interests, as detailed above, that are required to complete the storm sewer installation by the City of Madison are identified on the City of Madison Relocation Order Map and Schedule of Land Interests Required dated October 1, 2012 which is attached hereto and made part of this resolution; and,

The metes and bounds legal description of the same land interests is also attached hereto and made part of this resolution.

**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 a necessity in accordance with Section 32.07(2), Wisconsin Statutes, and the acquisition shall allow for the construction of a storm sewer main.
2. That the City of Madison hereby determines that it is necessary and a public purpose exists to acquire land interests from the properties located at 2308, 2302, 2216, 2208, and 2202 University Avenue. These land interest (Permanent and Temporary Limited Construction Easement) acquisitions are required to allow for the construction of the 96-inch storm sewer main.
3. City Of Madison Office of Real Estate Services has established Master File Project No. 9806 to administer the acquisition of said land interests.
4. That the Common Council of the City of Madison, does hereby adopt a relocation order to acquire the necessary land interests required for the installation of a 96-inch storm sewer main with Engineering Division Project Number 53W1399 - University Relief Storm Sewer Phase 4 consisting of the included Relocation Order Map and legal description exhibits in accordance with Section 32.05(1) and 62.22, Wisconsin Statutes.
5. That the Office of Real Estate Services Division of the Community and Economic Development Unit 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 Real Estate Section 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.
6. That the Office of Real Estate Services 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.