



Legislation Details (With Text)

**File #:** 40677      **Version:** 1      **Name:** 10776-6 Public Utility Easement & Release, Owl's Creek Subdivision

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

**File created:** 10/30/2015      **In control:** BOARD OF PARK COMMISSIONERS

**On agenda:** 1/19/2016      **Final action:** 1/19/2016

**Enactment date:** 1/22/2016      **Enactment #:** RES-16-00069

**Title:** Authorizing the execution of a Release of a Platted Public Utility Easement and the grant of a Declaration of Easement for Public Utility Purposes through a portion of Owl's Creek Subdivision, at 10 Horned Owl Court.

**Sponsors:** Denise DeMarb

**Indexes:**

**Code sections:**

**Attachments:** 1. 10775-6 Exhibit A - Utility Release Area.pdf, 2. 10775-6 Exhibit B - Declaration of Easement Area.pdf

Date	Ver.	Action By	Action	Result
1/19/2016	1	COMMON COUNCIL	Adopt	Pass
12/7/2015	1	PLAN COMMISSION	Return to Lead with the Recommendation for Approval	Pass
11/18/2015	1	BOARD OF PARK COMMISSIONERS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	
11/17/2015	1	BOARD OF PARK COMMISSIONERS	Referred	
11/17/2015	1	COMMON COUNCIL	Refer	Pass
10/30/2015	1	Economic Development Division	Referred for Introduction	

**Fiscal Note**

No fiscal impact.

**Title**

Authorizing the execution of a Release of a Platted Public Utility Easement and the grant of a Declaration of Easement for Public Utility Purposes through a portion of Owl's Creek Subdivision, at 10 Horned Owl Court.

**Body**

WHEREAS, the City of Madison (the "City") recently purchased a number of platted lots within the Owl's Creek Subdivision, including Lots 6 through 11, as located along Horned Owl Court, Snowy Owl Lane and Great Gray Drive; and

WHEREAS, the City Parks Division is installing a play area and shelter on said Lots 6 through 11 of said Subdivision; and

WHEREAS, said Lots are encumbered with a platted public utility easement that needs to be released in order to allow the installation of the City Parks Division play area and shelter facilities; and

WHEREAS, as a result of said release, a new public utility easement shall be granted along the boundary of said Lot 6 and 11, to allow continued public utility access for electric, gas and telecommunication purposes; and

WHEREAS, the City Parks Division and the Office of Real Estate Services have reviewed and approve of the easement release and dedication of the new public utility easement.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and the City Clerk are hereby authorized to execute a Release of Platted Utility Easement, and the grant of a Declaration of Easement for Public Utility Purposes for the Easement areas described as follows:

Legal Description of Easement Release Areas

Easement Release Areas as located in part of Lots 6 through 11 inclusive, Owl's Creek Subdivision, located in the NW1/4 of the SE1/4 and the SW1/4 of the SE1/4 of Section 27, T7N R10E, City of Madison, Dane County, Wisconsin, more particularly described as follows:

the southerly 5 feet of Lot 6; the easterly 5 feet of Lot 6, except the northerly 12 feet thereof, as measured perpendicular to the street right-of-way; the westerly 5 feet of Lot 7, except the northerly 12 feet thereof, as measured perpendicular to the street right-of-way; the westerly 5 feet of Lot 8; the southerly 5 feet of Lot 8, except the easterly 12 feet thereof; the northerly 5 feet of Lot 9, except the easterly 12 feet thereof; the westerly 5 feet of Lot 9, except the southerly 12 feet thereof; the easterly 5 feet of Lot 10, except the southerly 12 feet thereof; the northerly 5 feet of Lot 10; the westerly 5 feet of Lot 10, except the southerly 12 feet thereof; the easterly 5 feet of Lot 11, except the southerly 12 feet thereof;

Easement Release Areas are shown on attached Exhibit "A".

Legal Description of Declaration of Easement for Public Utility Area

Declaration of Easement for Public Utility Purposes as located in Lots 6 and 11, Owl's Creek Subdivision, located in the NW1/4 of the SE1/4 and the SW1/4 of the SE1/4 of Section 27, T7N R10E, City of Madison, Dane County City of Madison, more particularly described as follows:

A strip of land, six (6) feet in width, located in Lots 6 and 11, Owl's Creek Subdivision, located 3 feet on the right side and 3 feet on the left side of the centerline of said public utility facilities as constructed.

Declaration of Easement for Public Utility Purposes Area located approximately as set forth in the drawing attached hereto as Exhibit "B".