



Legislation Text

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File #: 57766, Version: 1

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**Fiscal Note**

Funding for this acquisition is available in the Sewer Utility Operating Budget.  
83110-53350-00000

**Title**

Authorizing the Purchase of Lot 49, Pine Hill Farm, except the east 3.5 feet thereof, for existing Public Sanitary Lift Station Improvements located therein. (1st AD)

**Body**

**WHEREAS**, the plat of Pine Hill Farm was approved by the City of Madison in 2005 with a condition of approval being the need for a public sanitary lift station to be constructed at the Developer's expense and to operate until gravity sewer service is available to the Plat that would eliminate the need of the lift station; and

**WHEREAS**, the developer later agreed to build the public sanitary lift station on Lot 49 of Pine Hill Farm ("lot 49"), which lift station was built and accepted by the City and has been in operation since 2007 (the "Lift Station Improvements"); and,

**WHEREAS**, ordinarily, the City would have secured dedicated fee title to or an easement over Lot 49 to secure the City's interest in that property. However, that did not occur and the City, while currently owning and operating the lift station on Lot 49, does not have any recorded property interest in that property; and

**WHEREAS**, Dane County (the "County") has foreclosed on a 2016 tax certificate issued against Lot 49, except the east three and one-half feet thereof, Pine Hill Farm, located at 9432 Lost Pine Trail (the "Subject Property"), and has taken title to the Subject Property from the prior owner, Holley Development, LLC, pursuant to a tax deed dated April 9, 2019; and

**WHEREAS**, the Subject Property is unimproved, except for the City-owned sanitary Lift Station Improvements located upon the Subject Property; and

**WHEREAS**, under Dane County Ordinance Sec. 26.16, the County is authorized to sell a tax deeded property to the City for the sum of all the real estate taxes, including special assessments, owing on the property, along with a service charge, which amount is generally far less than the assessed value of the property and the amount that would likely be paid for the property at public auction; and

**WHEREAS**, it is in the City's interest to acquire the Subject Property to allow for the continued operation of the Lift Station, and the County is agreeable to selling the Subject Property to the City for the amount of \$2687.23, which represents the sum of all amounts owed for back taxes, and 1% of the current assessed value; and

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, that the Director of the Economic Development Division, or his designee, is authorized to accept, on behalf of the City, a deed from the County for the Subject Property, and to execute any other forms necessary to effectuate the purchase of the Subject Property; and

**BE IT FURTHER RESOLVED**, that the form of the deed and any other document(s) needed to effectuate the purchase of the Subject Property shall be approved by the City Attorney.