



## Legislation Text

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**File #:** 55291, **Version:** 1

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### **Fiscal Note**

No City appropriation required with the acceptance of the proposed Second Amendment to Water Main Easement from Meriter Hospital, Inc. The City Engineering Division and City Water Utility have reviewed this request and recommend acceptance of the amendment.

### **Title**

Authorizing the City of Madison to accept a Second Amendment to Water Main Easement from Meriter Hospital, Inc. across a portion of the property located at 8001 Raymond Road. (7th A.D.)

### **Body**

WHEREAS, Meriter Hospital, Inc. ("Owner") is the owner of the property located at 8001 Raymond Road ("Owner's Property"); and

WHEREAS, the City of Madison ("City") and the Owner ("Parties") are parties to that certain public Water Main Easement recorded with the Dane County Register of Deeds on March 11, 2004 as Document No. 3882924 and amended by Amendment to Water Main Easement recorded with the Dane County Register of Deeds on March 27, 2007 as Document No. 4292845 (collectively, the "Easement") located on a portion of the Owner's Property;

WHEREAS, the City's Plan Commission conditionally approved the Owner's submittal of a Conditional Use application for an addition to the existing improvements on the Owner's Property per Legislative File ID No. 52759 at their meeting on October 15, 2018; and

WHEREAS, the Parties agree that the location of the Easement shall be amended to facilitate the new proposed facilities and fulfill requirements of the City's Water Utility as part of the conditions of approval for the addition to the existing improvements on the Owner's Property; and

WHEREAS, the City Engineering Division and City Water Utility have reviewed this request and recommend acceptance of an amended Easement, as legally described on attached Exhibit A and depicted on attached Exhibit B ("2<sup>nd</sup> Amended Easement Area").

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Madison authorizes acceptance, at no cost to the City, of a Second Amendment to Water Main Easement from Meriter Hospital, Inc. over a portion of the Owner's Property shown as the 2<sup>nd</sup> Amended Easement Area on Exhibits A and B attached hereto.

BE IT FURTHER RESOLVED that the Mayor and Clerk are authorized to sign the Second Amendment to Water Main Easement to accomplish the amendment contemplated herein.