



## Legislation Text

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**File #:** 01381, **Version:** 1

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### **Fiscal Note**

No expenditure required.

### **Title**

Accepting a 12-foot wide Public Storm Sewer Easement from The Urban Open Space Foundation across property located at 201 South Ingersoll Street. 6th Ald. District.

### **Body**

WHEREAS, the City Engineering Division desires to construct a new public storm sewer to eliminate flooding of the Railroad Street right-of-way between South Ingersoll Street and South Few Street; and

WHEREAS, the City requires an easement over private lands located at 201 South Ingersoll Street to accommodate a portion of the proposed public storm sewer facilities; and

WHEREAS, the property owner, The Urban Open Space Foundation ("Owner"), has offered a Public Storm Sewer Easement to the City of Madison at no cost; and

WHEREAS, City of Madison Engineering Division staff have reviewed and recommend the acceptance of the Public Storm Sewer Easement.

NOW, THEREFORE, BE IT RESOLVED that the City of Madison is hereby authorized to accept from The Urban Open Space Foundation, at no cost to the City of Madison, a 12-foot wide Public Storm Sewer Easement across the following described lands (the "Easement Area"):

Parts of Lot 1 and Lot 18, Block 185, Madison Original Plat, City of Madison, Dane County, Wisconsin, more particularly described as follows:

The Southwest 12.0 feet of said Lot 1 and the Southwest 12.0 feet of the Northwest 23.0 feet of said Lot 18.

BE IT FURTHER RESOLVED that the Public Storm Sewer Easement is subject to the following special conditions:

1. Plantings, pavement, landscaping, and other improvements within the Easement Area by the Owner shall be allowed, provided they do not interfere with or damage the installed public storm sewer facilities.
2. In the event that the Owner's development of the surrounding property necessitates the relocation of the public storm sewer facilities or their related improvements, such as inlets, the Owner may, upon a minimum of three (3) months written notice to the City, require the City to relocate its facilities or their related improvements to a mutually satisfactory new location on the Owner's adjacent property. In such event, the parties agree to amend the Easement accordingly. No fee or compensation shall be payable by the City to the Owner for the relocation of the Easement.