



## Legislation Text

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File #: 40238, Version: 1

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### Fiscal Note

Real Estate acquisition costs estimated at \$16,000 for this project are available in Acct. No(s): 10896-402-160 Sargent St and Walter St Resurfacing w/Utilities (Easement Acquisition)

### Title

Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for the construction and maintenance of a new public storm sewer between parcels located at 3514 and 3522 Sargent Street. Located in part of the NE ¼ of the NE ¼ of Section 8, T7N, R10E. (15th AD)

### Body

#### PREAMBLE

**WHEREAS**, the City of Madison Engineering Division established Engineering Project No. 10382 (53W1704) - Capital City Path Reconstruction and Bridge Replacement for the design and reconstruction of the Capital City Path. Also, the City of Madison approved the plans and specifications for the reconstruction of the said path from Marquette Street to Dennett Drive on March 17, 2015, Enactment number RES-15-00229, File ID number 37268; and

**WHEREAS**, the City of Madison Engineering Division has established Engineering Project No. 10896 - Sargent St and Walter St Resurfacing with Utilities for the design, construction and reconstruction of public infrastructure of Sargent Street from Walter Street to Dennett Drive; and

**WHEREAS**, during the course of the Capital City Path Reconstruction, an enclosed depression on the south side of the Capital City Path was discovered behind and between the properties located at 3514 and 3522 Sargent Street. During rain events, water ponds within the enclosed depression, and in many instances the impounded water will pond over the path; and

**WHEREAS**, after the investigation of several options, City of Madison Engineering staff concluded the most practical and cost effective solution to alleviate the water ponding problem is to install public storm sewer from the enclosed depression along the Capital City Path between the properties located at 3514 and 3522 Sargent Street to a connection to a planned storm sewer to be constructed within Sargent Street; and

**WHEREAS**, the City of Madison Office of Real Estate Services Division of the Economic Development Division has established a Master File / Project No. 10855 to facilitate and administer acquisition of required land interests to construct the necessary public storm sewer improvements; and

**WHEREAS**, attached hereto and made part of this resolution is a City of Madison Relocation Order Map titled "Plat of land interests required for the construction and maintenance of improvements for a public storm sewer", part of Lots 5 and 6, Walterscheit Plat, located in the NE ¼ of the NE 1/4, of Sec 8, T 7 N, R 10 E, in the City of Madison, Dane Co, Wisconsin; and

**WHEREAS**, this Relocation Order Map identifies the necessary public land interest areas of acquisition as shown on the City of Madison Relocation Order Map and Schedule of Interests Required for the public storm sewer improvements; and,

**WHEREAS**, all required funding for the land interest acquisitions by the City of Madison will be available in Account Number 10896-402-160 Sargent St and Walter St Resurfacing w/Utilities (Easement Acquisition).

**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 necessary in accordance with Section 32.07(2), Wisconsin Statutes, and the acquisition shall allow for the construction of planned public storm sewer improvements of Sargent St and Walter St Resurfacing with Utilities, Engineering Project No. 10896.
2. That the City of Madison hereby determines that it is necessary and a public purpose exists to acquire necessary land interests from the properties/parties as identified in the Schedule of Interests Required on the attached Relocation Order Map and such acquisitions are required to allow for the construction of said public storm sewer improvements.
3. That the Common Council of the City of Madison, does hereby adopt this relocation order to acquire the necessary land interests required for the installation of public storm sewer improvements associated with Engineering Division Project Number 10896, Sargent St and Walter St Resurfacing with Utilities, consisting of the attached Relocation Order Map in accordance with Section 32.05(1) and 62.22, Wisconsin Statutes.
4. That the Office of Real Estate Services Division of the Economic Development Division 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 Office Real Estate Services 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.
5. That the City Of Madison Office of Real Estate Services Division of the Economic Development Division staff shall administer the acquisition of all land interests by Real Estate Master Project No. 10855.
6. That the City of Madison Office of Real Estate Services Division of the Economic Development Division 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 authorized to sign all necessary documents to accomplish the acquisition.