



## Legislation Text

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**File #:** 34020, **Version:** 1

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### Fiscal Note

Budget authority is available in the following Acct. Nos.:

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|------------------------------|----------|
| CS53-58250-810355-00-53W1622 | \$39,950 |
| CS53-58270-810355-00-53W1622 | \$6,650  |
| ES01-58275-810332-00-53W1622 | \$38,400 |
| EW01-58273-810455-00-53W1622 | \$40,000 |

Total \$125,000  
Assessable \$15,154  
City \$109,846

### Title

Approving Plans, Specifications, And Schedule Of Assessments For Morrison Court Reconstruction Assessment District - 2014.

### Body

The Board of Public Works and the City Engineer having made reports of all proceedings in relation to the improvement of Morrison Court Reconstruction Assessment District - 2014 pursuant to a resolution of the Common Council, ID No. 33893, which resolution was adopted in accordance with Sec. 66.0701 (formerly Sec. 66.62) of the Wisconsin Statutes and Sec. 4.09 of the Madison General Ordinances and having in all things duly conformed to the order of the Common Council in relation thereto, and the provisions of the Madison General Ordinances and the Wisconsin Statutes in such case made and provided, and the Common Council being fully advised.

WHEREAS, Morrison Ct. is a small private road off of S. Baldwin St. that serves six parcels over a thirty foot wide and one-hundred foot long private right-of-way easement that was created in 1926 when the properties were first subdivided; and

WHEREAS, City Engineering records indicate the existing sanitary sewer within Morrison Ct was installed in 1904 and is identified as publicly owned and maintained; and

WHEREAS, the City of Madison Water Utility records indicate the existing water main located within Morrison Ct was installed in 1927 and is identified as publicly owned and maintained; and

WHEREAS, City Engineering records suggest that Morrison Ct. was reconstructed in 1963 by the City; and

WHEREAS, the City of Madison Streets Division managers and records indicate that public services (i.e. snow removal, refuse and recycling collection) have been provided to Morrison Ct properties for many years, likely since its creation; and

WHEREAS, in 2013 the City presented the six Morrison Ct. property owners with the option of either dedicating the private street to the City so it could be treated as a public right-of-way, or maintaining Morrison Court's private street status with the understanding that the City would cease all service to the street pursuant to City policy; and

WHEREAS, following these discussions, all six property owners have requested that Morrison Ct. be converted into a public right-of-way; and

WHEREAS, on April 9, 2014 a public hearing was held at the Board of Public Works for File ID 33281 Approving the proposed geometrics for Morrison Ct from S Baldwin St to the southwest terminus. All six (6) Morrison Ct residents were in attendance and supported the proposed geometrics; and

WHEREAS, on April 29, 2014 the City of Madison Common Council adopted File ID 33281 as RES-14-00318 Approving the proposed geometrics for Morrison Ct from S Baldwin St to the southwest terminus; and

WHEREAS, the Office of Real Estate Services, Economic Development Division in the Department of Planning & Community & Economic Development has received signed warranty deeds, including conveyance of additional permanent and temporary public easement rights from all six (6) Morrison Ct property owners. The recording of these signed documents with the Register of Deeds will convert Morrison Ct. into a public right-of-way upon Common Council authorization and acceptance of the fee title dedications and public easements, which action will recognize the manner in which the City has treated Morrison Court since its creation; and

WHEREAS, the Office of Real Estate Services, Economic Development Division in the Department of Planning & Community & Economic Development has prepared a separate Resolution File ID 33906 authorizing the Common Council of the City of Madison to accept both the warranty deed fee title and public easement conveyances; and

**BE IT RESOLVED:**

1. That the City at large is justly chargeable with and shall pay the sum of \$109,846.00 of the entire cost of said improvement, and that the sum assigned to each separate parcel, as indicated on the attached schedule of assessment, is hereby specially assessed upon each such parcel.
2. That the Common Council determines such special assessments to be reasonable.
3. That the work or improvement be carried out in accordance with the reports as finally approved.
4. That such work or improvement represents an exercise of the police power of the City of Madison.
5. That the plans & specifications and schedule of assessments in the Report of the Board of Public Works and the Report of the City Engineer for the above named improvement be and are hereby approved, and that the center line grades for the above named improvement be and are hereby established.
6. That the Board of Public Works be and is hereby authorized to advertise for and receive bids for the said improvements.
7. That no advertisement for bids shall be made until such time as the City of Madison has acquired full right-of-way.
8. That the due date by which all such special assessments shall be paid in full is October 31<sup>st</sup> of the year in which it is billed, or,
9. That such special assessments shall be collected in eight (8) equal installments, with interest thereon at 3.5% per annum, except those special assessments paid in full on or before October 31<sup>st</sup> of that year.
10. That the Mayor and City Clerk are hereby authorized to accept dedication of lands and/or easements from the Developer/Owner for public improvements located outside of existing public fee title or easement right-of-ways.

### INSTALLMENT ASSESSMENT NOTICE

Notice is hereby given that a contract has been (or is about to be) let for Morrison Court Reconstruction Assessment District - 2014 and that the amount of the special assessment therefore has been determined as to each parcel of real estate affected thereby and a statement of the same is on file with the City Clerk; it is

proposed to collect the same in eight (8) installments, as provided for by Section 66.0715 of the Wisconsin Statutes, with interest thereon at 3.5% per annum; that all assessments will be collected in installments as above provided except such assessments on property where the owner of the same has paid the assessment to the City Treasurer on or before the next succeeding November 1st.

#### NOTICE OF APPEAL RIGHTS

"Pursuant to Sec.4.09(14), Madison General Ordinances, as authorized by Sec. 66.0701(2), Wisconsin Statutes, any person against whose land a special assessment has been levied by this resolution has the right to appeal therefrom in the manner prescribed in Sec. 66.0703(12), Wisconsin Statutes, within forty (40) days of the day of the final determination of the Common Council, said date being the date of adoption of this resolution."