



Legislation Text

File #: 13455, **Version:** 1

Fiscal Note

No rent is payable by the City for this lease; therefore, there is no fiscal or budgetary impact.

Title

Authorizing the execution of a lease with the State of Wisconsin, Department of Transportation for approximately 743 square feet of land located at 5601 Eastpark Boulevard for the installation of an early warning siren.

Body

WHEREAS, the State of Wisconsin, Department of Transportation (the "State") owns the parcel of land located at 5601 Eastpark Boulevard more particularly described on attached Exhibit "A" (the "State Property"); and

WHEREAS, the State Property is partially improved with a park and ride lot, which is operated by the City of Madison; and

WHEREAS, the City desires to lease from the State an unimproved portion of the State Property for the siting of an early warning siren; and

WHEREAS, the terms of a lease have been negotiated between staff from the State and the City's Engineering Division and Office of Real Estate Services, and a lease has been prepared by the Office of Real Estate Services.

NOW THEREFORE BE IT RESOLVED that the Mayor and City Clerk are authorized to execute a lease with the State of Wisconsin, Department of Transportation (the "State") allowing for the City's use of approximately 743 square feet of land for the siting of an early warning siren and related equipment (collectively, the "Siren"), subject to the following terms and conditions:

1. The "Leased Area" is described and depicted on attached Exhibit "A."
2. The term of the Lease shall be for a period of ten (10) years, commencing on March 1, 2009. The Lease shall automatically be renewed under the same terms and conditions for additional one (1)-year terms, unless either party gives written notice to the contrary to the other party at least ninety (90) days before the automatic renewal date.
3. No rent or security deposit is payable by the City under the Lease.
4. The City shall install the Siren, at its own expense, in accordance with plans approved by the State. The Siren installation shall consist of an approximately 80-foot galvanized pole that will be direct-buried to a depth of 10-12 feet, together with a siren and ancillary equipment to be installed on the pole.
5. The State shall allow the City and its contractors the right of reasonable access to the Leased Area for persons and vehicles needed to perform initial construction and routine and periodic maintenance of the Siren. Reasonable access shall include ingress/egress at Eastpark Boulevard, unimpeded access through the park and ride lot to the Leased Area, and a vehicle parking/turn-around area.
6. During the period from March 1, 2009 until May 1, 2009, the City shall have the right to store construction materials in the "Temporary Siren Storage Area" described and designated on Exhibit "A".

7. The City shall restore any unpaved lands disturbed by vehicles following initial construction and periods of routine and periodic maintenance of the Siren.
8. Upon the termination of the Lease, the City shall remove the Siren and all associated equipment and return the Leased Area to its previous condition.

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are hereby authorized to execute any and all additional documents that may be required to complete this transaction.