



Legislation Text

File #: 03072, **Version:** 1

Fiscal Note

Easement acquisition costs of approximately \$2,000 and funds for staff time and miscellaneous expenses are available in CS53-58130-810364-00-53W0119.

Title

Authorizing the acceptance of a Permanent Limited Easement for Public Pedestrian/Bicycle Path Purposes from the Feldt Trust across their property located at 2801 Snowmist Trail. 7th Ald. Dist.

Body

WHEREAS, the City Engineering Division is constructing a new extension of South High Point Road and an adjacent public pedestrian/bicycle path ("Path") through the Plat of Ice Age Falls; and

WHEREAS, the Path will generally occupy a portion the new public right-of-way for South High Point Road; and

WHEREAS, a Permanent Limited Easement for Public Pedestrian/Bicycle Path purposes ("Easement") is needed for a portion of the Path in order to avoid the removal of a mature oak tree located in the South High Point Road right-of-way, adjacent to the Feldt Trust property at 2801 Snowmist Trail; and

WHEREAS, the Feldt Trust has agreed to grant the City of Madison said Easement in exchange for compensation based on the fair market value of the Easement; and

WHEREAS, the City Real Estate Section has determined that compensation for the Easement is estimated to be \$2,000; and

WHEREAS, the City Engineering Division has reviewed and approve of the Easement and amount of compensation; and

NOW, THEREFORE, BE IT RESOLVED that the City of Madison is hereby authorized to accept from the Feldt Trust, a Permanent Limited Easement for Public Pedestrian/Bicycle Path Purposes ("Easement"), as more particular described below and depicted on attached Exhibit A; subject to the following conditions:

1. Upon execution of the Easement, the City shall pay the Feldt Trust compensation in the amount of \$2,000.
2. The closing shall occur on or before May 30, 2006, or a later date agreed to by the parties.

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are authorized to sign any and all documents that shall be necessary or desirable to accomplish the purpose of this resolution.

Legal Description of Easement Area

A Permanent Limited Easement for Public Pedestrian and Bike Path Purposes being part of Lot 129, Ice Age Falls, recorded March 31, 2003 in Volume 58-019B of Plats on Pages 98-103 as Document No. 3680382. Said easement on part of said Lot 129 being located in part of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 02, Township 06 North, Range

08 East, City of Madison (formerly Township of Verona), Dane County, Wisconsin, more particularly described as follows:

Commencing at a point on the West right-of-way line of South High Point Road at the Southeast corner of Lot 129, Ice Age Falls as platted; thence N 02°51'15" W, along said West right-of-way line and East line of Lot 129, 142.12 feet to the **POINT OF BEGINNING**; thence continuing N 02°51'15" W, along said West right-of-way line and East line of Lot 129, 136.99 feet; thence S 10°38'55" W, 70.47 feet; thence S 16°21'52" E, 70.42 feet to a point on the West right-of-way line of South High Point Road and the East line of Lot 129, and the **POINT OF BEGINNING**.

Permanent Limited Easement contains a total of 1,127 square feet or 0.026 acre for Public Pedestrian and Bike Path Purposes.

Bearings are referenced to the plat of Ice Age Falls.