



## Legislation Text

File #: 61920, Version: 1

### Fiscal Note

Funding is included in the 2019 adopted capital budget and capital improvement plan (CIP) within the Engineering Major Streets-Blair/John Nolen Intersection and USH 151 (Blair St and E Washington St) projects. The land interest acquisition and relocation cost estimate, including City Real Estate staff time and related administration costs available in Account. No(s):

11128-402-170 Blair St South Pavement Replacement, (\$110,000 Temporary Easement Acquisition)  
11135-402-170 Blair St John Nolen Intersection, (\$10,000 Temporary Easement Acquisition)

### Title

Determining a Public Purpose and Necessity and adopting Relocation Orders for the acquisitions of land interests required for the construction of improvements for the reconstruction of S. Blair Street and the S. Blair Street Intersection with John Nolen Drive. Located in part of the SE ¼ of the SW ¼ (Government Lot 4) of Section 13, T7N, R9E, in the City of Madison. (2<sup>nd</sup>, 4<sup>th</sup> and 6<sup>th</sup> AD's)

### Body

#### Relocation Order of the City of Madison, Dane County, Wisconsin

**WHEREAS**, the City of Madison, in coordination with the Wisconsin Department of Transportation, is proposing to reconstruct USH 151 (S Blair St and E Washington Ave) from John Nolen Dr to E Washington Ave and to reconstruct the John Nolen Drive - S Blair St Intersection. The City applied for and received Highway Safety Improvement Program (HSIP) construction funding for the reconstruction of the John Nolen Drive - S Blair St Intersection. The City of Madison and State of Wisconsin Department of Transportation, using a combination of State and Local funds, are proposing a pavement replacement project on USH 151 (S Blair St and E Washington Ave) from John Nolen Dr to E Washington Ave and from S. Blair St. to S. Blount St.; and,

**WHEREAS**, the City of Madison Engineering Division has established Project Numbers, 11128 Blair St South Pavement Replacement and 11135 Blair St John Nolen Intersection, for the design and administration of the reconstruction projects; and,

**WHEREAS**, the City of Madison Common Council adopted RES-16-00361, File ID 42678 on May 17, 2016 authorizing the Mayor and the City Clerk to execute an agreement with Strand Associates for the Blair Street/John Nolen Drive Corridor Study with subsequent amendments to the said agreement approved by resolutions RES-16-00913, RES-17-00365, RES-18-00716, and RES-20-00028; and,

**WHEREAS**, the City of Madison Common Council adopted RES-19-00044, File ID 54213 on February 5, 2019, authorizing the Mayor and City Clerk to execute an agreement with the State of Wisconsin Department of Transportation for the construction cost sharing, plan development and State design review costs for the S. Blair Street/John Nolen Drive Intersection project; and,

**WHEREAS**, the City of Madison Common Council adopted RES-19-00288, File ID 55079 on April 16, 2019 authorizing the Mayor and City Clerk to execute an agreement with the State of Wisconsin Department of Transportation for construction cost sharing, plan development and State design review costs for the USH 151 (Blair Street and E. Washington Avenue) project; and,

**WHEREAS**, the City of Madison Common Council adopted RES-18-00489, File ID 51170 on June 19, 2018,

accepting the report by Strand Associates - Blair Street Corridor Study Report and approving geometry for the S Blair Street / John Nolen Drive / E Wilson Street / Williamson Street intersection; and,

**WHEREAS**, the City of Madison Common Council on August 4<sup>th</sup>, 2020 introduced a resolution as File ID 61576 to approve the final roadway geometry for S. Blair St. from John Nolen Dr. to E. Washington Ave., including the intersection of S. Blair St., John Nolen Dr., Williamson St. and E. Wilson St. The resolution has been referred to the Board of Public Works for final recommendation and is awaiting final action by the City of Madison Common Council; and,

**WHEREAS**, the City of Madison Office of Real Estate Services of the Economic Development Division has established a Master File / Project No. 12104 to facilitate and administer the land interest acquisitions required for the reconstruction of S. Blair Street and the S. Blair Street Intersection with John Nolen Drive as identified in the attached Relocation Orders titled R/W PROJECT NUMBER: 5400-00-72 and R/W PROJECT NUMBER 5400-00-73; and,

**WHEREAS**, the Design Study Report (DSR) approvals by the WisDOT Southwest Region Project Development Section for the Blair Street, John Nolen Drive, Wilson Street, and Williamson Street Intersection project (WisDOT ID 5400-00-02/72) and for the Blair Street and East Washington Avenue (Williamson Street to South Blount Street) pavement replacement project (WisDOT ID 5400-00-03/73) are pending final approval; and,

**WHEREAS**, a copy of the Relocation Orders titled - R/W PROJECT NUMBER: 5400-00-72 and R/W PROJECT NUMBER 5400-00-73 are attached hereto and made part of this resolution; and,

**NOW THEREFORE BE IT RESOLVED**, that the City of Madison, Dane County, Wisconsin, by its City Common Council and for its Relocation Order hereby resolves as follows:

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 acquisitions project and that these acquisitions are determined to be necessity in accordance with Section 32.07(2), Wisconsin Statutes, and the acquisitions shall allow for the construction of planned public improvements of South Blair Street - John Nolen Drive to East Washington Ave.
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 Lands & Interests on the attached Relocation Order Maps and such acquisitions are required to allow for the construction of said public 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 construction of planned public improvements associated with Engineering Division Project Numbers 11128 Blair St South Pavement Replacement and 11135 Blair St John Nolen Intersection, consisting of the attached Relocation Order Maps in accordance with Section 32.05(1) and 62.22, Wisconsin Statutes. The final approval of this relocation order and subsequent execution of the approval certificates on the Relocation Order Map are hereby contingent upon the Common Council adoption of the Resolution per File ID 61576 approving the final roadway geometry and the Design Study Report (DSR) being approved by the Wisconsin Department of Transportation. The approval certificates on Relocation Orders titled R/W PROJECT NUMBER: 5400-00-72 and R/W PROJECT NUMBER 5400-00-73 shall be executed and the Relocation Orders filed with the County Clerk upon the satisfaction of these contingencies.
4. That the Office of Real Estate Services 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 Orders and any Uneconomic Remnant (Section 32.05(3m) of the Wisconsin Statutes) that may be subsequently determined to exist by the City of Madison. Also, 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. 12104.
6. That the City of Madison Office of Real Estate Services of the Economic Development Division is hereby authorized to execute the jurisdictional offer, lis pendens, and award of 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 acquisitions.