



## Legislation Text

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File #: 22609, Version: 1

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### Fiscal Note

Real Estate acquisition costs estimated at \$6,500.00 for this project are available in Acct. Nos. CS53-58110-810376-00-53W1252 (ROW FEE Acquisition) and CS53-58130-810376-00-53W1252 (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 public sidewalk improvements along the south side of Kinsman Boulevard from the existing sidewalk adjacent to the McDonald's site located at 3709 Kinsman Blvd. east to Bartillon Drive. (17th AD)

### Body

## RELOCATION ORDER OF THE CITY OF MADISON, DANE COUNTY, WISCONSIN

### PREAMBLE

On January 18, 2011 the City of Madison Common Council approved Resolution No. RES-11-00061, File No. 20,854 Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Sidewalk and Curb & Gutter, Citywide Installation and Repair-2011 and Annual Sawcutting of Concrete Sidewalk and Incidental Work. (City Wide); and,

On March 29, 2011 the City of Madison Common Council approved Resolution No. RES-11-00270, File No. 21,659 Awarding Public Works Contract No. 6595, Sidewalk & Curb & Gutter, Citywide Installation & Repair - 2011; and,

In addition to citywide sidewalk improvements included with these approved contracts, the Engineering Division recommends completing some additional public sidewalk improvements to close some connectivity gaps in the vicinity of Kinsman Boulevard and Bartillon Drive; and,

To accomplish this, the acquisition of public land interests (Fee Title and Temporary Construction Easements) for Kinsman Boulevard are required from a single property owned by Brager Family Partnership, LLC located at 1918 Bartillon Drive (City P.I.N. 0810-283-0502-8); and,

The necessary Kinsman Boulevard land interests that are required to complete this public sidewalk installation by the City of Madison are identified on the City of Madison Relocation Order Map and Schedule of Land Interests Required dated May 11, 2011 which is attached hereto and made part of this resolution; and,

The metes and bounds legal description of the same land interests is also attached hereto and made part of this resolution.

### 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 necessity in accordance with Section 32.07(2), Wisconsin Statutes, and the

acquisition shall allow for the construction of public sidewalk improvements along the south side of existing Kinsman Boulevard.

2. That the City of Madison hereby determines that it is necessary and a public purpose exists to acquire land interests from the Brager Family Partnership, LLC property located at 1918 Bartillon Drive. These land interest (Fee Title and Temporary Limited Construction Easement) acquisitions are required to allow for the construction of said public sidewalk.
3. City Of Madison Office of Real Estate Services has established Master File Project No. 9671 to administer the acquisition of said land interests.
4. That the Common Council of the City of Madison, does hereby adopt a relocation order to acquire the necessary land interests required for the installation of public sidewalk improvements associated with Engineering Division Project Number 53W1252 - Bartillon Dr. / Kinsman Blvd. Sidewalk consisting of the included Relocation Order Map and legal description exhibits in accordance with Section 32.05(1) and 62.22, Wisconsin Statutes.
5. That the Office of Real Estate Services Division of the Community and Economic Development Unit 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 Real Estate Section 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.
6. That the Office of Real Estate Services 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 hereby authorized to sign all necessary documents to accomplish the land interest acquisitions.