



## Legislation Text

File #: 03302, Version: 1

### Fiscal Note

\$120,000 estimated City of Madison costs available from 2005 Capital Budget Project No. 10 placed in account CS53-58110-810370-00-53W0348-East Washington to Darbo Frontage Road-Land/Easement - Relocation Costs

### Title

Determining a Public Purpose and necessity and adopting Transportation Project Plat (TPP) No: 53W0348-4.01 for the City of Madison Real Estate Department to acquire Parcel 1 and Parcel 2 rights as identified on said TPP, to facilitate the planned public street improvements included in the East Washington to Darbo Frontage Road project and authorizing the Mayor and City Clerk to sign all necessary documents necessary to accomplish the land interest acquisitions and disposals. (15th AD)

### Body

#### PREAMBLE

**WHEREAS**, the City of Madison Engineering Division has established Project No. 53W0348 - East Washington to Darbo Frontage Road; and

**WHEREAS**, the proposed project will close the existing East Washington Avenue Frontage Road from Clyde Gallagher Avenue to the Connector from East Washington Avenue; and

**WHEREAS**, the proposed street closure will provide adequate area for the landing of a much safer Pedestrian and Bicycle overpass crossing of East Washington Avenue at this location; and

**WHEREAS**, the City of Madison shall acquire additional land from the Salvation Army, identified as Parcel 1, Transportation Project Plat No: 53W0348-4.01 as public right-of-way to facilitate public access for the existing McDonald's site at 3051 East Washington Ave. to existing Darbo Drive; and

**WHEREAS**, the City of Madison shall acquire Access Rights and Temporary Limited Easement rights from the Franchise realty Interstate Corporation, identified as Parcel 2, Transportation Project Plat No: 53W0348-4.01 to facilitate public bike path improvements and relocation of existing McDonald's driveway at 3051 East Washington Ave; and

**WHEREAS**, the City of Madison Real Estate Section of the Community and Economic Development Unit has established a Master File / Project No. 8383 to administer the necessary land interests required for these proposed public and private improvements as identified on Transportation Project Plat No: 53W0348-4.01; and

**WHEREAS**, a copy of this Transportation Project Plat is part to this resolution; and

**WHEREAS**, all required funding for the land interest acquisitions by the City of Madison will be available in Account No. CS53-58110-810370-00-53W0348;

**NOW COMES** the City Of Madison, Dane County, Wisconsin, by its City Council approving this resolution 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 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 planned public improvements of East Washington to Darbo Frontage Road Project No. 53W0348 and related Starkweather Creek Bike Path Project No. 53B0963.
2. That the City of Madison Real Estate Section 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.

3. That the City of Madison Real Estate Section of the Community and Economic Development Unit 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.
4. That the Mayor and City Clerk are authorized to sign all necessary documents necessary to accomplish the acquisition.