



Legislation Text

File #: 25664, **Version:** 1

Fiscal Note

Funding for the acquisition, relocation and closing costs of \$ 4,000,000 are available in Engineering Account No. CS53-58110-810543-00-53W0391.

Title

Authorizing the acquisition of 3699, 3701, 3703, 3707, 3711, 3713, 3717 and 3723 County Highway M Road for the South Junction Road/CTH M reconstruction project.

Body

The City of Madison Common Council on July 21, 2009 approved the plans for the Mineral Point Road and South Junction Road Intersection reconstruction project. On July 19, 2011 the Common Council approved a Relocation Order that authorized the partial acquisitions of property shown on the attached Transportation Plat.

Based on independent appraisals prepared for the City, staff presented offers to the "Property Owners" for the partial acquisition of their respective properties located at 3699, 3701 3703, 3707, 3711 3713, 3717 and 3723 County Highway M Road (collectively the "Properties"). Staff also received and reviewed independent appraisals from the Property Owners. Both the City's and the Property Owners' appraisals indicate that the partial acquisition of the Properties will result in significant damages to the values of those portions of the Properties not scheduled to be acquired through negotiation or condemnation by the City (the "Remnants" shown on the attached Aerial Map).

All Property Owners have requested that the City acquire their entire Property which request is established in Wisconsin Acquisition Statutes 32.05. Staff has reviewed these requests and finds the requests reasonable. Staff has determined that the City's net cost in acquiring the entire Properties will, in the long term, be less than the costs that would be incurred of partial acquisition of the Properties. A negotiated acquisition of the entire Properties will eliminate compensation due the Property Owners for damages to the value of the Remnants caused by a partial acquisition. A negotiated acquisition of the entire Properties will also avoid potential court costs resulting from condemnation of the Properties. The amount of relocation benefits that the Property Owners are eligible to receive under Wisconsin Statutes will be substantially lower by acquiring the entire Properties. Additionally, by acquiring the entire Properties there will be no costs for temporary construction easements.

Upon completion of roadway improvements and attachment of the Properties to the City of Madison, the City would then have the opportunity to sell the remaining assembled Properties for development which is consistent with the properties highest and best use. The sale price for the assembled Remnants would offset the acquisition costs resulting in a significant net savings to City acquisition costs for this road improvement project.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Madison ("City") authorizes staff to negotiate and acquire the entire properties located at 3699, 3701, 3703, 3707, 3711, 3713, 3717 and 3723 County Highway M Road as shown on attached Exhibit B. The properties are required by the City Engineering Division for the Mineral Point Road/CTH S and South Junction Road/CTH M reconstruction project.

BE IT STILL FURTHER RESOLVED, that if staff is not successful in negotiating a purchase agreement with the Property Owners based on the fair market value established by the appraisals that have been prepared

that staff is directed to proceed with the partial acquisition of the Properties as described in the existing Transportation Project Plat Nos; 5992-08-07-4.01 and 5992-08-07-4.02

BE IT STILL FURTHER RESOLVED, that funds are authorized to be released from Engineering Account No. CS53-58110-810543-00-53W0391

BE IT STILL FURTHER RESOLVED, that the Mayor and city Clerk are authorized to sign any and all documents related to this transaction and that are necessary to complete the purchases contemplated herein.