



## Legislation Text

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**File #:** 36741, **Version:** 1

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### Fiscal Note

Land interests acquisition costs and Real Estate staff time funds estimated at approximately \$11,500 are available in Project ledger account 10439-86-130: 54445

### Title

Determining a Public Purpose and Necessity and adopting a Relocation Order for the City of Madison to obtain the land interests required for the construction of the Lake View Reservoir Pipe Improvements project, and the authority of the Mayor and City Clerk to sign all documents necessary to accomplish the acquisition of said land interests. (18<sup>th</sup> AD).

### Body

WHEREAS, there are known water supply deficiencies in parts of the City of Madison Water Utility's Pressure Zone 5, being that part of Pressure Zone 5 located East of the Lake View Reservoir ("the Area"); and

WHEREAS, the existing water supply system may not provide consistently adequate water supplies to residences, businesses, fire protection services, and other water users in the Area; and

WHEREAS, future residential and commercial development of currently vacant lands of the Area is anticipated as described in the Northport-Warner Park-Sherman Neighborhood Plan, adopted by the City of Madison Common Council on November 3, 2009 as Resolution Res-09-00906 further increasing the water supply needs of the Area; and

WHEREAS, other overall water supply system infrastructure improvements affecting Pressure Zones 5 and 6, such as the rebuilding and upgrade of the Lake View Reservoir located just West of this Relocation Order, are planned in order to improve and upgrade the water supply system supplying water to Area and other areas of the City of Madison; and

WHEREAS, the Lake View Reservoir Pipe Improvements project has three main objectives, 1) to ensure that the existing water supply remains adequate to meeting the water supply needs of the Area, 2), to improve and upgrade the existing water supply system providing water to the Area as part of the overall water supply system improvement plan, and, and 3) to meet future water supply needs for the Area; and

WHEREAS, based on the information listed above, the City of Madison Water Utility has determined a public purpose and need for a Relocation Order for the acquisition of required land interests for the construction of public water main across privately owned real estate, being a part of the Lake View Reservoir Pipe Improvements project connecting the Lake View Reservoir with existing water mains in Esch Lane and Longview Street; and

WHEREAS, the City of Madison Engineering Division and Madison Water Utility have created City Project No. 53W1903 - Lake View Reservoir Pipeline Improvement Phase 2 for the transmission water main project along Longview Street to the Area; and

WHEREAS, the City of Madison will administer the acquisition of required land interests as identified on the various individual map exhibits and descriptions attached hereto representing the Relocation Order for City of Madison Engineering Division City Project No. 53W1903 - Lake View Reservoir Pipeline Improvement Phase 2; and

WHEREAS, all required funding for the land interest acquisition is available in Account Numbers EW01-58273-810458-00 -53W1903 - Water-Water Mains; and

WHEREAS, the City of Madison Office of Real Estate Services has created the following Project Number to administer

the land interest acquisitions: RE Master Project No. 10595 - Lake View Reservoir Pipe Improvements; and

WHEREAS, preliminary construction plans indicate the acquisition of land interests are required as shown on the Relocation Order Maps and the Schedules of Land Interests which are attached hereto and made part of this resolution; and

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 necessary in accordance with Section 32.07(2), Wisconsin Statutes, and that the acquisition shall allow for the construction of public improvements related to the Lakeview Reservoir Pipeline Improvement Project 53W1903;
2. That the City of Madison 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 Order, and the Office of 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;
3. That the City of Madison Office of Real Estate Services of the Economic Development Division staff shall administer the acquisition of all required land interests by Real Estate Master Project No. 10595.
4. 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 the compensation if condemnation proceedings under Section 32 of the Wisconsin Statutes are necessary;
5. That the Common Council of the City of Madison, does hereby adopt this relocation order to acquire the necessary land interests required for the Lakeview Reservoir Pipeline Improvement Project 53W1903, consisting of the attached Relocation Order Maps in accordance with Section 32.05(1) and 62.22, Wisconsin Statutes.
6. That the Mayor and City Clerk are authorized to sign all necessary documents necessary to accomplish the acquisition;
7. That, upon adoption, the City Clerk shall file the attached Relocation Order Maps with the Dane County Clerk in accordance with Section 32 of the Wisconsin Statutes.

**Class II Public Hearing Notice published with the official Madison newspaper for legal notices and personal notices mailed to the following affected private property owners:**

Jill A. Minshall  
4200 Esch Lane, Madison  
WI 53704  
Parcel: 0809-254-0521-2

Guilherme F. Barros  
Mary G. Barros  
1401 Longview Street  
Madison, WI, 53704  
Parcel: 0809-254-1013-8

That part of the Lake View Reservoir Pipe Improvements project affected by this Relocation Order is located in the Lake View Hill Neighborhood, at Longview Street where it intersects with Esch Lane, and is a part of Lot 3 and Lot 7 of the Plat of Kenwood Estates, being located in part of the Northwest Quarter of the Southeast Quarter of Section 25, Township 8 North, Range 9 East, in the City of Madison, Dane County, Wisconsin.