



Legislation Text

File #: 35655, **Version:** 1

Fiscal Note

No expenditure required.

Title

Authorizing the acceptance of ownership from Schenk Atwood Starkweather Yahara Neighborhood Association of a "Little Free Library" located in Hawthorne Park at 220 Division Street.

Body

WHEREAS, the Schenk Atwood Starkweather Yahara Neighborhood Association (the "Association") wishes to install and maintain a Little Free Library (the "Library") near an existing bench at the northeast corner of Hawthorne Park, located at 220 Division Street, as shown on attached Exhibit A, with image depicted on attached Exhibit B; and

WHEREAS, staff from the Parks Division, City Engineering and the Risk Manager have reviewed this request and conditionally approved the placement and installation of the Library; and

WHEREAS, the Association will transfer ownership of the Library to the City of Madison (the "City") after it has been installed, in exchange for the ongoing maintenance and repair of the Library by the Association.

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Madison authorizes the acceptance of ownership from the Association of a Library to be located near an existing bench at the northeast corner of Hawthorne Park, located at 220 Division Street, as shown on attached Exhibit A, with image depicted on attached Exhibit B; subject to the following conditions:

1. The Association shall be responsible for all costs of installation, maintenance and repair of the Library.
2. The Association shall locate the Library at a specific location, to be approved by the Parks Superintendent.
3. The Association shall be responsible for locating all underground utility services in the area where the Library is placed, shall contact Diggers Hotline prior to any future excavation activities, and shall have all utilities properly marked.
4. The Association shall comply with all Madison General Ordinances regarding the construction and installation of the Library within the public park, including any and all City of Madison permits for excavation and installation, if applicable.
5. The City shall not be held responsible for any damage to the Library that may be caused by the City, its employees, contractors, or others.
6. The Association shall monitor the Library for objectionable materials and remove materials that may be construed as such.
7. The City may remove the Library if not properly maintained, by giving the Association sixty (60) days written notice prior to removal. The Association is responsible for any reasonable costs associated with such removal.

8. The City may remove the Library if the area occupied by it is required for park or other public purposes, by giving the Association sixty (60) days written notice prior to removal. Public purposes include, without limitation because of enumeration, public alleys, parks, streets, highways, bike paths, sidewalks, and facilities for the development, improvement and use of public lands.
9. The Association shall sign a Letter of Agreement that shall be memorialized by an Affidavit of Recording with the Dane County Register of Deeds.