



## Legislation Text

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**File #:** 32222, **Version:** 1

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### **Fiscal Note**

\$500 Administrative Fee to be deposited into Account No. GN01-78231.

### **Title**

Authorizing the Mayor and the City Clerk to execute a Partial Release of a Permanent Limited Easement for Public Storm Water Management Purposes pertaining to Lot 77, Second Addition to Hawk's Creek, now known as Mill Creek Condominium plat, located at 8201 Mill Creek Drive.

### **Body**

WHEREAS, the property owner of the Mill Creek Estates Condominium Unit No. 30 located at 8201 Mill Creek Drive, wishes to expanded an existing deck, which is attached to the rear of said condominium unit; and

WHEREAS, the proposed deck expansion would result in the encroachment of said deck into an existing Permanent Limited Easement for Public Storm Water Management Purposes as recorded in Document No. 4363493 ("Easement"), as recorded in the Dane County Register of Deeds Office, said Easement being located in the rear yard of said condominium unit; and

WHEREAS, a partial release of said Easement, pertaining to Lot 77, Second Addition to Hawk's Creek, now known as Mill Creek Condominium plat, would be required to avoid the deck encroachment; and

WHEREAS, said property owner contacted City Engineering about the possibility of the release of the Northerly five (5) feet of said Easement, and has supplied the necessary administrative fee, legal description and exhibits; and

WHEREAS, the City Engineering Division has reviewed and approves of the release of the Northerly five (5) feet of said Easement, pertaining to Lot 77, Second Addition to Hawk's Creek, now known as Mill Creek Condominium plat.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and the City Clerk are hereby authorized to execute a Partial Release of a Permanent Limited Easement for Public Storm Water Management Purposes as recorded on October 4, 2007 as Document No. 4363493, Dane County Registry; located within the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 3, Town 6 North, Range 8 East, City of Madison, Dane County, Wisconsin, as depicted on attached Exhibit A.