



## Legislation Text

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**File #:** 53283, **Version:** 2

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### **Fiscal Note**

The proposed resolution authorizes granting and executing a Trail and Conservation Easement, for \$500,000, to Dane County pursuant to land acquisition for future connection of the Ice Age Trail. Adopted RES-18-00688 (File ID 52532) authorized the City to enter into a Purchase and Sale Agreement with Charles P. Dykman and Bonnie Dykman for the conveyance of the 40 acres of vacant land for the Trail located in the Town of Verona for an estimated total cost of \$2,030,000, \$500,000 of which is paid by Dane County. The proposed resolution grants a Trail and Conservation Easement to the County and the County will then wire the \$500,000 to the title company and the settlement sheet will reflect the \$500,000 from Dane County. The \$500,000 from the County is not collected by the City. The remaining funds for the land acquisition are available in the Parks Division 2018 Adopted Capital Budget (project 17355). No additional City appropriation is required.

### **Title**

Authorizing the City of Madison to grant and execute a Trail and Conservation Easement to the County of Dane over 40 acres of vacant land in the Town of Verona to be purchased by the City for the future connection of the Ice Age Trail.

### **Body**

WHEREAS, the Ice Age National Scenic Trail (the "Trail"), extending approximately one thousand miles, from Door County, Wisconsin, to Polk County, Wisconsin, has been recognized by the United States as providing nationally significant scenic, historic, natural and cultural qualities of that glaciated region; and

WHEREAS, over the past sixty-years, numerous entities, including the City, the County, the State of Wisconsin and the Ice Age Trail Alliance, Inc., have worked together to secure the property interests needed to establish, develop and protect the Trail; and

WHEREAS, over time, the City has expended significant resources on securing property interests to establish portions of the Trail; and

WHEREAS, the County has established the Trail as a priority in its Parks and Open Space Plan to acquire lands and conservation easements in order to provide Trail connections through Dane County and to protect the natural, open space, agricultural and conservation qualities and environmentally significant areas associated with the Trail for recreational and open space uses; and

WHEREAS, as authorized by Resolution Enactment No. RES-18-00688, File ID 52532, adopted by the City's Common Council on September 25, 2018, the City has entered into a Purchase and Sale Agreement with Charles P. Dykman and Bonnie Dykman (collectively, the "Seller") for the conveyance of the 40 acres of vacant land for the Trail located in the Town of Verona, Dane County, Wisconsin (the "Property"), as depicted on attached Exhibit A and legally described as follows:

The Northeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 4, Township 6 North, Range 8 East, in the Town of Verona, Dane County, Wisconsin, EXCEPT that part annexed to the City of Madison in instrument #3421152; and

WHEREAS, the County has agreed to provide \$500,000 to the City to help fund the City's acquisition of the Property for the Trail with the understanding that a Trail and Conservation Easement would be granted to the County after the City acquires the Property from the Seller.

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Madison hereby authorizes the City to grant

and execute a Trail and Conservation Easement (the "Easement") to the County, for \$500,000, over, across and on the Property, on terms and conditions as approved by the City Attorney and consistent with the document attached as Exhibit B.

BE IT FURTHER RESOLVED that the Mayor and City Clerk are authorized to execute any documents with Dane County that are required to secure the County's contribution and actualize the granting of the Easement to the County, on a form and in a manner that has been approved by the City Attorney.