



Legislation Text

---

File #: 01123, Version: 1

---

**Fiscal Note**

Acquisition Costs (Less than \$5,000.00) and staff time funds available in: CS53-58130-810379-00-53W0236.

Construction Costs estimated to be \$170,000 Funds are available in CS53-58240-810379-00-53W0236 (Path) and CS53-58270-810379-00-53W0236 (Storm Sewer)

**Title**

Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of Plat of land interests required to facilitate construction of the American Family Extension of the East Rail Path, located in the Northeast ¼ of Section 9, Town 7 North, Range 10 East, City of Madison, Dane County, Wisconsin and approving plans and specifications for said project.

**Body**

**PREAMBLE**

**WHEREAS**, the City of Madison Engineering Division has established Project No. 53W0236 - American Family Buckeye of Capital City Trail; and

**WHEREAS**, the City of Madison Engineering Division is proposing to construct this segment of multi-use path from the end of the existing East Rail path at Dempsey Road to Cottage Grove Road; and

**WHEREAS**, the City of Madison Real Estate Section of the Community and Economic Development Unit has established a Master File / Project No. 8177 to administer the land interest acquisition required from two properties for the proposed construction of the American Family Extension; and

**WHEREAS**, this multi-use path requires the acquisition of temporary limited easements for grading and sloping and permanent limited easements for construction and maintenance of the path from two properties as identified in the Plat of land interests required to facilitate construction of the American Family Extension of the East Rail Path, located in the Northeast ¼ of Section 9, Town 7 North, Range 10 East, City of Madison, Dane County, Wisconsin; and

**WHEREAS**, a copy of this plat of right-of-way is attached to this resolution; and

**WHEREAS**, all required funding for the land interest acquisitions by the City of Madison will be available in Account No. CS53-58130-810379-00-53W0236;

**NOW COMES** the City Of Madison, Dane County, Wisconsin, by its City Council and for its Relocation Order hereby resolves as follows:

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 necessity in accordance with Section 32.07(2), Wisconsin Statutes, and the acquisition shall allow for the construction of the American Family Extension of the East Rail Path, located in the Northeast ¼ of Section 9, Town 7 North, Range 10 East, City of Madison, Dane County, Wisconsin.
2. That the City of Madison Real Estate Section of the Community and Economic Development Unit 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 Real Estate Section 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 Real Estate Section of the Community and Economic Development Unit 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.
4. That the Mayor and City Clerk are authorized to sign all necessary documents necessary to accomplish the acquisition.
5. That plans and specifications for the American Family Extension of the East rail Path are hereby approved.
6. That the Board of Public Works be and is hereby authorized to advertise and receive bids for the required public works contract.