



Legislation Text

File #: 21132, **Version:** 1

Fiscal Note

\$500.00 Administrative Fee to be deposited into Account No. GN01-78231.

Title

Authorizing the execution of Private Storm Sewer Easement to Yahara Square Associates LLP across a portion of a Yahara Parkway parcel located at 1 South Thornton Avenue.

Body

WHEREAS, Yahara Square Associates LLP, (the "Owner") is owner of the former Gisholt Foundry building located at 1301 East Washington Avenue (the "Owners Property"); and

WHEREAS, the Owner's Property, is served by a private storm sewer piping system, which is located within East Main Street right-of-way and crosses the Yahara River Parkway property at 1 South Thornton Avenue; and

WHEREAS, the Owner's private storm sewer piping dates back to the 1940's, but was unknown to the City until it was recently discovered during a Madison Metropolitan Sewerage District ("MMSD") sanitary sewer interceptor project, along the Yahara River Parkway property; and

WHEREAS, the Owner's private storm sewer piping was disturbed and plugged up during the MMSD project, which has resulted in occasional flooding at the Owner's Property; and

WHEREAS, the Owner's have requested permits from the WisDNR and the City of Madison to reconstruct the storm sewer piping and outlet structure located in the Yahara River Parkway; and also have requested a private storm sewer easement for the existing storm sewer piping and outlet structure located with the Yahara River Parkway; and

WHEREAS, the City Engineering Division and Parks Division have reviewed and approve of the Easement.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and the City Clerk are hereby authorized to execute a Private Storm Sewer Easement with Yahara Square Associates LLP for the Easement described as follows:

Part of the Northwest Quarter of the Northwest Quarter of Section 07, Township 07 North, Range 10 East, City of Madison, Dane County, Wisconsin. The centerline of 20 foot wide private storm sewer easement more fully described as follows:

Commencing at the Southeast corner of Block 240, Original Plat of Madison; thence North 45 degrees 57 minutes 38 seconds East, 66.70 feet, more or less, to the northeasterly right-of-way of South Thornton Avenue; thence North 52 degrees 21 minutes 39 seconds West along said right-of-way, 19.08 feet to the point of beginning and the centerline of said 20 foot wide easement; thence North 21 degrees 32 minutes 49 seconds East, 47.90 feet to the edge of the Yahara River and the point of termination. The side lines of said easement are prolonged or shortened to terminate on the westerly bank of the Yahara River and the northeasterly right-of-way line of South Thornton Avenue.

The area of the Easement and the general location of the facilities are depicted on attached Exhibits.