



## Legislation Text

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**File #:** 22070, **Version:** 1

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### **Fiscal Note**

The 100% City funded. Budget authority for \$193,000 is available in CS53-58110-810571-00-53W0518 (Fee acquisitions) and CS53-58130-810571-00-53W0518 (Easement acquisitions).

### **Title**

Determining a Public Purpose and Necessity and adopting Transportation Project Plat No. 5992-08-18-4.01-4.07 - Relocation Order University Avenue - (C.T.H. MS) Allen Boulevard to Segoe Road, City of Madison, Dane County, Wisconsin, for the acquisition of Plat of Land Interests required for University Avenue (Allen Boulevard to Segoe Road) Engineering Project No. 53W0518, authorizing the Mayor and City Clerk to execute all necessary documents relative to the acquisition of the necessary real estate interests to perform the improvements;

and;

Declaring a 0.020 acre portion of existing University Avenue public right-of-way adjacent to the Stop-N-Go convenience store located at 5445 University Ave as shown on Sheet 4.04 of Transportation Project Plat No. 5992-08-18-4.01-4.07 as surplus public right-of-way and authorizing the Mayor and City Clerk execute all necessary documents relative to the disposal of the declared surplus right-of-way to the adjacent property owner.

### **Body**

WHEREAS, the City of Madison adopted RES-09-01000 on January 6, 2009 Authorizing the Mayor and City Clerk to enter into an agreement with Dane County, Village of Shorewood Hills and the City of Middleton for the sharing of Engineering Design Costs for C.T.H. MS / University Avenue between Allen Boulevard and Segoe Road; and

WHEREAS, the City of Madison adopted RES-09-00544 on June 2, 2009 Authorizing the Mayor and City Clerk to enter into an agreement with KL Engineering, Inc. for design engineering services for university Avenue from Allen Boulevard to Segoe Road; and

WHEREAS, the City of Madison adopted RES-09-00779 on September 1, 2009 Authorizing the Mayor and City Clerk to enter into an agreement with the State of Wisconsin Department of Transportation for state review services for preliminary engineering for University Avenue from Allen Boulevard to Segoe Road; and

WHEREAS, the City of Madison adopted RES-10-00901 on November 9, 2010 Authorizing the Mayor and City Clerk to execute an Amendment to the contract between the City of Madison and KL Engineering, Inc. for additional design engineering services for University Avenue from Allen Boulevard to Segoe Road; and

WHEREAS, the City of Madison adopted RES-11-00245 on March 15, 2011 Authorizing the Mayor and City Clerk to execute an Amendment to the contract between the City of Madison and KL Engineering, Inc. for additional design engineering services for University Avenue from Allen Boulevard to Segoe Road; and

WHEREAS, the City of Madison Engineering Division has established Project No. 53W0518 - University Avenue (Allen Boulevard to Segoe Rd); and

WHEREAS, per the terms of the agreement between the City of Madison, State of Wisconsin Department of Transportation and KL Engineering, Inc., KL Engineering, Inc. has prepared Transportation Project Plat No. 5992-08-18-4.01-4.07 - Relocation Order University Avenue - (C.T.H. MS) Allen Boulevard to Segoe Road, on behalf of the City of Madison, Dane County, Wisconsin, for the acquisition of various Plat of Land Interests required for University Avenue (Allen Boulevard to Segoe Road); and

WHEREAS, the City of Madison Real Estate Section of the Economic and Community Development Unit has established a Master File Project No. 9607 and Sub Project Nos. 9608-9652 (inclusive) to administer the land interest acquisitions required for the proposed reconstruction improvements for University Avenue - (C.T.H. MS) Allen Boulevard to Segoe Road, City of Madison, Dane County, Wisconsin; and

WHEREAS, a copy of Transportation Project Plat No. 5992-08-18-4.01-4.07 is attached and made part of this resolution.

NOW, THEREFORE, BE IT RESOLVED that the City Of Madison, Dane County, Wisconsin, by its City Common Council and for its Relocation Order hereby resolves as follows:

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 public improvements University Avenue - (C.T.H. MS) Allen Boulevard to Segoe Road, City of Madison, Dane County, Wisconsin.

BE IT FURTHER RESOLVED 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.

BE IT STILL FURTHER RESOLVED 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.

BE IT FINALLY RESOLVED that the Mayor and City Clerk are authorized to sign all necessary documents necessary to accomplish the acquisitions.