



Legislation Text

File #: 35265, **Version:** 1

Fiscal Note

No expenditure required.

Title

Authorizing the acceptance of ownership from Regent Neighborhood Association of a “Little Free Library” located at the Southwest Bike Path near the Spooner Street bridge.

Body

WHEREAS, the Regent Neighborhood Association (the “Association”) wishes to maintain an existing Little Free Library (the “Library”) on the Southwest Bike Path near the Spooner Street bridge, adjacent to property located at 1721 Regent Street, as shown on attached Exhibit A; and

WHEREAS, representatives from City Engineering, Planning, Traffic Engineering, and Risk Management have reviewed this request and conditionally approved the existing location of the Library; and

WHEREAS, the Association will transfer ownership of the Library to the City in exchange for the ongoing maintenance and repair of the Library by the Association; and

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Madison authorizes the acceptance of ownership from the Regent Neighborhood Association of a Little Free Library located at the Southwest Bike Path near the Spooner Street bridge, adjacent to property located at 1721 Regent Street, as shown on attached Exhibit A; subject to the following conditions:

1. The Association shall be responsible for all costs of maintenance and repair of the Library.
2. The Library shall remain at its current location, while maintaining a minimum of six feet from the edge of the path.
3. The Association agrees to maintain the turf within six feet of the Library post, including regular mowing and removal of debris.
4. If the Library post requires replacement or the Library requires major maintenance, the Association is not authorized to replace the Library in its current location. The Association shall contact City Engineering for an acceptable location and the Letter of Agreement shall be amended accordingly.
5. In the event of future relocation of the Library, the Association shall be responsible for locating all underground utility services in the area where the Library is placed, shall contact Diggers Hotline prior to any future excavation activities, and have all utilities properly marked.
6. The Association shall comply with all Madison General Ordinances regarding the installation of the Library within public lands, including any and all City of Madison requirements, when applicable.
7. The City shall not be held responsible for any damage to the Library that may be caused by the City, its employees, contractors, or others.
8. The Association shall monitor the Library for objectionable materials and remove materials that may be construed as such.

9. The City may remove the Library if not properly maintained, by giving the Association sixty (60) days written notice prior to removal. The Association is responsible for any reasonable costs associated with such removal.
10. The City may remove the Library if the area occupied by it is required for public purposes, by giving the Association sixty (60) days written notice prior to removal. Public purposes include but are not limited to, and without limitation because of enumeration, public alleys, streets, highways, bike paths, sidewalks, and facilities for the development, improvement and use of public lands.
11. The Association shall sign a Letter of Agreement that shall be memorialized by Affidavit of Recording with the Dane County Register of Deeds.
12. The Association understands that the Library is located on property owned by Wisconsin Department of Transportation (WisDOT) and managed by the City of Madison Engineering Division for bike path purposes, subject to the Permit Agreement between the City, WisDOT and Southwest Wisconsin River Rail Transit Commission. Under the terms of the Permit Agreement, the City has no authority to grant any property rights, including easements, leases or permits. Private path amenities are allowed in the corridor under Engineering Administrative Procedure 6.07.03 for "Private Encroachments Within the Publicly Owned Southwest Path Corridor". Under this policy, the City encourages and will cooperate with private stewardship of the public property to the extent that it enhances public enjoyment of the path and does not harm the function of the path in any way. The City reserves the right to remove any vegetation which detracts from the safety, drainage, maintenance or appearance of the path, or as necessary for any public projects within the corridor.