



Legislation Details (With Text)

File #: 03403 **Version:** 1 **Name:** Vacating a portion of Dow Court from 66 feet Southeast of W. Wilson Street to the southerly terminus, being located in the Southeast 1/4 of Section 23, Town 7 North, Range 9 East, City of Madison, Dane County, Wisconsin.

Type: Resolution **Status:** Passed

File created: 4/10/2006 **In control:** BOARD OF PUBLIC WORKS

On agenda: 6/6/2006 **Final action:** 6/6/2006

Enactment date: 6/6/2006 **Enactment #:** RES-06-00474

Title: Vacating a portion of Dow Court from 66 feet Southeast of W. Wilson Street to the southerly terminus, being located in the Southeast 1/4 of Section 23, Town 7 North, Range 9 East, City of Madison, Dane County, Wisconsin. (4th AD)

Sponsors: Michael E. Verveer

Indexes:

Code sections:

Attachments: 1. Dow Court Vacation Map Description.pdf, 2. Dow Court Vacation Request.pdf, 3. 03403 ROD recording.pdf, 4. memo to staff re: adoption.pdf

| Date | Ver. | Action By | Action | Result |
|-----------|------|-----------------------------|---|--------|
| 6/6/2006 | 1 | COMMON COUNCIL | Adopt and Close the Public Hearing | Pass |
| 5/17/2006 | 1 | BOARD OF PUBLIC WORKS | RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING | Pass |
| 5/1/2006 | 1 | PLAN COMMISSION | Return to Lead with the Recommendation for Approval | Pass |
| 4/18/2006 | 1 | COMMON COUNCIL | Refer For Public Hearing | |
| 4/18/2006 | 1 | BOARD OF PUBLIC WORKS | Refer | |
| 4/11/2006 | 1 | Engineering Division | Referred for Introduction | |
| 4/10/2006 | 1 | Engineering Division | Fiscal Note Required / Approval | |
| 4/10/2006 | 1 | Finance Dept/Approval Group | Approved Fiscal Note By The Comptroller's Office | |

Fiscal Note

This transfer of approximately 9,734 sq. ft. of vacated Dow Court public right-of-way to adjoining land owners intended to facilitate future development of the site. No expenditure of City funds

Title

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Body

WHEREAS, J.H. Findorff & Son Inc. and the National Conference of Bar Examiners own all the abutting property of the proposed Dow Court vacation/discontinuance area; and

WHEREAS, J. H. Findorff & Son Inc. and the National Conference of Bar Examiners have requested that the City of Madison vacate a portion of public street known as Dow Court to facilitate the their proposed development at 601 West Wilson Street; and

WHEREAS, J.H. Findorff & Son Inc. and the National Conference of Bar Examiners proposed development plan has been submitted and currently being reviewed as Legislative File No. 03142 scheduled for final approval at May 2, 2006

Common Council meeting; and

WHEREAS, the City Of Madison has existing public sanitary sewer and water main within the proposed vacated/discontinued Dow Court lands; and

WHEREAS, the City Of Madison may have to retain easements for the existing public sanitary sewer and water main within the proposed vacated/discontinued Dow Court lands, unless the proposed development plan does not require the perpetuation of public use of these facilities and resulting abandonment thereof; and

NOW THEREFORE BE IT RESOLVED, that the City Of Madison retains exclusive public sanitary sewer and water main easements over the entire vacated Dow Court; and

NOW THEREFORE BE IT RESOLVED, that the City Of Madison hereby conditionally discontinues and vacates the portion of Dow Court under WI Ss 66.296(2) as shown on attached map and legal descriptions; and

NOW THEREFORE BE IT FURTHER RESOLVED, under Section 80.32(4), Wisconsin Statutes, any easements or incidental rights within the vacated Dow Court, are perpetuated unless released as part of this vacation;

NOW THEREFORE BE IT FURTHER RESOLVED, that the City Clerk validate this street vacation by recordation with the Dane County Register of Deeds;