



Legislation Details (With Text)

**File #:** 13972      **Version:** 1      **Name:** 9139 Easement - Wingra Dam - UW  
**Type:** Resolution      **Status:** Passed  
**File created:** 3/10/2009      **In control:** BOARD OF PUBLIC WORKS  
**On agenda:** 4/21/2009      **Final action:** 4/21/2009  
**Enactment date:** 4/23/2009      **Enactment #:** RES-09-00376

**Title:** Accepting a Permanent Construction and Maintenance Easement from the Board of Regents of the University of Wisconsin System across property located in the UW Arboretum to allow for the reconstruction and maintenance of the Lake Wingra dam.

**Sponsors:** Julia S. Kerr

**Indexes:**

**Code sections:**

**Attachments:** 1. 9139 Exhibit A.pdf, 2. 9139 Exhibit B.pdf

Date	Ver.	Action By	Action	Result
4/21/2009	1	COMMON COUNCIL	Adopt	Pass
4/1/2009	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
3/23/2009	1	PLAN COMMISSION	Return to Lead with the Recommendation for Approval	Pass
3/17/2009	1	BOARD OF PUBLIC WORKS	Refer	
3/17/2009	1	COMMON COUNCIL	Referred	
3/10/2009	1	Community and Economic Development Unit	Referred for Introduction	

**Fiscal Note**

No fiscal or budgetary impact.

**Title**

Accepting a Permanent Construction and Maintenance Easement from the Board of Regents of the University of Wisconsin System across property located in the UW Arboretum to allow for the reconstruction and maintenance of the Lake Wingra dam.

**Body**

WHEREAS, the Board of Regents of the University of Wisconsin System (the "UW") is the owner of a parcel of land located at 1352 McCaffrey Drive (the "Property") that comprises a part of the UW Arboretum; and

WHEREAS, the City will be replacing the existing Lake Wingra dam located adjacent to the Property in accordance with Engineering Project No. 53W0258; and

WHEREAS, the City requires a permanent, non-exclusive easement across a portion of the Property to allow for construction and maintenance activities related to the Lake Wingra dam; and

WHEREAS, the UW has agreed to grant the required easement to the City, at no cost, and City Engineering staff have reviewed and recommend that said easement be accepted.

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Madison authorizes acceptance of a non-exclusive Permanent Construction and Maintenance Easement ("Easement") from the

Board of Regents of the University of Wisconsin System (the "UW") on the following terms and conditions:

1. The "Easement Area" is located in the general area indicated on attached Exhibit A and is more particularly described and depicted on attached Exhibit B.
2. The City shall have the right of ingress and egress to and from the Easement Area for purposes of access, construction, restoration and long-term operation and maintenance of the Lake Wingra dam.
3. The UW shall have the right to use the Easement Area for purposes not inconsistent with the City's use, provided that the UW shall not erect or construct any building or other structure, nor drill or operate any well, nor place any tree within the Easement Area.