



Legislation Details (With Text)

File #: 14996 **Version:** 1 **Name:** Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of Plat of land interests required for the construction of Felland Road Sanitary Sewer Phase 2 and Stormwater Management Project near Felland Road / Burke Road

Type: Resolution **Status:** Passed

File created: 6/3/2009 **In control:** BOARD OF PUBLIC WORKS

On agenda: 6/16/2009 **Final action:** 7/21/2009

Enactment date: 7/27/2009 **Enactment #:** RES-09-00649

Title: Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of Plat of land interests required for the construction of Felland Road Sanitary Sewer Phase 2 and Stormwater Management Project near Felland Road / Burke Road / Wisconsin & Southern Railroad, located in that part of the South 1/2 of Section 23 and part of the North 1/2 of Section 26, all in Town 8 North, Range 10 East, Town of Burke, Dane County, Wisconsin. (17th AD)

Sponsors: Joseph R. Clausius

Indexes:

Code sections:

Attachments: 1. dennisrjones revised 102008.pdf, 2. Mills_Part revised 102008.pdf, 3. raetherledonmae revised 102008.pdf, 4. rrne revised 102008.pdf, 5. Sauey revised 102008.pdf, 6. Sec26_Burke revised 102008.pdf, 7. Sec26_RR revised 102008.pdf, 8. Stucki revised 102008.pdf, 9. 53W0370_FINAL PLANS_01-15-09.pdf

Date	Ver.	Action By	Action	Result
7/21/2009	1	COMMON COUNCIL	Adopt	Pass
7/8/2009	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT	Pass
			- REPORT OF OFFICER	
7/6/2009	1	PLAN COMMISSION	Return to Lead with the Recommendation	Pass
			for Approval	
6/16/2009	1	BOARD OF PUBLIC WORKS	Refer	
6/16/2009	1	COMMON COUNCIL	Referred	
6/3/2009	1	Engineering Division	Referred for Introduction	

Title

Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of Plat of land interests required for the construction of Felland Road Sanitary Sewer Phase 2 and Stormwater Management Project near Felland Road / Burke Road / Wisconsin & Southern Railroad, located in that part of the South 1/2 of Section 23 and part of the North 1/2 of Section 26, all in Town 8 North, Range 10 East, Town of Burke, Dane County, Wisconsin. (17th AD)

Body

WHEREAS, the City of Madison on July 18, 2006 adopted RES-06-00658, File Number 04049, Authorizing the Mayor and the City Clerk to enter into a contract with Ayres associates for consulting services for Surveying, Planning and Design of Felland Neighborhood Sanitary Sewer Phase 2 and Stormwater Survey and Design Project; and

WHEREAS, the City of Madison Engineering Division has received submittal of these various consultant

services from Ayres Associates; and

WHEREAS, the City of Madison on August 7, 2007 adopted RES-07-00815 Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for the Felland Road Neighborhood Sewer Assessment District; and

WHEREAS, the City of Madison on December 4, 2007 adopted ORD-07-00192 which was enacted on December 20, 2007, establishing the Felland Road Neighborhood Sanitary Sewer Improvement Impact Fee District; and

WHEREAS, by adopting the various resolutions and ordinances listed above, the City of Madison Common Council has initiated the public purpose and need for a Relocation Order for the acquisition of Plat of land interests required for the construction of Felland Road Sanitary Sewer Phase 2 and Stormwater Management Project; and

WHEREAS, the City of Madison Engineering Division has created City Project No. 53W0370 - Felland Road Sanitary Sewer Phase 2 and Stormwater Management Project; and

WHEREAS, the City of Madison will administer the acquisition of required land interests as identified on the various individual map exhibits and descriptions attached hereto representing the Relocation Order for City of Madison Engineering Division City Project No. 53W0370 - Felland Road Sanitary Sewer Phase 2 and Stormwater Management Project; and

WHEREAS, all required funding for the land interest acquisition is available in Account No. ES01-58120-810548-00-53W0370 - Sanitary - Felland Area Sewer Extension / Land/Easement - Relocation Costs; and

WHEREAS, the City of Madison Office of Real Estate Services has created Project No. 9183 - as a master file to administer all necessary land interest acquisitions; and

WHEREAS, approved construction plans indicate necessary land interest acquisitions from eight (8) different property owners in the Town of Burke; and

NOW COMES THE CITY OF MADISON, Dane County, Wisconsin, by its City Council and for its Relocation Order hereby resolves as follows:

1. 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 necessary in accordance with Section 32.07(2), Wisconsin Statutes, and that the acquisition shall allow for the construction of public improvements related to Felland Road Sanitary Sewer Phase 2 and Stormwater Management Project;
2. That the City of Madison Office of Real Estate Services of the Economic Development Division 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 Office of Real Estate Services 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;
3. That the City of Madison Office of Real Estate Services of the Economic Development Division 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;
4. That the Mayor and City Clerk are authorized to sign all necessary documents necessary to

accomplish the acquisition;

5. That the City Clerk shall file this Relocation Order with the Dane County Clerk in accordance with Section 32 of the Wisconsin Statutes;

Fiscal Note

\$130,000.00 estimated for acquisition costs and staff time, funds available in: ES01-58120-810548-00-53W0370 - Sanitary - Felland Area Sewer Extension / Land/Easement - Relocation Costs.