



Legislation Details (With Text)

File #: 15272 **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 the Cannonball Run Pipeline Water Main Project located within the Allied-Dunn's Marsh Neighborhood PI

Type: Resolution **Status:** Passed

File created: 6/30/2009 **In control:** BOARD OF PUBLIC WORKS

On agenda: 8/4/2009 **Final action:** 8/4/2009

Enactment date: 8/5/2009 **Enactment #:** RES-09-00694

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 the Cannonball Run Pipeline Water Main Project located within the Allied-Dunn's Marsh Neighborhood Plan near Crescent Road / Carling Drive, located in part of the Northwest 1/4 of Section 5, Town 6 North, Range 9 East, portions in both the City of Madison and City of Fitchburg, Dane County, Wisconsin. (10th AD)

Sponsors: Brian L. Solomon

Indexes:

Code sections:

Attachments: 1. Approximate easement areas by Burse.pdf, 2. 2211 Carling Esmt Description.pdf, 3. 4625 Crescent Esmt Description.pdf, 4. CDA Esmt Description.pdf, 5. Madison Parcel Esmt Description.pdf

Date	Ver.	Action By	Action	Result
8/4/2009	1	COMMON COUNCIL	Adopt	Pass
7/22/2009	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
7/20/2009	1	PLAN COMMISSION	Return to Lead with the Recommendation for Approval	Pass
7/7/2009	1	BOARD OF PUBLIC WORKS	Refer	
7/7/2009	1	COMMON COUNCIL	Referred	
7/1/2009	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 the Cannonball Run Pipeline Water Main Project located within the Allied-Dunn's Marsh Neighborhood Plan near Crescent Road / Carling Drive, located in part of the Northwest 1/4 of Section 5, Town 6 North, Range 9 East, portions in both the City of Madison and City of Fitchburg, Dane County, Wisconsin. (10th AD)

Body

WHEREAS, the City of Madison Common Council adopted RES-07-00780 on August 7, 2007 authorizing the City of Madison and City of Fitchburg to negotiate the funding, construction, and maintenance of the Cannonball Run Bike Path; and

WHEREAS, there are known water supply deficiencies to the Arbor Hills Neighborhood; and

WHEREAS, the City of Madison Water Utility desires to coordinate the installation of public water main within the Cannonball Run Bike Path corridor with the bike path construction project to improve water supply to the

Arbor Hills Neighborhood and surrounding areas; and

WHEREAS, currently, a single 8-inch public water main supplies water to the Arbor Hills neighborhood. The single pipeline supply causes this area to be especially vulnerable to water outages and service interruptions due to water main breaks; and

WHEREAS, the Cannonball Run Pipeline project has three main objectives, 1) to improve the availability of fire flow, 2) to provide a redundant supply to the Arbor Hills Neighborhood and 3) to add the ability to transfer water between Pressure Zones 6 and 7 in conjunction with the Arbor Hills Supplemental Fire Flow Supply project. The inter-zone transfer can utilize excess capacity in the Unit Well 18 area of Pressure Zone 6 to supplement supply needs in Pressure Zone 7; and

WHEREAS, both the City of Madison Engineering Division and Water Utility have worked together with the City of Fitchburg and have collaborative plan for both the bike path and water main construction; and

WHEREAS, the City of Madison Water Utility has introduced a Resolution approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for the Cannonball Run Pipeline, Contract No. 6382; and

WHEREAS, based on the various resolutions and information listed above, the City of Madison has indicated the public purpose and need for a Relocation Order for the acquisition of Plat of land interests required for the construction of public water main by the Cannonball Run Pipeline project; and

WHEREAS, the City of Madison Engineering Division and Water Utility have created City Project No. 53W0850 - Cannonball Run Pipeline - 2009 for transmission water main project along Cannonball Run Trail; 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. 53W0850 - Cannonball Run Pipeline - 2009; and

WHEREAS, all required funding for the land interest acquisition is available in Account No. EW01-58273-810455-00-53W0850 - Water-Water Mains; and

WHEREAS, the City of Madison Office of Real Estate Services has created the following Project Numbers to administer the land interest acquisitions:

RE Project No. 9184- Cannonball Bike Path Water Main Project-King Property;
RE Project No. 9188- Cannonball Bike Path Water Main Project-Venter/Hays Property;
RE Project No. 9189- Cannonball Bike Path Water Main Project-Madison CDA Property;
RE Project No. 9190- Cannonball Bike Path Water Main Project-Madison Engr Property;

WHEREAS, preliminary construction plans indicate necessary land interest acquisitions from four (4) different property owners within the City of Madison and City of Fitchburg outside of the bike path corridor; 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 Cannonball Run Pipeline - 2009;

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

7,852 sq ft of private land interest area acquisition costs and Real Estate staff time funds estimated at approximately \$100,000 are available in: EW01-58273-810455-00-53W0850 - Water-Water Mains

20,473 sq ft of land interest area declaration by the City of Madison on City of Madison owned property at no cost.

Class II Public Hearing Notice published with the official Madison newspaper for legal notices and personal notices mailed to the following affected private property owners:

Thomas & Sandra King
Property Address: 4625 Crescent Rd., Madison, WI, 53711
Mailing Address: 3349 2nd Drive, Oxford, WI, 53952

Daniel Venter & Michael Hays
2211 Carling Dr.
Madison, WI 53711

City of Madison Community Development Authority
Property Address: 2347 Allied Dr., Madison, WI 53711
Mailing Address: P.O. Box 2985, Madison, WI 53701-2985

City of Madison Engineering Division
Property Address: 4654 Crescent Rd., Madison, WI 53711
Mailing Address: 210 Martin Luther King Jr. Blvd. Room 115, Madison, WI 53703