



Legislation Details (With Text)

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|------------------------|--|----------------------|---|--------------|--|
| File #: | 24779 | Version: | 1 | Name: | Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for the reconstruction and maintenance of existing public sanitary sewer improvements associated with the N. Frances Street Assessment |
| Type: | Resolution | Status: | | | Passed |
| File created: | 12/7/2011 | In control: | | | PLAN COMMISSION |
| On agenda: | 2/7/2012 | Final action: | | | 2/7/2012 |
| Enactment date: | 2/10/2012 | Enactment #: | | | RES-12-00084 |
| Title: | Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for the reconstruction and maintenance of existing public sanitary sewer improvements associated with the N. Frances Street Assessment District - 2011. (8th AD) | | | | |
| Sponsors: | Scott J. Resnick | | | | |
| Indexes: | | | | | |
| Code sections: | | | | | |
| Attachments: | 1. 53W1125 N Frances St Sanitary Sewer Relocation Order Map.pdf | | | | |

| Date | Ver. | Action By | Action | Result |
|------------|------|-----------------------|---|--------|
| 2/7/2012 | 1 | COMMON COUNCIL | Adopt | Pass |
| 1/18/2012 | 1 | BOARD OF PUBLIC WORKS | RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER | Pass |
| 1/9/2012 | 1 | PLAN COMMISSION | Return to Lead with the Recommendation for Approval | Pass |
| 12/13/2011 | 1 | BOARD OF PUBLIC WORKS | Refer | |
| 12/13/2011 | 1 | COMMON COUNCIL | Referred | |
| 12/7/2011 | 1 | Engineering Division | Referred for Introduction | |

Fiscal Note

Real Estate acquisition costs and staff time estimated at \$70,000 for this project are available in Acct. No. ES01-58130-810332-00-53W1125 (Land Easement - Easement Acquisition).

Title

Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for the reconstruction and maintenance of existing public sanitary sewer improvements associated with the N. Frances Street Assessment District - 2011. (8th AD)

Body

RELOCATION ORDER OF THE CITY OF MADISON, DANE COUNTY, WISCONSIN

PREAMBLE

On March 15, 2011 the City of Madison Common Council approved Resolution No. RES-11-00208, File No. 21,148 Approving Plans, Specifications, And Schedule Of Assessments For N. Frances Street (Langdon St) Assessment District - 2011; and,

In addition to the proposed street reconstruction, the Engineering Division recommends reconstructing portions of undersized, outdated and deteriorating public sanitary sewers in the vicinity of the N. Frances St - Langdon St project; and,

City Engineering Division has established Engineering Project No. 53W1125 and Office of Real Estate Services Project No. 9784 to facilitate the acquisition of required easements to perform the necessary public sanitary sewer reconstruction associated with the N. Frances St. reconstruction project.

To accomplish the sanitary sewer reconstruction as proposed by the Engineering Division, the acquisition of public land interests (Permanent and Temporary Construction Easements) are required from a single property owned by Devine Partners, LLP located at 630 N. Frances St. (City P.I.N. 0709-143-0121-6); and,

The necessary permanent and temporary easement land interests that are required to complete this public sanitary sewer reconstruction by the City of Madison are identified on the City of Madison Relocation Order Map and Schedule of Land Interests Required dated December 7, 2011 which is attached hereto and made part of this resolution; and,

The metes and bounds legal descriptions for the permanent and temporary easement land interests will be prepared upon adoption of this resolution and provided to the Office of Real Estate Services.

NOW THEREFORE BE IT RESOLVED,

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 necessity in accordance with Section 32.07(2), Wisconsin Statutes, and the acquisition shall allow for the construction of public sanitary sewer improvements in conjunction with the previously approved N. Frances Street (Langdon St) Assessment District - 2011.
2. That the City of Madison hereby determines that it is necessary and a public purpose exists to acquire land interests from the Devine Partners, LLP owned property located at 630 N. Frances St. These land interest (Permanent Easement and Temporary Limited Construction Easement) acquisitions are required to allow for the construction of said public sanitary sewer.
3. City Of Madison Office of Real Estate Services staff shall administer the acquisition of easement land interests by Real Estate Project No. 9784.
4. That the Common Council of the City of Madison, does hereby adopt this relocation order to acquire the necessary land interests required for the installation of public sanitary sewer improvements associated with Engineering Division Project Number 53W1125 - N. Frances Street (Langdon St) Assessment District - 2011, consisting of the attached Relocation Order Map in accordance with Section 32.05(1) and 62.22, Wisconsin Statutes.
5. That the Office of Real Estate Services Division of the Community and Economic Development Unit 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 Real Estate Section 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.
6. That the Office of Real Estate Services 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.

That the Mayor and City Clerk are hereby authorized to sign all necessary documents to accomplish the land interest acquisitions.