



Legislation Details (With Text)

**File #:** 25771      **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 and stormwater drainage improvements associated with the N.

**Type:** Resolution      **Status:** Passed

**File created:** 3/27/2012      **In control:** BOARD OF PUBLIC WORKS

**On agenda:** 5/15/2012      **Final action:** 5/15/2012

**Enactment date:** 5/18/2012      **Enactment #:** RES-12-00351

**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 and stormwater drainage improvements associated with the N. Franklin - N. Blair Street Sanitary Crossover. (2nd AD)

**Sponsors:** Bridget R. Maniaci

**Indexes:**

**Code sections:**

**Attachments:** 1. 129-133 N Franklin\_color.pdf, 2. 130-206 N Blair\_color.pdf, 3. Buckdaddy LLC 130 N Blair TLE Legal.pdf, 4. Ji 129 N Franklin TLE Legal.pdf, 5. Martin 133 N Franklin TLE Legal.pdf, 6. Paul 202 N Blair TLE Legal.pdf, 7. Paul 206 N Blair TLE Legal.pdf

Date	Ver.	Action By	Action	Result
5/15/2012	1	COMMON COUNCIL	Adopt	Pass
5/2/2012	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
4/23/2012	1	PLAN COMMISSION	Return to Lead with the Recommendation for Approval	Pass
4/10/2012	1	BOARD OF PUBLIC WORKS	Refer	
4/10/2012	1	COMMON COUNCIL	Referred	
3/27/2012	1	Engineering Division	Referred for Introduction	

**Fiscal Note**

Real Estate acquisition costs and staff time estimated at \$15,000.00 for this project are available in Acct. No. ES01-58110-810503-00-53W1326 (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 and stormwater drainage improvements associated with the N. Franklin - N. Blair Street Sanitary Crossover. (2nd AD)

**Body**

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

**PREAMBLE**

On April 10, 2012 the City of Madison Common Council is scheduled to approve File No. 25,658 Approving

plans and specifications and authorizing the Board of Public Works to advertise and receive bids for N. Franklin - N. Blair Street Sanitary Crossover. (2nd AD); and,

This proposed Public Works project will repair and rehabilitate a failing 10-inch public sanitary sewer main located within a 6-foot wide City of Madison owned right-of-way which serves four adjacent properties. The sanitary main is severely damaged near N. Blair Street. The most damaged section will be repaired and the entire main will be lined. The project will also replace an existing 15-inch public storm sewer main with a new 24-inch main within that same 6-foot wide City of Madison owned right-of-way. The upgraded public storm sewer will alleviate existing flooding problems within the enclosed depression on N. Franklin Street; and,

City Engineering Division has established Engineering Project No. 53W1326 and Office of Real Estate Services Project Nos. 9901 thru 9905 (inclusive) to facilitate the acquisition of required easements to perform the necessary public sanitary sewer and stormwater drainage improvements reconstruction associated with the 53W1326 - N. Franklin - N. Blair Street Sanitary Crossover reconstruction project.

To accomplish the public sanitary sewer and stormwater drainage improvements reconstruction as proposed by the Engineering Division, the acquisition of public land interests (Temporary Construction Easements) are required from five adjacent properties as indicated on the two (2) Relocation Order Maps attached hereto and made part of this resolution; and,

The metes and bounds legal descriptions for the temporary easement land interests are also attached hereto and made part 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 and storm sewer improvements in conjunction with 53W1326 - N. Franklin - N. Blair Street Sanitary Crossover.
2. That the City of Madison hereby determines that it is necessary and a public purpose exists to acquire land interests from the five adjacent properties as indicated on the two (2) Relocation Order Maps attached hereto and made part of this resolution. These land interests (Temporary Construction Easement) acquisitions are required to allow for the construction of said public sanitary and storm sewer improvements.
3. City Of Madison Office of Real Estate Services staff shall administer the acquisition of easement land interests per Real Estate Project Nos. 9901-9905 (inclusive).
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 53W1326 - N. Franklin - N. Blair Street Sanitary Crossover, consisting of the two (2) 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.
7. That the Mayor and City Clerk are hereby authorized to sign all necessary documents to accomplish the land interest acquisitions.