



## Legislation Details (With Text)

**File #:** 27462      **Version:** 1      **Name:** 7114 ATT Easement at Water Util S. Park St.  
**Type:** Resolution      **Status:** Passed  
**File created:** 8/21/2012      **In control:** WATER UTILITY BOARD  
**On agenda:** 10/2/2012      **Final action:** 10/2/2012  
**Enactment date:** 10/5/2012      **Enactment #:** RES-12-00784

**Title:** Authorizing the execution of an Amendment to Utility Easement to Wisconsin Bell Inc. d/b/a AT&T Wisconsin across a portion of a City Water Utility Well #18 parcel, located at 1925 South Park Street.

**Sponsors:** Tim Bruer

**Indexes:**

**Code sections:**

**Attachments:** 1. 7114 Resolution Exhibit A.pdf

Date	Ver.	Action By	Action	Result
10/2/2012	1	COMMON COUNCIL	Adopt	Pass
9/19/2012	1	WATER UTILITY BOARD	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
9/12/2012	1	PLAN COMMISSION	Return to Lead with the Recommendation for Approval	Pass
9/5/2012	1	WATER UTILITY BOARD	Refer	
9/4/2012	1	COMMON COUNCIL	Referred	
8/21/2012	1	Economic Development Division	Referred for Introduction	

No fiscal impact.

Authorizing the execution of an Amendment to Utility Easement to Wisconsin Bell Inc. d/b/a AT&T Wisconsin across a portion of a City Water Utility Well #18 parcel, located at 1925 South Park Street.

WHEREAS, the City of Madison and Wisconsin Bell Inc., d/b/a AT&T Wisconsin ("AT&T") are parties to a certain Utility Easement recorded on September 28, 2001 in the Dane County Register of Deeds Office as Document Number 3379081 (the "Easement"), allowing AT&T to install utility cabinets and related equipment (the "Facilities") on the City Water Utility Well #18 parcel, located at 1925 South Park Street; and

WHEREAS, the City Water Utility requested that AT&T install a security fence around the Facilities to help prevent loitering in the immediate area and related nuisance calls to the City Police Department; and

WHEREAS, AT&T has requested an amendment to the Easement to enlarge the easement area by approximately 2.5 feet to allow the installation of the security fence, matching an existing wood fence that was constructed previously for the City Water Utility facility; and

WHEREAS, City of Madison Water Utility and Office of Real Estate Services staff has reviewed and approve of the granting of such an easement amendment.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and the City Clerk are hereby authorized to execute an Amendment to Utility Easement to Wisconsin Bell Inc., d/b/a AT&T Wisconsin ("AT&T"), pertaining to an existing Utility Easement recorded on September 28, 2001 in the Dane County Register of Deeds Office as Document Number 3379081 (collectively, the "Easement"), across a portion of the City Water Utility parcel

located at 1950 South Park Street, subject to the following terms and conditions:

1. The Easement shall be amended to provide additional easement area to install a security fence around the existing AT&T facilities, as depicted on Exhibit A.
2. AT&T shall maintain the security fence in a satisfactory manner; as approved by the City Water Utility.
3. All other provisions of the Easement shall apply to the Amended Easement and shall remain in full force and affect.

#### Description of the Easement Area

A strip of land being located in part of the Northwest Quarter of the Northeast Quarter, Section 35, Town 7 North, Range 9 East, City of Madison, Dane County, Wisconsin, being more particularly described as follows:

Commencing at the North Quarter corner of said Section 35; thence South00degrees 03minutes 11 seconds E, 195.99 feet; thence South01degrees 44minutes 10seconds E, 132.2 feet; thence South89degrees 49minutes 20seconds E, 53 feet to the Northwesterly corner of the Water Utility parcel; thence continuing South 89 degrees 49minutes 20seconds E, 57.90 feet to the point of beginning; thence South89degrees 49minutes 20seconds E, 33 feet to the Northeasterly corner of said Water Utility parcel; thence South13degrees 20minutes 49seconds E, 25.5 feet; the North89degrees 49minutes 20seconds W, 33 feet; North13degrees 20minutes 49seconds E, 25.5 feet to the point of termination.

The Easement Area is located as set forth on attached Exhibit A.