Legislation Details (With Text)

File #:	27555	**Version:**	1	**Name:**	Determining a Public Purpose & Necessity & adopting a Relocation Order for the acquisition of land interests required for the constr & maint of a new S. Few St Xing of the Union Pacific RR assoc w/Central Park.
Type:	Resolution			**Status:**	Passed
File created:	8/29/2012			**In control:**	PLAN COMMISSION
On agenda:	10/16/2012			**Final action:**	10/16/2012
Enactment date:	10/18/2012			**Enactment #:**	RES-12-00804

Title: Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for the construction and maintenance of a new S. Few Street crossing of the Union Pacific Railroad associated with Central Park. (6th AD)

Sponsors: Marsha A. Rummel

Indexes:

Code sections:

Attachments: 1. Central Park Easement Descriptions.pdf, 2. Central Park Easement Exhibit_2012-9-21.pdf

Date	Ver.	Action By	Action	Result
10/16/2012	1	COMMON COUNCIL	Adopt	Pass
10/15/2012	1	PLAN COMMISSION	Return to Lead with the Recommendation for Approval	Pass
10/3/2012	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
10/2/2012	1	BOARD OF PUBLIC WORKS	Refer	
10/2/2012	1	COMMON COUNCIL	Referred	Pass
8/30/2012	1	Engineering Division	Referred for Introduction	

Fiscal Note

Real Estate acquisition costs and staff time not to exceed the estimated $104,000 for this project are available in Acct. No. CS53-58110-810625-00-53W0853 (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 construction and maintenance of a new S. Few Street crossing of the Union Pacific Railroad associated with Central Park. (6th AD)

Body

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

PREAMBLE

On February 22, 2011 the City of Madison Common Council approved Resolution No. RES-11-00180, File No. 21,245 which authorized the Mayor and City Clerk to execute a project agreement for design Oversight for Central Park with the State of Wisconsin Department of Transportation; and,

City Engineering Division has established Engineering Project No. 53W0853 - Central Park Phase 1 and the Office of Real Estate Services has established Master File Project No. 10015 to facilitate the acquisition of

required easements to perform the necessary public improvements associated with the S. Few Street reconstruction Central Park project; and,

The Wisconsin Department of Transportation, on behalf of the City of Madison, petitioned the Office of the Commissioner of Railroads (OCR) for the establishment of a new pedestrian crossing of the tracks owned by the Union Pacific Railroad and operated by the Wisconsin & Southern Railroad Company at Few Street; and

The purpose of the crossing is to provide non-motorized and emergency access to Madison's planned Central Park, located north of E Wilson Street between S Baldwin Street and S Brearly Street; and,

The OCR in its Final Decision dated July 25, 2012 ordered establishment of the new crossing under certain conditions; and,

One of those conditions is that the City of Madison obtain permanent limited easements to provide a clear view within the required sight triangles (except that part within the railroad right of way) and that the City remove any obstructions within those sight triangles (defined in the OCR Final Decision), including earth embankments; and,

To accomplish the necessary public improvements associated with the S. Few Street reconstruction Central Park project as proposed by the Engineering Division and approved by the State of Wisconsin Department of Transportation, the acquisition of public land interests (Permanent and Temporary Construction Easements and release of Rights) are required from four (4) different properties/parties; and,

The necessary permanent and temporary easement and release of rights land interests that are required to complete this S. Few Street reconstruction Central Park project by the City of Madison are identified on the Relocation Order Map and Schedule of Land Interests Required dated May 24, 2012 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 are attached hereto and made part of this resolution and have been 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 S. Few Street crossing of the Union Pacific Railroad associated with Central Park.

2. That the City of Madison hereby determines that it is necessary and a public purpose exists to acquire land interests from the four (4) different properties/parties as identified in the Schedule of Land Interests on the attached Relocation Order map.

3. City Of Madison Office of Real Estate Services staff shall administer the acquisition of all easement and related release of right land interests by Real Estate Project Nos. 9955-9959 (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 S. Few Street improvements associated with Engineering Division Project Number 53W0853 - Central Park Phase 1, 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

powered by Legistar™

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.

powered by Legistar™