Legislation Details (With Text)

File #:	27992	**Version:**	1	**Name:**	Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for the construction of the Johnson St, E public sidewalk bike path from N. First Street to N. Third Street.
Type:	Resolution			**Status:**	Passed
File created:	10/10/2012			**In control:**	PLAN COMMISSION
On agenda:	11/27/2012			**Final action:**	11/27/2012
Enactment date:	11/28/2012			**Enactment #:**	RES-12-00888

Title: Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for the construction of the Johnson St, E public sidewalk bike path from N. First Street to N. Third Street. (12th AD)

Sponsors: Satya V. Rhodes-Conway

Indexes:

Code sections:

Attachments: 1. tj_base_BW.pdf, 2. Johnson Bike_Fredrickson_PLE.pdf, 3. Johnson Bike_Hornung_PLE.pdf, 4. BPW Display.pdf

Date	Ver.	Action By	Action	Result
11/27/2012	1	COMMON COUNCIL	Adopt	Pass
11/7/2012	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
11/5/2012	1	PLAN COMMISSION	Return to Lead with the Recommendation for Approval	Pass
10/16/2012	1	BOARD OF PUBLIC WORKS	Referred	
10/16/2012	1	COMMON COUNCIL	Referred	
10/10/2012	1	Engineering Division	Referred for Introduction	

Fiscal Note

Real Estate acquisition costs for the Permanent Limited Easement acquisition are not to exceed $10,000 for this project and are available in Acct. No. CS53-58130-810375-00-53W1246 (Easement Acquisition).

Title

Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for the construction of the Johnson St, E public sidewalk bike path from N. First Street to N. Third Street. (12th AD)

Body

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

PREAMBLE

The Engineering Division recommends the construction of a public sidewalk / bike path adjacent to existing E. Johnson Street public right-of-way from N. First Street to N. Third Street to allow for safer bicycle and pedestrian crossings with existing E. Johnson Street vehicular traffic; and,

To accomplish the design and construction of this public sidewalk / bike path, the acquisition of public land interests (Permanent Limited Easements for Construction Purposes) are required from two properties designated as Parcels 1 and 2 on attached Relocation Order Map:

Parcel 1:
Fredrickson Living Trust
2011 E. Johnson Street
251/0710-063-0809-5

Parcel 2:
Hornung, Donald J
2040 E. Johnson Street
251/0710-063-0106-5

The necessary land interests required to construct the E. Johnson Street public sidewalk / bike path from N. First Street to N. Third Street by the City of Madison are identified on the City of Madison Relocation Order Map and Schedule of Land Interests Required dated October 9, 2012 which is attached hereto and made part of this resolution; and,

The metes and bounds legal description of the same land interests is also attached hereto and made part of this resolution.

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 the E. Johnson Street public sidewalk / bike path from N. First Street to N. Third Street.

2. That the City of Madison hereby determines that it is necessary and a public purpose exists to acquire land interests from Parcels 1 and 2 as identified on the Relocation Order. These land interests (Permanent Limited Easement) acquisitions are required to allow for the construction and future maintenance of said public bike path.

3. City Of Madison Office of Real Estate Services has established Project No. 10045 for Parcel 1 and Project No. 10046 for Parcel 2 to administer the acquisition of said land interests.

4. That the Common Council of the City of Madison, does hereby adopt a relocation order to acquire the necessary land interests required for the installation of public bike path improvements associated with Engineering Division Project Number 53W1246 - E. Johnson Street public sidewalk / bike path from N. First Street to N. Third Street consisting of the included Relocation Order Map and legal description exhibits 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.