



Legislation Details (With Text)

**File #:** 39081      **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 a bike and pedestrian path between the West Beltline Highway and Tree Lane.

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

**File created:** 6/26/2015      **In control:** BOARD OF PUBLIC WORKS

**On agenda:** 8/4/2015      **Final action:** 8/4/2015

**Enactment date:** 8/5/2015      **Enactment #:** RES-15-00655

**Title:** Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for the construction of a bike and pedestrian path between the West Beltline Highway and Tree Lane. (9th AD)

**Sponsors:** Paul E. Skidmore

**Indexes:**

**Code sections:**

**Attachments:** 1. 53W0861 TLE Relocation Order.pdf, 2. 53W0861 Tree Lane Path Vicinity Map.pdf

| Date      | Ver. | Action By             | Action  | Result |
|-----------|------|-----------------------|---|--------|
| 8/4/2015  | 1    | COMMON COUNCIL        | Adopt   | Pass   |
| 7/22/2015 | 1    | BOARD OF PUBLIC WORKS | RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER   |        |
| 7/13/2015 | 1    | PLAN COMMISSION       | Return to Lead with the Recommendation for Approval | Pass   |
| 7/7/2015  | 1    | BOARD OF PUBLIC WORKS | Refer   |        |
| 7/7/2015  | 1    | COMMON COUNCIL        | Referred  | Pass   |
| 6/26/2015 | 1    | Engineering Division  | Referred for Introduction                           |        |

**Fiscal Note**

Real Estate acquisition costs and staff time not to exceed the estimated \$8,000 for this project are available in Acct. No.:

10289-403-160 (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 of a bike and pedestrian path between the West Beltline Highway and Tree Lane. (9<sup>th</sup> AD)

**Body**

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

**PREAMBLE**

**WHEREAS**, this project is a bike and pedestrian path between the West Beltline Highway and Tree Lane. This is part of a larger concept to create a major north-south bike path extending from Verona to north of Mineral Point Road, roughly paralleling County Trunk Highway "M". It will be an important component of the City's non-motorized transportation network providing safe and direct routes between destinations in the City of

Madison; and,

**WHEREAS**, City Engineering Division has established Engineering Project No. 10289 Tree Lane Greenway Path to design and construct the bike and pedestrian path; and,

**WHEREAS**, the proposed bike and pedestrian path will occupy lands currently owned by the City of Madison and the State of Wisconsin; and,

**WHEREAS**, acquisition of public land interests over adjacent lands are required to accomplish the proposed construction of the bike and pedestrian path improvements; and,

**WHEREAS**, the City of Madison Office of Real Estate Services Division of the Economic Development Division has established a Master File / Project No. 10389 to facilitate and administer acquisition of required land interests necessary to construct the necessary public improvements associated with the Tree Lane Greenway Path; and

**WHEREAS**, to accomplish the necessary public improvements associated with the Tree Lane Greenway Path as proposed by the Engineering Division, the acquisition of public land interests are required as shown on the Relocation Order titled "Plat of Land Interests Required For the Construction of Improvements for a Bike-Ped Path Located in the SW ¼ of the SW ¼ of Sec. 23, T 7 N, R 8 E, City of Madison, Dane County, WI", which is attached hereto and made part of this resolution; and,

**WHEREAS**, this Relocation Order identifies any necessary public land interest areas of acquisition as shown on the City of Madison Relocation Order map and Schedule of Land Interests Required for construction of the bike and pedestrian path improvements of the Tree Lane Greenway Path; and,

**WHEREAS**, all required funding for the land interest acquisitions by the City of Madison will be available in Account Number 10289-403-160 (Land/Easement - Easement Acquisition).

**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 necessary in accordance with Section 32.07(2), Wisconsin Statutes, and the acquisition shall allow for the construction of the Tree Lane Greenway Path, Engineering Project No. 10289.
2. That the City of Madison hereby determines that it is necessary and a public purpose exists to acquire necessary land interests from the properties/parties as identified in the Schedule of Land Interests on the attached Relocation Order Map and such acquisitions are required to allow for the construction of said public street improvements.
3. That the Common Council of the City of Madison, does hereby adopt this relocation order to acquire the necessary land interests required for the Tree Lane Greenway Path associated with Engineering Division Project Number 10289, consisting of the attached Relocation Order Map in accordance with Section 32.05(1) and 62.22, Wisconsin Statutes.
4. That the Office of Real Estate Services Division of the Economic Development Division 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 Office Real Estate Services 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.

5. That the City Of Madison Office of Real Estate Services Division of the Economic Development Division staff shall administer the acquisition of all land interests by Real Estate Master Project No. 10389.
6. That the City of Madison Office of Real Estate Services Division of the Economic Development Division 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.