



Legislation Details (With Text)

File #: 41380 **Version:** 1 **Name:** Determining a Public Purpose and Necessity and adopting a Relocation Order for the City of Madison to obtain the land interests required for the maintenance and replacement, if necessary, of an existing fire hydrant and the underground water pipes, facili

Type: Resolution **Status:** Passed

File created: 1/8/2016 **In control:** WATER UTILITY BOARD

On agenda: 1/19/2016 **Final action:** 3/15/2016

Enactment date: 3/21/2016 **Enactment #:** RES-16-00228

Title: Determining a Public Purpose and Necessity and adopting a Relocation Order for the City of Madison to obtain the land interests required for the maintenance and replacement, if necessary, of an existing fire hydrant and the underground water pipes, facilities and appurtenances providing the hydrant and adjoining properties with water, and the authority of the Mayor and City Clerk to sign all documents necessary to accomplish the acquisition of said land interests.

Sponsors: Ledell Zellers

Indexes:

Code sections:

Attachments: 1. 1-1590-02 W Lakelawn PI Relocation Order.pdf

Date	Ver.	Action By	Action	Result
3/15/2016	1	COMMON COUNCIL	Adopt	Pass
2/24/2016	1	WATER UTILITY BOARD	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
2/3/2016	1	BOARD OF PUBLIC WORKS	Return to Lead with the Recommendation for Approval	
1/25/2016	1	PLAN COMMISSION	Return to Lead with the Recommendation for Approval	Pass
1/19/2016	1	WATER UTILITY BOARD	Refer	
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1/19/2016	1	COMMON COUNCIL	Referred	
1/8/2016	1	Water Utility	Referred for Introduction	

Fiscal Note

Land interests acquisition costs and Real Estate staff time funds estimated at approximately \$12,700 are available in MUNIS Account Number 11322 (W Lakelawn PI Relocation Easement).

Class II Public Hearing Notice published with the official Madison newspaper for legal notices and personal notices mailed to the following affected private property owners:

Madison Community CO-OP
244 W Lakelawn PI
Madison, WI 53703
Parcel: 0709-144-1922-5

250 W Lakelawn Place LLC
Hanustra 228-230 LLC et al
240 W Lakelawn Pl
Madison, WI 53703
Parcel: 0709-144-1943-1

222 Langdon LLC
Twekenberg 237 LLC
249 W Lakelawn Pl
Madison, WI 53703
Parcel: 0709-144-1945-7

Alpha Gamm Rho Educational
Foundation of Iota Chapter, Inc.
233 W Lakelawn Pl
Madison, WI 53703
Parcel: 0709-144-1923-3

This Relocation Order is located at the Northwest end of West Lakelawn Place on Lots 5, 6 and 11 of the Freeman-Allen Replat, in Government Lot 3 of Section 14, Township 7 North, Range 9 East, in the City of Madison, Dane County, Wisconsin.

Title

Determining a Public Purpose and Necessity and adopting a Relocation Order for the City of Madison to obtain the land interests required for the maintenance and replacement, if necessary, of an existing fire hydrant and the underground water pipes, facilities and appurtenances providing the hydrant and adjoining properties with water, and the authority of the Mayor and City Clerk to sign all documents necessary to accomplish the acquisition of said land interests.

Body

WHEREAS, the fire hydrant and the underground water pipes, facilities and appurtenances providing the hydrant and adjoining properties with water (collectively known hereinafter as the Fire Hydrant) located within the boundaries of the Permanent Limited Easements (PLE) created by this Relocation Order was installed in 2012; and

WHEREAS, the Fire Hydrant was placed in the approximately the same location as that of a previously existing fire hydrant; and

WHEREAS, said previously existing fire hydrant was installed in 1924, and removed when the Fire Hydrant was installed; and

WHEREAS, the PLE area has been in use for locating a fire hydrant and water laterals serving adjoining, privately owned properties (the Properties) near the fire hydrant since 1924; and

WHEREAS, the City of Madison Water Utility provides fire protection and water service to the Properties from the PLE area; and

WHEREAS, based on the information listed above, the City of Madison Water Utility has determined a public purpose and need for a Relocation Order for the acquisition of required land interests for the maintenance and replacement, if necessary, of the Fire Hydrant; and

WHEREAS, existing PLE's for sanitary sewer were created by previous relocation order and acquired by recorded PLE documents across the parcels depicted in this Relocation Order; and

WHEREAS, where practical, no additional PLE area shall be acquired by this Relocation Order outside of the boundaries of that sanitary sewer PLE area previously acquired; and

WHEREAS, the City of Water Utility has created Water Utility Account No. 1-1590-02 W Lakelawn Place - Relocation Order; and

WHEREAS, the City of Madison will administer the acquisition of required land interests as identified on the various individual map exhibits and descriptions attached hereto representing the Water Utility Account No. 1-1590-02 W Lakelawn Place - Relocation Order; and

WHEREAS, all required funding for the land interest acquisition is available in MUNIS Account Number 11322

WHEREAS, the City of Madison Office of Real Estate Services has created the following Project Number to administer the land interest acquisitions:
RE Master Project No. 10929 W Lakelawn Place - Relocation Order

WHEREAS, mapping of the existing Fire Hydrant indicate the acquisition of land interests are required as shown on the Relocation Order Maps and the Schedules of Land Interests which are attached hereto and made part of this resolution; and

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 that the acquisition shall allow for the construction of public improvements related to Water Utility Account No. 1-1590-02 W Lakelawn Place - Relocation Order;
2. That the City of Madison Office of Real Estate Services 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 of 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;
3. That the City of Madison Office of Real Estate Services of the Economic Development Division staff shall administer the acquisition of all required land interests by Real Estate Master Project No. 10929.
4. That the City of Madison Office of Real Estate Services 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;
5. That the Common Council of the City of Madison, does hereby adopt this relocation order to acquire the necessary land interests required for the Water Utility Account No. 1-1590-02 W Lakelawn Place - Relocation Order, consisting of the attached Relocation Order maps in accordance with Section 32.05(1) and 62.22, Wisconsin Statutes.
6. That the Mayor and City Clerk are authorized to sign all necessary documents necessary to accomplish the acquisition;
7. That, upon adoption, the City Clerk shall file the attached Relocation Order Maps with the Dane County Clerk in accordance with Section 32 of the Wisconsin Statutes