



## Legislation Details (With Text)

**File #:** 43884      **Version:** 1      **Name:** Determining a Public Purpose & Necessity & adopting a Transportation Project Plat #5992-09-81 - 4.04 thru 5992-09-81 - 4.10, including Transportation Project Plat 5992-09-81 - 4.08 Amendment #1, S Pleasant View Rd CTH M - Cross Country Rd to Prairie Hill

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

**File created:** 7/27/2016      **In control:** BOARD OF ESTIMATES (ended 4/2017)

**On agenda:** 9/6/2016      **Final action:** 9/6/2016

**Enactment date:** 9/9/2016      **Enactment #:** RES-16-00666

**Title:** Determining a Public Purpose and Necessity and adopting a Transportation Project Plat No. 5992-09-81 - 4.04 thru 5992-09-81 - 4.10, including Transportation Project Plat 5992-09-81 - 4.08 Amendment No. 1, South Pleasant View Road CTH M - Cross Country Road to Prairie Hill Road for the acquisition of Plat of Land Interests required. Located in part of Section 3, T6N, R8E and part of Section 34, T7N, R8E, in the City of Madison, Town of Verona and Town of Middleton.

**Sponsors:** Barbara Harrington-McKinney

**Indexes:**

**Code sections:**

**Attachments:** 1. TPP 5992-09-81\_CTH M\_080816 City of Madison Submittal.pdf

Date	Ver.	Action By	Action	Result
9/6/2016	1	COMMON COUNCIL	Adopt	Pass
8/29/2016	1	PLAN COMMISSION	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
8/17/2016	1	BOARD OF PUBLIC WORKS	Return to Lead with the Recommendation for Approval	
8/2/2016	1	PLAN COMMISSION	Refer	
8/2/2016	1	COMMON COUNCIL	Refer	Pass
7/27/2016	1	Engineering Division	Referred for Introduction	

### Fiscal Note

In the adopted 2016 capital budget Engineering - Major Streets has budgeted \$3 million for the CTH M project at CTH PD (MUNIS 10232) and \$3 million for the CTH M project at Midtown Road (MUNIS 10233). These projects will be comprehensively reconstructing the transit, bicycle, and pedestrian components of the roadway to meet current and future traffic demands. Funding is from GO Borrowing.

The proposed resolution approves the acquisition of land interests required for the projects at a total estimated cost not to exceed \$2,500,000. These estimates are in addition to and do not include the cost per RES-16-00389, Parcel 34 related early acquisitions.

### MUNIS:

10232-402-160 CTH M PD Improvements, (\$189,200 Easement Acquisition)

10232-402-110 CTH M PD Improvements, (\$1,211,800 Fee Acquisition)

10233-402-160 CTH M Midtown Improvements, (\$167,800 Easement Acquisition)

10233-402-110 CTH M Midtown Improvements, (\$931,200 Fee Acquisition)

### Title

Determining a Public Purpose and Necessity and adopting a Transportation Project Plat No. 5992-09-81 - 4.04 thru 5992-09-81 - 4.10, including Transportation Project Plat 5992-09-81 - 4.08 Amendment No. 1, South Pleasant View Road CTH M - Cross Country Road to Prairie Hill Road for the acquisition of Plat of Land Interests required. Located in part of Section 3, T6N, R8E and part of Section 34, T7N, R8E, in the City of Madison, Town of Verona and Town of Middleton.

### Body

#### PREAMBLE

**WHEREAS**, the City of Madison is proposing to reconstruct County Trunk Highway M (CTH M) from Prairie Hill Road to Cross Country Road. The project also includes the reconstruction of CTH M/Midtown Road and CTH M/CTH PD intersections. The City applied for Federal Funds in the Surface Transportation Program Fund and the project received approval for 50% Federal funding of Construction; and,

**WHEREAS**, the City of Madison Engineering Division has established Project Numbers 10232 CTH M PD Improvements and 10233 CTH M Midtown Improvements ; and,

**WHEREAS**, the City of Madison Common Council adopted RES-10-00902 on November 9, 2010 authorizing the Mayor and the City Clerk to execute an agreement with MSA Professional Services for design engineering services for CTH M, Prairie Hill Road to Cross Country Road. Being amended by the following enactments. Amendment 1: RES-11-00870, Amendment 2: RES-12-00479, Amendment 3: RES-14-00569; and,

**WHEREAS**, the City of Madison Common Council adopted RES-12-00660 on September, 4, 2012, approving the roadway geometry for the CTH M - Prairie Hill Road to Cross Country Road project; and,

**WHEREAS**, the City of Madison Common Council adopted RES-14-00413 on May 20, 2014, approving the revised roadway geometry for the CTH M / CTH PD intersection; and,

**WHEREAS**, the City of Madison Common Council adopted RES-15-00257 on March 17, 2015, authorizing the Mayor and City Clerk to execute an agreement with the State of Wisconsin Department of Transportation for the improvement of County Trunk Highway M (CTH M - Prairie Hill Rd to Cross Country Rd) and authorizing the Mayor and City Clerk to execute an agreement with City of Verona and Dane County for cost sharing on the project; and,

**WHEREAS**, the City of Madison Common Council adopted RES-16-00389 on May 17, 2016 as part of the Early Acquisition Process, as set forth for by Chapter 3.2.2 of the Wisconsin Department of Transportation Real Estate Program Manual, to acquire the lands and interests in conjunction with Parcel 34 of Transportation Project Plat No. 5992-09-81 - 4.08. Said sheet has been revised as attached hereto as Transportation Project Plat No. 5992-09-81 - 4.08 Amendment No. 1, adding interests from other additional properties to be acquired from other properties beyond Parcel 34; and,

**WHEREAS**, the City of Madison Office of Real Estate Services of the Economic Development Division has established a Master File / Project No. 9899 to facilitate and administer the land interest acquisitions required for the South Pleasant View Road CTH M - Cross Country Road to Prairie Hill Road as identified in Transportation Project Plat 5992-09-81 - 4.04 thru 5992-09-81 - 4.10, including Transportation Project Plat 5992-09-81 - 4.08 Amendment No. 1; and,

**WHEREAS**, the completion of the Environmental Document is pending and the Design Study Report (DSR) approval is also pending for South Pleasant View Road CTH M - Cross Country Road to Prairie Hill Road project; and,

**WHEREAS**, a copy of Transportation Project Plat No. 5992-09-81 - 4.04 thru 4.10, including Transportation Project Plat 5992-09-81 - 4.08 Amendment No. 1 is attached hereto and made part of this resolution; and,

**NOW THEREFORE BE IT RESOLVED**, that the City of Madison, Dane County, Wisconsin, by its City Common Council and for its Relocation Order hereby resolves as follows:

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 planned public improvements in of South Pleasant View Road CTH M -Cross Country Road to Prairie Hill Road Improvements.
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 Lands & Interests on the attached Relocation Order Map and such acquisitions are required to allow for the construction of said public 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 construction of planned public improvements associated with Engineering Division Project Numbers 10232 and 10233 South Pleasant View Road CTH M - Cross Country Road to Prairie Hill Road, consisting of the attached Relocation Order Map in accordance with Section 32.05(1) and 62.22, Wisconsin Statutes. The final approval of this relocation order and subsequent execution of the approval certificates on the Relocation Order Map are hereby contingent upon the Environmental Document being completed and the Design Study Report (DSR) being approved. The approval certificates on Transportation Project Plat 5992-09-81 - 4.04 thru 4.10 including Transportation Project Plat 5992-09-81 - 4.08 Amendment No. 1, shall be executed and the relocation map recorded only upon the satisfaction of this contingency.
4. That the 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 any Uneconomic Remnant (Section 32.05(3m) of the Wisconsin Statutes) that may be subsequently determined to exist by the City of Madison. Also, 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. 9899.
6. 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.
7. That the Mayor and City Clerk are authorized to sign all necessary documents to accomplish the acquisitions.