



Legislation Details (With Text)

File #:	44609	Version:	1	Name:	Determining a Public Purpose & Necessity & adopting a Relocation Order for the acquisition of land interests required for the construction and maintenance of the Capital City Trail Segments 4 - 6, a new shared-use (bicycle and pedestrian) path along the W
Type:	Resolution	Status:			Passed
File created:	9/28/2016	In control:			PLAN COMMISSION
On agenda:	11/1/2016	Final action:			11/1/2016
Enactment date:	11/2/2016	Enactment #:			RES-16-00815
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 the Capital City Trail Segments 4 - 6, a new shared-use (bicycle and pedestrian) path along the Wisconsin Department of Transportation Railroad Corridor from Vondron Road to Interstate Highway 39/90. Located in part of the NE 1/4 and SE 1/4 of the SE 1/4 of Section 15 and the SW 1/4 and SE 1/4 of the SW 1/4 of Section 14, T7N, R10E, in the City of Madison. (16th AD)				
Sponsors:	Denise DeMarb				
Indexes:					
Code sections:					
Attachments:	1. Vicinity Map Cap City Path Segments 4-6.pdf, 2. Capital City Trail Relocation Order - Revised 2016-10-12.pdf				

Date	Ver.	Action By	Action	Result
11/1/2016	1	COMMON COUNCIL	Adopt	Pass
10/19/2016	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	
10/17/2016	1	PLAN COMMISSION	Return to Lead with the Recommendation for Approval	Pass
10/4/2016	1	BOARD OF PUBLIC WORKS	Refer	
10/4/2016	1	COMMON COUNCIL	Refer	Pass
9/28/2016	1	Engineering Division	Referred for Introduction	

Fiscal Note

In the adopted 2016 capital budget the Engineering - Ped/Bike division has budgeted \$520,000 for extension of the Capital City Trail multi-use path from Buckeye Rd to I-39 (MUNIS 10143). The minor project for Segments 4-6 of this work is established with sufficient budget authority for the real estate acquisition costs itemized in the proposed resolution. Funding is provided by GO Borrowing.

The proposed resolution adopts the relocation order for the acquisition of land interests at an estimated amount of \$121,000.

MUNIS:
10156-403-160

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 the Capital City Trail Segments 4 - 6, a new shared-use (bicycle and pedestrian) path along the Wisconsin Department of Transportation Railroad Corridor from Vondron Road to Interstate Highway 39/90. Located in part of the NE 1/4 and SE 1/4 of the SE 1/4 of Section 15 and the SW 1/4 and SE 1/4 of the SW 1/4 of Section 14, T7N, R10E, in the City of Madison. (16th AD)

Body

PREAMBLE

WHEREAS, The City of Madison is proposing to construct a paved multi-use (bicycle / pedestrian) path that will extend the Capital City Trail from Vondron Road to Interstate Highway 39/90 on the southeast side of Madison, generally following the corridor of the Wisconsin Department of Transportation Railroad Corridor. This is an important segment of the remaining 6-mile gap in what will become a continuous 140-mile path across the State, the goal of a 1996 MOU between the Madison, Fitchburg, Dane County and the Wisconsin DNR. This project is an important segment to support a bike route of local, regional and Statewide importance; and

WHEREAS, on December 2, 2014, Resolution No. RES-14-0877, Register File Number 35684, the City of Madison Common Council approved a State / Municipal Agreement for Local Let Transportation Alternatives Program (TAP) Project I.D. 5992-09-77/78 for Capital City Path Segments 4-6, (Vondron Road - I-39) Engineering Project No 53W1791 (MUNIS 10156), and authorized the Mayor and City Clerk to execute the agreement with the State of Wisconsin Department of Transportation for construction cost sharing; and

WHEREAS, the Pedestrian/Bicycle/Motor Vehicle Commission reviewed the proposed path project on March 22, 2016. Legistar File Number 42186, and provided suggestions for the design of the trail; and

WHEREAS, the City of Madison Engineering Division has established Engineering Project No. 10156 - Cap City Trail Segments 4 for the design and construction of public infrastructure associated with the proposed bike and pedestrian path; and

WHEREAS, the City of Madison Office of Real Estate Services has established a Master File / Project No. 11168 to facilitate and administer acquisition of required land interests to construct the necessary public improvements associated with the bike and pedestrian path; and

WHEREAS, attached hereto and made part of this resolution is a City of Madison Relocation Order Map titled "PLAT OF LAND INTERESTS REQUIRED FOR THE CONSTRUCTION AND MAINTENANCE OF IMPROVEMENTS FOR A PEDESTRIAN/BIKE PATH, LOCATED IN THE NORTHEAST AND SOUTHEAST QUARTERS OF THE SOUTHEAST QUARTER OF SECTION 15, AND LOCATED IN THE SOUTHWEST AND SOUTHEAST QUARTERS OF THE SOUTHWEST QUARTER OF SECTION 14, ALL IN TOWNSHIP 07 NORTH, RANGE 10 EAST, CITY OF MADISON AND TOWN OF BLOOMING GROVE, DANE COUNTY, WISCONSIN; and,

WHEREAS, this Relocation Order Map identifies the necessary public land interest areas of acquisition as shown on the City of Madison Relocation Order Map and Schedule of Land Interests Required for the Capital City Path public improvements; and,

WHEREAS, the completion of the Design Study Report (DSR) approval is also pending for the Capital City Path Segments 4 - 6 project; and,

WHEREAS, all required funding for the land interest acquisitions by the City of Madison will be available in Account Number 10156-403-160 Cap City Trail Segment 4 (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 necessity in accordance with Section 32.07(2), Wisconsin Statutes, and the acquisition shall allow for the construction of planned public improvements of Capital City Path Segments 4 - 6, Engineering Project No. 10156.
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 bike and pedestrian path 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 installation of the public bike and pedestrian path improvements associated with Engineering Division Project Number 10156 - Cap City Trail Segment 4 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 Design Study Report (DSR) being approved. The approval certificates on this Relocation Order shall be executed and the relocation map filed with the Dane County Clerk 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. 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. 11168.
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 acquisition.