



Legislation Details (With Text)

**File #:** 45980      **Version:** 1      **Name:** Authorizing the City of Madison to sell Outlot 17 in the Plat known as Village of Autumn Lake to Veridian Homes, LLC pursuant to RES-06-00077 and Option to Purchase dated February 20, 2006.

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

**File created:** 2/1/2017      **In control:** BOARD OF PARK COMMISSIONERS

**On agenda:** 2/28/2017      **Final action:** 2/28/2017

**Enactment date:** 3/2/2017      **Enactment #:** RES-17-00148

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**Sponsors:** Samba Baldeh

**Indexes:**

**Code sections:**

**Attachments:** 1. 4174399 Outlot 17 Purchase Option for School.pdf

Date	Ver.	Action By	Action	Result
2/28/2017	1	COMMON COUNCIL	Adopt	
2/20/2017	1	PLAN COMMISSION	Return to Lead with the Recommendation for Approval	Pass
2/13/2017	1	BOARD OF ESTIMATES (ended 4/2017)	Return to Lead with the Recommendation for Approval	Pass
2/8/2017	1	BOARD OF PARK COMMISSIONERS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
2/7/2017	1	BOARD OF PARK COMMISSIONERS	Refer	
2/7/2017	1	BOARD OF PARK COMMISSIONERS	Refer	
2/7/2017	1	COMMON COUNCIL	Refer	Pass
2/1/2017	1	Parks Division	Referred for Introduction	

**Fiscal Note**

The purchase price for Outlot 17 (approximately 6 acres), shall be calculated in accordance with the Option to Purchase Agreement between the City of Madison and Veridian dated February 20, 2006. The purchase price shall be \$45,000 per acre plus interest from March 30, 2006 (the date of the recording of the Village of Autumn Lake Plat in the Office of the Dane County, Wisconsin Register of Deeds) to the date of the payment, at the rate of four (4%) percent per annum compounded annually (the "Per Acre Price"). The total purchase price shall be calculated by multiplying the Per Acre Price by each full and partial acre contained within the Property (identified as Outlot 17 in the agreement), which will constitute the Purchase Price. Based on a closing date of March 3, 2017, the Purchase Price is estimated to be \$418,791. The Purchase Price shall be credited to the Citywide Parkland Fee fund pursuant to RES-15-00467.

**Title**

Authorizing the City of Madison to sell Outlot 17 in the Plat known as Village of Autumn Lake to Veridian Homes, LLC pursuant to RES-06-00077 and Option to Purchase dated February 20, 2006.

### Preamble

On March 30, 2006, Veridian Homes, LLC (“Veridian”) recorded the plat for the subdivision known as the Village of Autumn Lake. During the platting process, Outlot 17 was dedicated to the City of Madison for public or school purposes, with the intent that said outlot may be utilized by the Sun Prairie School District (“SPSD”) in which the plat is located. Veridian was granted an option by the City of Madison (City”) to potentially purchase the lands on which the school would be located in order to facilitate such long term planning. On February 20, 2006, an Option to Purchase (“Option”) was entered into by the City and Veridian that dictated the conditions of the potential sale, including the purchase price of the lands, as authorized by the Common Council under RES-06-00077. The Notice of Option was recorded by Veridian on March 27, 2006. On May 19, 2015, the Council authorized the preliminary and final plat of the Village of Autumn Lake Replat with conditions of approval that the funds from the proceeds of the sale of Outlot 17 shall be deposited in the Citywide Parkland Fee fund if Outlot 17 did not remain public park land and instead was utilized as a public school site by SPSP (RES-15-00467). This lot was used to partially satisfy the parkland dedication requirements associated with the replat. Using the proceeds of the sale to acquire replacement land will ensure that the replat’s land dedication requirements are maintained.

WHEREAS, the Option provided Veridian with the option to purchase Outlot 17 in the Village of Autumn Lake Plat any time prior to January 1, 2018, only if the SPSP uses the Property for a school site and Veridian provides the City with a written agreement between Veridian and the SPSP indicating the SPSP’s intent to use the Property as a school site; and

WHEREAS, in July 2016 Veridian notified the City and provided a copy of the agreement with SPSP indicating SPSP’s intent to acquire Outlot 17 from Veridian for a public school site; and

WHEREAS, Veridian has exercised the Option to purchase the Property and convey said land to SPSP for a school site to facilitate future long term planning; and

WHEREAS, Veridian shall pay the purchase price in cash and the City will transfer the Property to Veridian free and clear of all liens and encumbrances, by Warranty Deed, subject only to easements, covenants and restrictions of record, municipal and zoning ordinances and future real estate taxes and assessments; and

WHEREAS, Outlot 17 shall be restricted for School Use by the Sun Prairie School District.

NOW, THEREFORE, BE IT RESOLVED that the City is hereby authorized to sell Outlot 17 in the Plat known as Village of Autumn Lake to Veridian; and

BE IT FURTHER RESOLVED that the Director of Economic Development Division or his designee is authorized to execute the Deed and any other documents needed to facilitate the sale of Outlot 17 to Veridian.