



## Legislation Details (With Text)

<b>File #:</b>	49164	<b>Version:</b>	1	<b>Name:</b>	Determining a Public Purpose & Necessity & adopting a Relocation Order for the acquisition of land interests required for the construction of improvements for a new public street connection between Webb Ave and Darbo Dr. Located in part of the NE ¼ and NW
<b>Type:</b>	Resolution	<b>Status:</b>	Passed		
<b>File created:</b>	10/10/2017	<b>In control:</b>	BOARD OF PUBLIC WORKS		
<b>On agenda:</b>	11/21/2017	<b>Final action:</b>	11/21/2017		
<b>Enactment date:</b>	11/27/2017	<b>Enactment #:</b>	RES-17-00882		
<b>Title:</b>	Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for the construction of improvements for a new public street connection between Webb Avenue and Darbo Drive. Located in part of the NE ¼ and NW ¼ of the NW ¼ of Section 5, T7N, R10E, in the City of Madison. (6th AD)				
<b>Sponsors:</b>	Marsha A. Rummel				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Darbo Webb Vicinity Map Revised 2017-10-11.pdf, 2. 53W1867-RO.pdf, 3. Schedule of Interests.pdf, 4. DRAFT_RESJ_Darbo_Webb_10-19-2017.pdf, 5. Item 5 Darbo_WebbMapUpdated10_17.pdf				

Date	Ver.	Action By	Action	Result
11/21/2017	1	COMMON COUNCIL	Adopt	Pass
11/6/2017	1	PLAN COMMISSION	Return to Lead with the Recommendation for Approval	Pass
11/1/2017	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
10/24/2017	1	PEDESTRIAN/BICYCLE/MOTOR VEHICLE COMMISSION (ended 6/2018)	Return to Lead with the Recommendation for Approval	Pass
10/17/2017	1	BOARD OF PUBLIC WORKS	Refer	
10/17/2017	1	BOARD OF PUBLIC WORKS	Refer	
10/17/2017	1	COMMON COUNCIL	Refer	Pass
10/10/2017	1	Engineering Division	Referred for Introduction	

### Fiscal Note

The proposed resolution approves the order for land acquisition in preparation for the Darbo Webb Connection road construction project. The executive 2018 capital budget includes funding for the proposed costs for land interest acquisition and relocation, inclusive of City Real Estate staff time and related administration costs at an estimated cost of \$800,000 within Engineering-Major Streets.

### MUNIS:

10234-402-160 Darbo Webb Connection - Easements, (\$7,600 Easement Acquisition)  
10282-402-110 Darbo Webb Connection- Land, (\$792,400 Fee Acquisition)

## Title

Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for the construction of improvements for a new public street connection between Webb Avenue and Darbo Drive. Located in part of the NE ¼ and NW ¼ of the NW ¼ of Section 5, T7N, R10E, in the City of Madison. (6<sup>th</sup> AD)

## Body

### PREAMBLE

**WHEREAS**, the City of Madison Common Council adopted RES-17-00791, File ID 47509 on September 19, 2017 adopting the Darbo - Worthington - Starkweather Neighborhood Plan. Within the approved plan, a new public street connection is planned between Webb Avenue and Darbo Drive, along the southeasterly side of parcels that currently front on E. Washington Avenue, hereinafter referred to as the Darbo Webb Connection; and,

**WHEREAS**, the City of Madison Engineering Division has established Munis Project Number 10234 (formerly ENGR project number 53W1867) Darbo Webb Connection, for the design and administration of the public street construction project; and,

**WHEREAS**, acquisition of public land interests are required to accomplish the proposed construction of the Darbo Webb Connection public street improvements; and,

**WHEREAS**, the City of Madison Office of Real Estate Services of the Economic Development Division has established a Master File / Project No. 11354 to facilitate and administer the acquisition of the required land interests to construct the necessary public street improvements associated with the Darbo Webb Connection; 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 OF IMPROVEMENTS FOR A PUBLIC STREET", PART OF LOTS 1 & 2, CSM 1804, LOTS 1 & 2, CSM 7652, LOCATED IN THE NE 1/4 & NW 1/4 OF THE NW 1/4 OF SEC 5, T 7 N, R 10 E, CITY OF MADISON, DANE COUNTY, WI; and,

**WHEREAS**, this Relocation Order identifies the necessary public land interest areas of acquisition as shown on the City of Madison Relocation Order Map and Schedule of Lands & Interests Required for the construction of the Darbo Webb Connection public street improvements; and,

**WHEREAS**, all required funding for the land interest acquisitions by the City of Madison will be available in Account Numbers 10234-402-160 Darbo Webb Connection (Easement Acquisition) and 10282-402-110 Darbo Webb Connection (Fee Acquisition).

**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 of the Darbo Webb Connection.
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 Required 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 Number 10234, Darbo Webb Connection, 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 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. 11354.
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.