



## Legislation Details (With Text)

**File #:** 60082      **Version:** 1      **Name:** 12069 - Easement & Restriction Release Adelphia LLC Deming Way  
**Type:** Resolution      **Status:** Passed  
**File created:** 3/24/2020      **In control:** BOARD OF PUBLIC WORKS  
**On agenda:** 3/31/2020      **Final action:** 4/21/2020  
**Enactment date:** 4/28/2020      **Enactment #:** RES-20-00317

**Title:** Authorizing the execution of a Release of Drainage Swale Direction Restrictions within Lot 34 of the Plat of Old Sauk Trail Second Addition, together with a Partial Release of Non-Exclusive Drainage Easement within Lot 63 of the Plat of Old Sauk Trail Sixth Addition. (9th AD)

**Sponsors:** Paul E. Skidmore

**Indexes:**

**Code sections:**

**Attachments:** 1. 60082 - Locator Map.pdf, 2. EXHIBIT A - 1209 Deming Way Resolution.pdf, 3. EXHIBIT B - 1209 Deming Way Resolution.pdf, 4. EXHIBIT C - 1209 Deming Way Resolution.pdf

Date	Ver.	Action By	Action	Result
4/21/2020	1	COMMON COUNCIL	Adopt	Pass
4/13/2020	1	PLAN COMMISSION	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
4/1/2020	1	BOARD OF PUBLIC WORKS	Return to Lead with the Recommendation for Approval	Pass
4/1/2020	1	PLAN COMMISSION	Refer	
3/31/2020	1	COMMON COUNCIL	Refer	Pass
3/24/2020	1	Economic Development Division	Referred for Introduction	

### Fiscal Note

No City appropriation required.

### Title

Authorizing the execution of a Release of Drainage Swale Direction Restrictions within Lot 34 of the Plat of Old Sauk Trail Second Addition, together with a Partial Release of Non-Exclusive Drainage Easement within Lot 63 of the Plat of Old Sauk Trail Sixth Addition. (9th AD)

### Body

WHEREAS, two platted drainage swale direction restrictions, as well as a platted public non-exclusive easement for drainage purposes, underlie a portion of an existing office building located at 1209 Deming Way in the City of Madison, Wisconsin ("Property"), and as such are not used for the purpose set forth by the respective plats; and

WHEREAS, the owner of the Property, Adelphia, LLC, submitted a written request to the City of Madison ("City") for the release of the two platted drainage swale direction restrictions (shown as arrows), and a portion of the platted drainage easement (together, the "Release Areas"), with said request included as Exhibit C; and

WHEREAS, City Engineering staff have reviewed the request and approve of the location of the Release Areas, which are legally described below and depicted on attached Exhibits A and B.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and the City Clerk are hereby authorized to execute a

Release of Drainage Swale Direction Restrictions, together with a Partial Release of Non-Exclusive Drainage Easement document pertaining to the Release Areas legally described as follows:

Release of Drainage Swale Direction Restrictions located within Lot 34, as set forth by the plat of Old Sauk Trails Park Second Addition, recorded in Volume 56-61B of Plats on pages 178-179 as Document Number 2123734, Dane County Registry, City of Madison, Dane County, Wisconsin, described as follows:

Two Drainage Swale Direction Restrictions located along the Northerly line of said Lot 34 as shown and noted on the said plat of Old Sauk Trails Park Second Addition.

Partial Release of Non-Exclusive Drainage Easement within Lot 63, as set forth by the plat of Old Sauk Trails Park Sixth Addition, recorded in Volume 57-033A of Plats on pages 120-121 as Document Number 2699089, Dane County Registry, City of Madison, Dane County, Wisconsin, the portion of the easement to be released being described as follows:

The South 12 feet of said Lot 63, except for the Easterly 6 feet thereof.