



### Legislation Details (With Text)

**File #:** 62948      **Version:** 1      **Name:** Easement Administrative Approval  
**Type:** Resolution      **Status:** Passed  
**File created:** 11/10/2020      **In control:** Economic Development Division  
**On agenda:** 1/19/2021      **Final action:** 1/19/2021  
**Enactment date:** 1/25/2021      **Enactment #:** RES-21-00047

**Title:** Authorizing the administrative approval and execution of documents granting, accepting, altering or releasing certain easements or recorded property interests by the City.

**Sponsors:** Syed Abbas, Sheri Carter

**Indexes:**

**Code sections:**

**Attachments:** 1. Office of Real Estate Services Memo.pdf

Date	Ver.	Action By	Action	Result
1/19/2021	1	COMMON COUNCIL	Adopt Unanimously	Pass
1/6/2021	1	BOARD OF PUBLIC WORKS		
1/4/2021	1	TRANSPORTATION POLICY AND PLANNING BOARD - ended 3/2023	Return to Lead with the Recommendation for Approval	Pass
12/9/2020	1	BOARD OF PARK COMMISSIONERS	Return to Lead with the Recommendation for Approval	Pass
12/7/2020	1	TRANSPORTATION POLICY AND PLANNING BOARD - ended 3/2023		
11/24/2020	1	WATER UTILITY BOARD	Return to Lead with the Recommendation for Approval	Pass
11/23/2020	1	PLAN COMMISSION	Return to Lead with the Recommendation for Approval	Pass
11/18/2020	1	BOARD OF PUBLIC WORKS	Referred	
11/18/2020	1	BOARD OF PUBLIC WORKS	Referred	
11/18/2020	1	BOARD OF PUBLIC WORKS	Referred	
11/18/2020	1	BOARD OF PUBLIC WORKS	Referred	
11/17/2020	1	COMMON COUNCIL	Referred	
11/10/2020	1	Economic Development Division	Referred for Introduction	

**Fiscal Note**

No City appropriation required.

**Title**

Authorizing the administrative approval and execution of documents granting, accepting, altering or releasing certain easements or recorded property interests by the City.

**Body**

WHEREAS, the City of Madison (“City”) owns thousands of parcels of lands, with the management of that land usually under the charge of a specific City department (i.e., City Engineering, Parks Division, Water Utility, Economic Development, etc.). The City is also the beneficiary of an unquantifiable number of easements and

land use restrictions, which may include drainage easements, water utility easements, sight-line easements, restrictive covenants, access easements, and the like; and,

WHEREAS, as a matter of course in the performance of its municipal duties, the City frequently is required to grant, accept, alter or release public utility easements to and from public utility companies (for example: MG&E, TDS, Spectrum, Alliant/WP&L and AT&T) to enable these companies to provide services to their customers within the City; and,

WHEREAS, the City also, on occasion, is required to alter or release various easements or other property rights it holds in real estate in order to enable the development or redevelopment of the burdened property; and,

WHEREAS, whenever the City acquires, disposes or seeks to alter its property interests in real estate, that action must be approved by some affirmative action of the Common Council, and is usually accompanied by a recorded document signed by the Mayor and City Clerk; and,

WHEREAS, even though many of the aforementioned property interests that the City accepts or changes are minor and involve little or no compensation, they still involve an investment of staff time and resources, and can take months to process due to staff workloads and legislative schedules, causing avoidable and unnecessary delays in utility, development and redevelopment projects; and,

WHEREAS, in order to better use existing staff resources and to more efficiently process certain utility, development and redevelopment projects, it is necessary to grant the administrative approval and execution of certain documents granting, accepting, altering or releasing certain easements or recorded property interests by the City.

NOW THEREFORE, BE IT HEREBY RESOVED, that the Mayor and City Clerk are authorized to execute and accept easements and other documents creating, releasing or altering property rights on behalf of the City if said transactions are determined to be routine, uncontroversial, and in the best interest of the public good, are approved by City agency department heads following consultation with the area Alder, and are on a form and in a manner approved by the City Attorney and the Office of Real Estate Services.