



Legislation Details (With Text)

File #: 70094 **Version:** 1 **Name:** Relief from conditions of gifts and dedication per Section 66.1025(1) Wisconsin Statutes, of Outlot 3, Tradesmen Commerce Park for the replatting of a portion the development, being located in the NE 1/4 of the SW 1/4 of Section 26, Township 8 North, Rang

Type: Resolution **Status:** Passed

File created: 2/18/2022 **In control:** Engineering Division

On agenda: 3/29/2022 **Final action:** 3/29/2022

Enactment date: 4/4/2022 **Enactment #:** RES-22-00200

Title: Relief from conditions of gifts and dedication per Section 66.1025(1) Wisconsin Statutes, of Outlot 3, Tradesmen Commerce Park for the replatting of a portion the development, being located in the NE 1/4 of the SW 1/4 of Section 26, Township 8 North, Range 10 East, City of Madison, Dane County, Wisconsin. (16th AD)

Sponsors: Jael Currie

Indexes:

Code sections:

Attachments: 1. PC Locator Maps.pdf, 2. Exhibit A-Map Exhibit.pdf, 3. Exhibit B-Legal Description.pdf, 4. Replat of Tradesmen Commerce Park.pdf, 5. Vicinity Map.pdf

Date	Ver.	Action By	Action	Result
3/29/2022	1	COMMON COUNCIL	Adopt	Pass
3/16/2022	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
3/7/2022	1	PLAN COMMISSION	Return to Lead with the Recommendation for Approval	Pass
3/1/2022	1	BOARD OF PUBLIC WORKS	Referred	
3/1/2022	1	COMMON COUNCIL	Refer	Pass
2/21/2022	1	Engineering Division	Referred for Introduction	

Fiscal Note

This relief from conditions of gifts and dedication, Outlot 3 of Tradesmen Commerce Park, containing 512,032 sq. ft. or 11.7546 acres of area does not require expenditure of City funds.

Title

Relief from conditions of gifts and dedication per Section 66.1025(1) Wisconsin Statutes, of Outlot 3, Tradesmen Commerce Park for the replatting of a portion the development, being located in the NE 1/4 of the SW 1/4 of Section 26, Township 8 North, Range 10 East, City of Madison, Dane County, Wisconsin. (16th AD)

Body

WHEREAS, the plat of Tradesmen Commerce Park was conditionally approved by the City of Madison Common Council by Enactment Number RES-08-00318, File I.D. Number 09437, as adopted on the 18th of March, 2008 and the said Enactment provided for the acceptance of the lands Dedicated to the Public for Permanent Open Space and Public Storm Water Management Facilities. The dedication encompassing entirety of Outlot 3, Tradesmen Commerce Park; and

WHEREAS, the plat of Tradesmen Commerce Park was subsequently recorded upon the satisfaction of the conditions of approval on the 7th of April, 2008 in Volume 59-050A of Plats on pages 244-245, as Document Number 4416563, Dane County Register of Deeds; and

WHEREAS, QRS Company, LLC (developer) made an application with the Department of Planning & Community & Economic Development, to change the zoning of the development and revise a portion the subdivision layout to better position the development with a configuration and lots that are more marketable. The rezoning of the development has been conditionally approved by the City of Madison Common Council by Enactment Number ORD-21-00083, File I.D. Number 67825, as adopted on the 7th of December, 2021; and

WHEREAS, QRS Company, LLC (developer) made an application with the Department of Planning & Community & Economic Development, for the review and approval a preliminary and final plat replatting a portion of of the plat of Tradesmen Commerce Park (including Outlot 3) and Certified Survey Map No. 15489 in conjunction with the proposed zoning application; and

WHEREAS, the Replat of Tradesmen Commerce Park preliminary plat and final plat have been conditionally approved by the City of Madison Common Council by Enactment Number RES-21-00816, File I.D. Number 67807, as adopted on the 7th of December, 2021, said Enactment provides the City of Madison to consider a resolution, as provided by Section 66.1025(1) of the Wisconsin Statutes, for the relief from conditions of gifts and dedication for lands Dedicated to the Public for Permanent Open Space and Public Storm Water Management Facilities as described in attached Exhibit B and convey those described lands back to the dedicator (or the heirs of the dedicator) for replatting; and

WHEREAS, the conditionally approved Replat of Tradesmen Commerce Park alters the configuration of the lands Dedicated to the Public for Permanent Open Space and Public Storm Water Management Facilities described in attached Exhibit B, therefore the configuration of the replat requires the said described lands be relieved from the said conditions of gifts and dedication and conveyed back to the dedicator (or the heirs of the dedicator) for replatting; and

WHEREAS, the configuration of the conditionally approved Replat of Tradesmen Commerce Park and the conditions of approval thereof will provide the required and necessary areas to be Dedicated to the Public for Permanent Open Space and Public Storm Water Management Facilities; and

WHEREAS, a map (Exhibit A) and legal description (Exhibit B) delineating the areas to be relieved from the conditions of gifts and dedication (Dedicated to the Public for Permanent Open Space and Public Storm Water Management Facilities) and conveyed to the dedicator (or the heirs of the dedicator), both attached hereto and made part of this resolution; and

WHEREAS, the City Engineering Division recommends approval of the above relief from conditions of gifts and dedications and the conveyance of said lands shown on attached Exhibit A and described in attached Exhibit B for replatting as part of the conditions of approval for the Replat of Tradesmen Commerce Park, subject to conditions as noted herein.

NOW THEREFORE BE IT RESOLVED, that since the current dedication of the lands shown on Exhibit A and described in attached Exhibit B being Dedicated to the Public for Permanent Open Space and Public Storm Water Management Facilities are impracticable due to the conditionally approved Replat of Tradesmen Commerce Park, the City of Madison hereby relieves the lands from those existing conditions of gifts and dedications encumbering the lands and shall convey those lands to the dedicator (or the heirs of the dedicator), the lands being shown and described on the attached maps (Exhibit A) and legal description (Exhibit B), under Wisconsin ss.66.1025(1), upon completion of the following conditions:

- QRS Company, LLC (developer) shall enter into any agreement(s) required by the City of Madison in conjunction with the approval of the proposed development.

- The conditions of approval for the preliminary and final plat shall be addressed to the satisfaction of the City of Madison Engineer.
- This relief of existing conditions of gifts and dedications does not release any other easements, rights or restrictions held by the City of Madison within said Outlot 3.

BE IT FINALLY RESOLVED, upon Common Council adoption of this resolution and completion the conditions identified above to the satisfaction of the City Engineer, the City Engineer shall then authorize the City Of Madison Office of Real Estate Services Division of the Economic Development Division make effective this Relief From Conditions of Gifts and Dedication by recording an appropriate deed conveying the lands to the dedicator (or the heirs of the dedicator) as shown and described on the attached maps (Exhibit A) and legal description (Exhibit B) with the Dane County Register of Deeds.