



## Legislation Text

---

**File #:** 10011, **Version:** 1

---

### **Fiscal Note**

No appropriation required.

### **Title**

Authorizing the Mayor and City Clerk to Execute a First Amendment to Deed of Easement from Edgewood, Inc. to the City of Madison Amending the Original Agreement Regarding Edgewood Drive.

### **Body**

WHEREAS, Edgewood, Incorporated, a Wisconsin corporation (the Grantor) and the City of Madison (the Grantee) executed that certain Deed of Easement from Edgewood, Incorporated to the City of Madison Amending the Original Agreement Regarding Edgewood Drive, hereinafter the Easement, recorded in the Office of the Dane County, Wisconsin Register of Deeds, on May 23, 1997, as Document No. 2855990; and WHEREAS, Grantor and Grantee mutually agree that it is necessary and desirable to amend paragraph 7 of said Easement to provide for appropriate access across the existing Easement line fences, to improve pedestrian access for Edgewood and neighborhood use.

NOW, THEREFORE, THE GRANTOR AND GRANTEE HEREBY AGREE TO AMEND PARAGRAPH 7 OF THE SAID EASEMENT TO READ AS FOLLOWS:

7. Grantor further specifically waives the right, if any, to invoke, in its favor and against the Grantee, the reversionary provision of the 1904 Agreement as it may pertain to Grantor's currently existing motor vehicle and pedestrian access points to the Easement which are hereby confirmed and which serve Grantor Edgewood's currently existing educational facilities and lawful uses. In addition, the Grantor and Grantee may mutually agree to add new pedestrian access points, or modify or remove existing pedestrian access points to or across the Easement, as they deem necessary for the use and benefit of Edgewood and the public, without triggering or otherwise implicating the said reversionary provision.