



## Legislation Text

**File #:** 15787, **Version:** 1

### Fiscal Note

This resolution provides for the exchange between the City and Dane County of several office suites in the City-County Building. The City will purchase from the County 4,408 square feet and will sell to the County 3,275 square feet. The net amount owed to the County for these transactions is \$12,315, payable on or before April 1, 2010. Sufficient funding is available in the adopted 2009 Facilities Management Capital Budget, project #9, "Building Improvements," Account No. 810595.

### Title

Authorizing the Mayor and City Clerk to execute the Third Addendum to Agreement between the City of Madison and Dane County for the Sale of Space in the City-County Building.

### Body

WHEREAS, the City of Madison ("City") and Dane County ("County") have, by an agreement dated February 8, 1955, (hereinafter, the "Master Agreement") and amendments thereto, entered into a contractual relationship pursuant to which the parties have provided for ownership and operation of the City of Madison City Hall and the Dane County Courthouse ("the City-County Building"); and

WHEREAS, the City and County wish to enter into a Third Addendum to the Master Agreement ("Third Addendum") and to amend the Master Agreement to provide for the sale by the County to the City and by the City to the County of certain parts of the City-County Building as set forth herein.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Clerk are hereby authorized to execute the Third Addendum to the Master Agreement on the following terms and conditions:

1. The Third Addendum, which includes as exhibits the updated and amended Master Agreement as of December 2005, the Addendum to Agreement effective March 2, 2006, and the Second Addendum to Agreement effective October 1, 2008, is attached hereto as Attachment A.
2. Effective upon the execution of the Third Addendum, the County and the City agree to sell property in the City-County Building to each other as described in Schedule A of the Third Addendum and as tentatively depicted in Exhibit 4 of the Third Addendum (a floor plan of the first floor of the City-County Building). The effective dates of those transfers are noted in Schedule A and may be later modified upon written agreement by the parties.
3. The City-County Building Space Allocation table contained within the Master Agreement is replaced with the Updated City-County Building Space Allocation table attached as Exhibit 5 of the Third Addendum. Effective January 1, 2010, the proportionate cost of operation, maintenance and repair of the building and grounds shall be: 39.6% to be paid by the City, and 60.4% to be paid by the County.
4. The City shall pay to the County the amount of \$242,440 for the property described in Schedule A of the Third Addendum and depicted in Exhibit 4 of the Third Addendum.
5. The County shall pay to the City the amount of \$180,125 for the property described in Schedule A of the Third Addendum and depicted in Exhibit 4 of the Third Addendum.
6. The County agrees to credit the City \$50,000 towards the purchase price of the property set forth in Schedule A of the Third Addendum for the recent remodeling done to that portion of Suite 108 being

sold to the County.

7. The City agrees to pay the net balance due to the County of \$12,315 by April 1, 2010.
8. The price indicated herein is for these transactions only and does not reflect or establish the cost per square foot for space in the City-County Building for, or in, any future transactions.
9. The City and the County shall pay any and all costs associated with remodeling the office spaces referred to in Schedule A of the Third Addendum, except as already noted by the credit from the County to the City for Suite 108. The City and the County shall coordinate remodeling activities with the County's Facilities Management Division.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and the City Clerk be and hereby are authorized to execute the Third Addendum, and any and all additional documents that may be required to complete this transaction, in forms approved by the City Attorney.