



## Legislation Text

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**File #:** 20436, **Version:** 1

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### **Fiscal Note**

City absorb initial costs and 100% reimbursement from University of Wisconsin-Madison  
(Estimate from Office of Real Estate Services \$85,312.50)

Budget authority is available in the following accounts:

CS53-56290-810375-00-53W1155 (Bikeways - Inter D CED)

CS53-58110-810375-00-53W1155 (Bikeways - Land)

CS53-58130-810375-00-53W1155 (Bikeways - Easements)

### **Title**

Determining a Public Purpose and Necessity and adopting a City of Madison Relocation Order for the acquisition of Plat of Land Interests required for the relocation of a portion of the Southwest Commuter Trail Bike Path between West Washington Avenue and East Campus Mall in connection with the future renovation and expansion of the University's Charter Street Heating Plant

And

Authorizing the Mayor and City Clerk to Enter into an Agreement with the University of Wisconsin-Madison for financing costs related to the relocation of a portion of the Southwest Commuter Trail Bike Path between West Washington Avenue and East Campus Mall in connection with the renovation and expansion of the University's Charter Street Heating Plant

### **Body**

WHEREAS, on May 18, 2010 the City of Madison Common Council adopted ORD-10-00053 which rezoned the appropriate University of Wisconsin-Madison owned properties and approved the demolition of University of Wisconsin-Madison Physical Plant Building to facilitate the construction of a new Biomass Fuel Handling and Storage Facility on the east side of N. Mills Street and renovation and expansion of the N. Charter Street Plant to burn Biomass and Gas; and

WHEREAS, the existing Southwest Commuter Trail Bike Path between East Campus Mall (formerly N. Murray Street) and West Washington Avenue, located within city of Madison owned property, requires relocation to the South to facilitate the new University of Wisconsin-Madison Biomass Fuel Handling and Storage Facility on the East side of North Mills Street as well as the renovation and expansion of the North Charter Street Plant to burn Biomass and Gas; and

WHEREAS, the relocation of the existing bike path to the South is necessary to allow for the expansion of the existing railroad corridor to include a new additional rail siding for receiving train shipments of biomass product to the new University of Wisconsin-Madison Biomass Fuel Handling and Storage Facility; and

WHEREAS, the relocation of the public bike path requires the acquisition of land interests from adjacent private properties; and

WHEREAS, discussions between University of Wisconsin-Madison representatives and city of Madison staff has led to the University of Wisconsin-Madison requesting the city of Madison to acquire the necessary land interests from adjacent private property owners; and

WHEREAS, the City of Madison Engineering Division and Office of Real Estate Services are willing to assist the University of Wisconsin-Madison and acquire the necessary property interest if the University of Wisconsin-Madison agrees to reimburse all costs associated with the same; and

WHEREAS, various exhibits depicting the land interests required are attached hereto and made part of this resolution.

NOW, THEREFORE, BE IT RESOLVED that the City Of Madison, Dane County, Wisconsin, by its City Common Council and for its Relocation Order hereby resolves as follows:

That this Resolution is a Relocation Order in accordance with Section 32.05(1) and 62.22, Wisconsin Statutes for the purpose of the within described public acquisition project and that this acquisition is determined to be necessity in accordance with Section 32.07(2), Wisconsin Statutes, and the acquisition shall allow for the relocation of a portion of the Southwest Commuter Trail Bike Path between West Washington Avenue and East Campus Mall, City of Madison, Dane County, Wisconsin.

BE IT FURTHER RESOLVED that the City of Madison Real Estate Section of the Community and Economic Development Unit and the City Attorney are hereby authorized to proceed by negotiation or condemnation under authority of Section 32 and 62.22 of the Wisconsin Statutes to acquire the real estate interests shown on said Relocation Order, and the Real Estate Section is further authorized to obtain title reports, appraisals, survey information, environmental site assessment reports, and any other essential material or reports as may be necessary to perform due diligence in accomplishing the acquisition.

BE IT STILL FURTHER RESOLVED that the City of Madison Real Estate Section of the Community and Economic Development Unit is hereby authorized to execute the jurisdictional offer, lis pendens, and award of the compensation if condemnation proceedings under Section 32 of the Wisconsin Statutes are necessary.

BE IT FINALLY RESOLVED that the Mayor and City Clerk are authorized to sign all necessary documents necessary to accomplish the acquisition.

BE IT FINALLY RESOLVED, that the Mayor and City Clerk are hereby authorized to enter into an agreement with the University of Wisconsin-Madison for financing costs related to the relocation of a portion of the Southwest Commuter Trail Bike Path between West Washington Avenue and East Campus Mall in connection with the renovation and expansion of the University's Charter Street Heating Plant