



## Legislation Text

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**File #:** 32633, **Version:** 1

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### Fiscal Note

Real Estate acquisition costs and staff time not to exceed the estimated \$17,500 for this project are available in Acct. No(s):

CS53-58130-810375-00-53W1547 (Land/Easement - Easement Acquisition).

### Title

Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for the construction and maintenance of the Cannonball Path Phase 5, a new multi-purpose (bicycle and pedestrian) path from the current improved end of the path lying approximately 750 feet northeast of the West Beltline Highway frontage road to the intersection with Fish Hatchery Road. (14<sup>th</sup> AD)

### Body

#### **RELOCATION ORDER OF THE CITY OF MADISON, DANE COUNTY, WISCONSIN**

#### **PREAMBLE**

The Cannonball Path Phase 5 is a critical component of the overall multi-phase Cannonball Path project. The previous phase constructed a new bike and pedestrian bridge over Beltline highway in 2013, and Phase 5 will continue the path approximately 1800 feet to a crossing of Fish Hatchery Road. It will be an important component of the City's non-motorized transportation network, providing a safe and direct route from neighborhoods south of the Beltline to central downtown area and other destinations.

City Engineering Division has established Engineering Project No. 53W1547 - Cannonball Path Phase 5 to construct the current phase, and the Office of Real Estate Services has established Master File Project No. 10313 to facilitate the acquisition of required easements to construct the necessary public improvements associated with the path.

The path will occupy lands currently owned by the City of Madison, easement on UW Arboretum property (to be acquired by separate agreement) and easements to be acquired by the City of Madison under this Relocation order.

To accomplish the necessary public improvements associated with the Cannonball Path Phase 5 project as proposed by the Engineering Division the acquisition of public land interests (Permanent and Temporary Construction Easements and Consent to Occupy Agreements) are required from four (4) different properties/parties as shown on the Relocation Order Map and Schedule of Land Interests Required dated December 19, 2013 which are attached hereto and made part of this resolution.

#### **NOW THEREFORE BE IT RESOLVED,**

1. 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 necessary in accordance with Section 32.07(2), Wisconsin Statutes, and the acquisition shall allow for the construction of the Cannonball Path (Phase 5).

2. That the City of Madison hereby determines that it is necessary and a public purpose exists to acquire land interests from the four (4) different properties/parties as identified in the Schedule of Land Interests on the attached Relocation Order map (1 sheet).
3. City Of Madison Office of Real Estate Services staff shall administer the acquisition of all easement and related release of right land interests by Real Estate Master Project No. 10313.
4. That the Common Council of the City of Madison, does hereby adopt this relocation order to acquire the necessary land interests required for the Cannonball Path associated with Engineering Division Project Number 53W1547, consisting of the attached Relocation Order Map in accordance with Section 32.05(1) and 62.22, Wisconsin Statutes.
5. That the Office of Real Estate Services Division 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.
6. That the Office of Real Estate Services 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.
7. That the Mayor and City Clerk are hereby authorized to sign all necessary documents to accomplish the land interest acquisitions.