



## Legislation Text

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**File #:** 33137, **Version:** 1

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### **Fiscal Note**

Real Estate acquisition costs and staff time not to exceed the estimated \$271,000 for this project are available in Acct. No(s):

CS53-58130-810375-00-53W1319 (Land Easement - Easement Acquisition).

CS53-58110-810375-00-53W1319 (Land - ROW Fee Acquisition).

CS53-56290-810375-00-53W1319 (Inter-D to CED).

### **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 Irwin A. and Robert D. Goodman Path, a new multi-purpose (bicycle and pedestrian) path and on-street bike route from the Capital City path at Marquette Street to the Marsh View path at Highway 30. (6<sup>th</sup> and 15<sup>th</sup> AD)

### **Body**

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

### **PREAMBLE**

On May 1, 2012 the City of Madison Common Council approved Resolution No. RES-12-00279, File No. 25399 which authorized the Mayor and City Clerk to gift and naming rights agreement with the Irwin A and Robert D. Goodman Foundation for construction of a multi-use (bicycle and pedestrian) path connecting the Capital City path at Marquette Street with the Marsh View Path at Highway 30.

This path has long been a priority component of the City's planned bicycle network, and was formerly identified as the Starkweather East Branch Path. It will serve as an important component of the City's non-motorized transportation network, providing a safe and direct route connecting large residential areas with the central downtown area and other destinations. The project consists of a combination of separate multi-use path and on-street bike route for a total corridor length of approximately 1.1 miles. The route generally follows the WisDOT-owned rail corridor and the East Branch of Starkweather Creek. This project is considered the first phase of a larger concept that will extend path in this corridor to east of I-39 and ultimately to the City of Sun Prairie.

City Engineering Division has established Engineering Project No. 53W1319 - Goodman Path to construct the current phase, and the Office of Real Estate Services has established Master File Project No. 10099 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, lands currently owned by the Wisconsin Department of Transportation, lands currently owned by the Town of Blooming Grove and easements to be acquired by the City of Madison.

On March 19, 2013 the City of Madison Common Council approved Resolution No. RES-13-00195, File No. 28968 which authorized a Relocation Order for the acquisition of land interests required for the construction and maintenance of Phase 1 of the Irwin A. and Robert D. Goodman Path.

Subsequent to the adoption of the relocation order on March 19, 2013 as Resolution No. RES-13-00195, File No. 28968, it has been determined that portions of the previously adopted relocation order requires amendment to facilitate the final design of the improvements to be constructed as part of Phase 1.

To accomplish the necessary public improvements associated with the Goodman Path (Phase 1) project as proposed by the Engineering Division the acquisition of public land interests are required from the properties/parties as shown on the amended Relocation Order Maps and Schedule of Land Interests Required dated February 10, 2014 which are attached hereto and made part of this resolution. Parcel 3 (Town of Blooming Grove) is shown for information only and is not included in this Relocation Order.

**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 Irwin A. and Robert D. Goodman Path (Phase 1). Engineering Project No. 53W1319.
2. That the City of Madison hereby determines that it is necessary and a public purpose exists to acquire land interests from the properties/parties as identified in the Schedule of Land Interests on the attached amended Relocation Order maps. Any previously adopted relocation maps not amended by this resolution shall remain in full effect as originally adopted.
3. City Of Madison Office of Real Estate Services staff shall administer the acquisition of all easement and related release of right land interests under Real Estate Master Project No. 10099.
4. That the Common Council of the City of Madison, does hereby adopt this amended relocation order to acquire the necessary land interests required for the Irwin A. and Robert D. Goodman Path associated with Engineering Division Project Number 53W1319, consisting of the attached Relocation Order Maps 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.