



Legislation Text

File #: 33296, **Version:** 1

Fiscal Note

\$6,950.00 to be deposited into Account No. EG01-78231-655100 (Golf-Easements-Yahara) as compensation for Temporary Limited Easement.

Title

Authorizing the execution of a Temporary Limited Easement by the City of Madison in favor of the State of Wisconsin Department of Transportation for the reconstruction of a driveway entrance to the Yahara Hills Golf Course, in connection with the reconstruction project for the intersection of USH 12 and Millpond Road.

Body

WHEREAS, the State of Wisconsin Department of Transportation ("WisDOT") will be reconstructing the USH 12 and Millpond Road intersection in 2014 pursuant to State R/W Project No. 3080-01-22 (the "Plat"); and

WHEREAS, the City of Madison ("City") is the owner of certain property having a primary address of 6701 US Highway 12 & 18, commonly known as Yahara Hills Golf Course, which is listed as Parcel No. 1 of the 'Schedule of Lands and Interests Required' on the Plat; and

WHEREAS, WisDOT has made a written offer to acquire from the City a Temporary Limited Easement ("TLE") for the reconstruction of a driveway entrance to the Yahara Hills Golf Course in connection with the reconstruction project for the intersection of USH 12 and Millpond Road; and

WHEREAS, the City and WisDOT have negotiated the terms and conditions for the conveyance of a TLE, including compensation in the amount of \$6,950.00; and

WHEREAS, the City Parks Division, Engineering Division and Office of Real Estate Services have reviewed the TLE, and approve of the terms and conditions.

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Madison authorizes the execution of a Temporary Limited Easement ("TLE") for grading and sloping purposes from the City of Madison ("City") to the State of Wisconsin Department of Transportation ("WisDOT") for lands identified in Transportation Project Plat No. 3080-01-22 (the "Plat"), subject to the following terms and conditions:

1. The City shall grant a TLE to WisDOT for the use of a portion of the Yahara Hills Golf Course, located at 6701 US Highway 12 & 18, as legally described on attached Exhibit A and identified in the Plat depicted on attached Exhibit B.
2. WisDOT shall pay to the City the sum of \$6,950.00 as consideration for the TLE and site improvements.
3. WisDOT's use of the TLE area shall be for construction, sloping and grading purposes including, but not limited to, the right of ingress and egress, the right to operate necessary equipment thereon, and the right to preserve, protect, remove or plant thereon any vegetation that WisDOT may deem desirable to prevent erosion of the soil.
4. Construction shall be performed and completed in a good and businesslike manner and shall not interfere with or endanger the use of the abutting land owned by the City.
5. WisDOT will promptly restore the TLE area after completion of the construction and/or grading of the TLE

Area (or as soon thereafter as weather reasonably permits) and in a manner satisfactory to the City.

6. The City reserves the right to use and occupy the TLE area in a manner consistent with the rights conveyed herein, provided that such use and occupancy shall not interfere with or disturb the construction and/or grading of the TLE area.

7. The TLE shall terminate nine months after the date the TLE document is recorded, or upon the completion of the construction, whichever is first.

BE IT STILL FURTHER RESOLVED, that the Mayor, Clerk, and Manager of the Office of Real Estate Services are authorized to sign on behalf of the City, any and all documents and legal instruments required to complete the transactions contemplated in the resolution.