



Legislation Text

File #: 33906, Version: 2

Fiscal Note

No fiscal impact.

Title

Substitute Resolution Accepting various conveyances, at no cost to the City of Madison, from the owners of six (6) properties located on Morrison Court, including warranty deeds dedicating land for public right-of-way, permanent limited easements for sloping and grading, and easement declarations for public utility purposes, for the properties located at 1241, 1242, 1244, 1245, 1252 Morrison Court and 802 South Baldwin Street.

Body

WHEREAS, Morrison Ct. is a small private road off of S. Baldwin St. that serves six parcels over a thirty foot wide and one-hundred foot long private right-of-way easement that was created in 1926 when the properties were first subdivided; and

WHEREAS, City Engineering records indicate the existing sanitary sewer within Morrison Ct was installed in 1904 and is identified as publicly owned and maintained; and

WHEREAS, the City of Madison Water Utility records indicate the existing water main located within Morrison Ct was installed in 1927 and is identified as publicly owned and maintained; and

WHEREAS, City Engineering records suggest that Morrison Ct. was reconstructed in 1963 by the City; and

WHEREAS, the City of Madison Streets Division managers and records indicate that public services (i.e. snow removal, refuse and recycling collection) have been provided to Morrison Ct properties for many years, likely since its creation; and

WHEREAS, in 2013 the City presented the six Morrison Ct. property owners with the option of either dedicating the private street to the City so it could be treated as a public right-of-way, or maintaining Morrison Court's private street status with the understanding that the City would cease all service to the street pursuant to City policy; and

WHEREAS, following these discussions, all six property owners have requested that Morrison Ct. be converted into a public right-of-way; and

WHEREAS, on April 9, 2014 a public hearing was held at the Board of Public Works for File ID 33281 Approving the proposed geometrics for Morrison Ct from S Baldwin St to the southwest terminus. All six (6) Morrison Ct residents were in attendance and supported the proposed geometrics; and

WHEREAS, on April 29, 2014 the City of Madison Common Council adopted File ID 33281 as RES-14-00318 Approving the proposed geometrics for Morrison Ct from S Baldwin St to the southwest terminus; and

WHEREAS, the Office of Real Estate Services, Economic Development Division in the Department of Planning & Community & Economic Development has received signed warranty deeds, including conveyance of additional permanent and temporary public easement rights from all six (6) Morrison Ct property owners. The recording of these signed documents with the Register of Deeds will convert Morrison Ct. into a public

right-of-way upon Common Council authorization and acceptance of the fee title dedications and public easements, which action will recognize the manner in which the City has treated Morrison Court since its creation; and

WHEREAS, the property owners adjacent to Morrison Court (the "Owners"), which is currently a private street, have requested that the City accept dedication of said private street and administer an assessable public works street improvement project; and

WHEREAS, as a condition of acceptance of the dedications for the public right-of-way for Morrison Court, the Owners shall convey warranty deeds, permanent limited easements for sloping and grading, and public utility easements to the City, at no cost to the City, for the public right-of-way for Morrison Court; and

WHEREAS, said Owners shall also agree to the special assessments to be applied to each property owner located along Morrison Court for the public works street improvement project; and

WHEREAS, the all the Owners have executed warranty deeds ("WD") for said dedication of right of way for Morrison Court, permanent limited easements for sloping and grading ("PLE"), and declarations of public utility easement ("Declaration"), as needed; and have agreed to accept the special assessments to be applied to each Owner for the public street improvement project; said required conveyances are as follows:

<u>Address</u>	<u>Owner</u>	
<u>Conveyances Required</u>		
1241 Morrison Court	Reinl & Krebsbach	WD, PLE, Declaration
1242 Morrison Court	1242 Morrison Ct LLC	WD, PLE, Declaration
1244 Morrison Court	Hofer & Steadman	WD, PLE
1245 Morrison Court	Ballering	WD, PLE
1252 Morrison Court	Lauber & Cody	WD, PLE
802 S Baldwin Street	Goeddel	WD, PLE

WHEREAS, the City Engineering Division and Office of Real Estate Services have reviewed the signed conveyances and recommend that said dedications be accepted.

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Madison authorize the acceptance of Warranty Deeds, Permanent Limited Easements and Declarations of Public Utility Easements, at no cost to the City, for Morrison Court public right-of-way, from the ownerships and interests as listed below:

1241 Morrison Court	Reinl & Krebsbach	WD, PLE, Declaration
1242 Morrison Court	1242 Morrison Ct LLC	WD, PLE, Declaration
1244 Morrison Court	Hofer & Steadman	WD, PLE
1245 Morrison Court	Ballering	WD, PLE
1252 Morrison Court	Lauber & Cody	WD, PLE
802 S Baldwin Street	Goeddel	WD, PLE

more particularly described as follows on Attached Exhibit A and depicted on attached Exhibit B.