



## Legislation Text

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**File #:** 34266, **Version:** 1

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### **Fiscal Note**

No expenditure required.

### **Title**

Authorizing the acceptance of ownership from Marquette Neighborhood Association of a “Boulder with Great Neighborhoods Plaque” located within Central Park at 202 S. Ingersoll Street.

### **Body**

WHEREAS, the Marquette Neighborhood Association (the “Association”) wishes to install and maintain an aqua blue boulder embedded with a Great Neighborhoods plaque (the “Boulder”) within Central Park, located at 202 S. Ingersoll Street, near one of the entrances to the park, as shown on attached Exhibit A, and depicted on attached Exhibit B; and

WHEREAS, the Boulder commemorates the Marquette neighborhood being named as one of the Great Places in America by the American Planning Association; and

WHEREAS, representatives from the Parks Division, as well as the Offices of the City Engineering, Planning and Risk Management have reviewed this request and conditionally approved the placement, installation and maintenance of the Boulder; and

WHEREAS, the Association will transfer ownership of the Boulder to the City after it has been installed, in exchange for the ongoing maintenance and repair of the Boulder by the Association; and

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Madison authorizes the acceptance of ownership from the Marquette Neighborhood Association of a Boulder with a Great Neighborhoods Plaque located within Central Park, as shown on attached Exhibit A and depicted on attached Exhibit B; subject to the following conditions:

1. The Association shall be responsible for all costs of installation, maintenance and repair of the Boulder.
2. The Association shall locate the Boulder at a specific location, to be approved by the Parks Superintendent.
3. The Boulder shall be located inside the park boundary, outside the terrace, three feet from any path or sidewalk, and less than 30 inches in height after installation.
4. The Association shall be responsible for locating all underground utility services in the area where the Boulder is to be placed, shall contact Diggers Hotline prior to any excavation activities, and have all utilities properly marked.
5. The Association shall comply with all Madison General Ordinances regarding the construction and installation of the Boulder within the public park, including any and all City of Madison permits for excavation and installation, if applicable.
6. The City shall not be held responsible for any damage to the Boulder that may be caused by the City, its employees, contractors, or others.

7. The City may remove the Boulder if not properly maintained, by giving the Association sixty (60) days written notice prior to removal. The Association is responsible for any reasonable costs associated with such removal.
  
8. The City may move or remove the Boulder if the area occupied by it is required for park or other public purposes, by giving the Association sixty (60) days written notice prior to removal. Public purposes include but are not limited to, and without limitation because of enumeration, public alleys, streets, highways, bike paths, sidewalks, and facilities for the development, improvement and use of public lands.