



Legislation Text

File #: 34817, **Version:** 1

Fiscal Note

There will be no charge for the easements.

Title

Authorizing the execution of Permanent Limited Easements for private sanitary sewer purposes serving the properties located at 5312 and 5316 Lake Mendota Drive across a City of Madison Parks Parcel located at 5218 Lake Mendota Drive, Parcel No. 251-0709-184-0315-9.

Body

WHEREAS, in conjunction with Engineering Project No. 53W0577 the City of Madison constructed public sanitary sewer facilities within the right of way of Lake Mendota Drive and provided sewer lateral connections for the properties located at 5312 Lake Mendota Drive and 5316 Lake Mendota Drive, these properties are hereinafter referred to as the Private Properties; and

WHEREAS, upon both of the Private Properties' successful connection to the laterals provided by the City of Madison from Lake Mendota Drive, an existing 6 inch diameter public sanitary sewer was to be abandoned that currently lies under the Private Properties and the adjacent Parks Parcel; and

WHEREAS, the Private Properties have obtained estimates from multiple contractors to connect their existing dwellings to the recently constructed sewer laterals provided from Lake Mendota Drive. The Private Properties have determined connecting to the new laterals is cost prohibitive and the Private Properties are therefore requesting to continue to serve their dwellings with the current 6" sanitary sewer lying below their lots and across the adjacent Parks Parcel; and

WHEREAS, City of Madison Engineering Division staff is in support of the continued use of the 6 inch diameter sanitary sewer on the condition that the sewer be designated a private sanitary sewer that is owned, maintained and repaired by the Private Properties from the Private Properties to the location where the pipe discharges into City of Madison Sanitary Access Structure No. 3347-014; and

WHEREAS, upon demolition of any of the existing dwellings, any new dwellings constructed on either of the Private Properties shall be required to connect to the recently constructed sanitary sewer laterals provided from Lake Mendota Drive; and

WHEREAS, the City shall at its option terminate said easement in the event anyone seeks to have title to Spring Harbor Park revert back to the original grantor, and

WHEREAS, City of Madison Engineering Division and Parks Division staff have reviewed and approve of the required Permanent Limited Easement to the Private Properties for the portion of the private sanitary sewer that will cross the adjacent Parks Parcel, said easement more particularly described and depicted on attached Exhibits A and B attached hereto and made part of this resolution.

WHEREAS, upon both of the Private Properties successfully connecting to the laterals from Lake Mendota Drive, the existing 6" private sanitary sewer shall be abandoned and the easement over the adjacent Parks Parcel shall expire; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Clerk are hereby authorized to execute a Permanent Limited Easements for private sanitary sewer purposes to the Private Properties over the City of

Madison Parks Parcel located at 5218 Lake Mendota Drive, as more particularly described and depicted on attached Exhibits A and B.