



## Legislation Text

File #: 49300, Version: 1

### Fiscal Note

The proposed resolution approves the land interest acquisition and relocation estimate for the John Wall Drive/Graaskamp Road construction project, including City Real Estate staff time and related administration costs, at a cost not to exceed \$12,400. These costs are associated with the John Wall Drive/Graaskamp Road construction project as budgeted in the adopted 2017 capital budget. Funding for the project costs are provided by special assessments.

### MUNIS:

11461-402-160 Ronald Reagan Ave, John Wall Dr and Merchant St- Easements, (\$1,000 Easement Acquisition)

11461-402-110 Ronald Reagan Ave, John Wall Dr and Merchant St- Land, (\$11,400 Fee Acquisition)

### Title

Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for the construction of street improvements and vision corner for Ronald Reagan Drive and Hoepker Road. Located in part of the NW ¼ of the NW ¼ of Section 16 T8N, R10E, in the Town of Burke, Dane County, WI. (17<sup>th</sup> AD)

### Body

#### PREAMBLE

**WHEREAS**, the City of Madison quit claimed lands to be used for public right-of-way purposes (Hoepker Road at the intersection with Ronald Reagan Drive) described as Parcel B per Quit Claim Deed recorded on January 29, 2001, as Document Number 3283524; and,

**WHEREAS**, the plat of The Center for Industry & Commerce was conditionally approved by the City of Madison Common by Resolution No. 60240, File I.D. Number 33441, as adopted on the 18th of February, 2003 and the said Resolution provided for the acceptance of the lands dedicated for public street right-of-ways, including Ronald Reagan Drive; and,

**WHEREAS**, the plat of The Center for Industry & Commerce was subsequently recorded upon the satisfaction of the conditions of approval on the 8th of May, 2003 in Volume 58-024B of Plats on pages 129 - 134, as Document Number 3708481, Dane County Register of Deeds dedicating Ronald Reagan Drive; and

**WHEREAS**, the City of Madison Engineering Division has established Munis Project Number 11461 Ronald Reagan Ave, John Wall Dr and Merchant St, for the design, construction and administration of the public street construction project including the construction of Ronald Reagan Drive; and,

**WHEREAS**, on February 7, 2017, RES-17-00117, File ID 45757, the City of Madison Common Council established an assessment district known as the Ronald Reagan Avenue, John Wall Drive and Merchant Street Assessment District - 2017; and,

**WHEREAS**, on March 7, 2017, RES-17-00199, File ID 45757, the City of Madison Common Council approved Plans, Specifications and authorized the Board of Public Works to advertise and receive bids for Ronald Reagan Avenue, John Wall Drive and Merchant Street Assessment District - 2017; and,

**WHEREAS**, acquisition of various public land interests within the Town of Burke are required adjacent to and

easterly of Ronald Reagan Drive to accomplish the proposed construction of Ronald Reagan Avenue and to provide the public right of way necessary to accommodate sight distance requirements for the Ronald Reagan Avenue and Hoepker Road intersection; and,

**WHEREAS**, the City of Madison Office of Real Estate Services of the Economic Development Division has established a Master File / Project No. 11427 to facilitate and administer the acquisition of the required land interests to construct the necessary public improvements and provide sight distance requirements associated with the public street construction; and,

**WHEREAS**, attached hereto and made part of this resolution is a City of Madison Relocation Order Map titled "PLAT OF LAND INTERESTS REQUIRED FOR THE CONSTRUCTION OF IMPROVEMENTS FOR A PUBLIC STREET", BEING PART OF THE NW 1/4 OF THE NW 1/4, OF SEC 16, T 8 N, R 10 E, TOWN OF BURKE, DANE COUNTY, WI; and,

**WHEREAS**, this Relocation Order identifies the necessary public land interest areas of acquisition as shown on the City of Madison Relocation Order Map and Schedule of Land Interests Required for the construction of the Ronald Reagan Avenue and Hoepker Road public street improvements; and,

**WHEREAS**, all required funding for the land interest acquisitions by the City of Madison will be available in Account Numbers 11461-402-160 Ronald Reagan Ave, John Wall Dr and Merchant St (Easement Acquisition) and 11461-402-110 Ronald Reagan Ave, John Wall Dr and Merchant St (Fee Acquisition).

**NOW THEREFORE BE IT RESOLVED**, that the City of Madison, Dane County, Wisconsin, by its City Common Council and for its Relocation Order hereby resolves as follows:

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 planned public improvements of Ronald Reagan Avenue and Hoepker Road.
2. That the City of Madison hereby determines that it is necessary and a public purpose exists to acquire necessary land interests from the properties/parties as identified in the Schedule of Lands & Interests on the attached Relocation Order Map and such acquisitions are required to allow for the construction of said public improvements.
3. That the Common Council of the City of Madison, does hereby adopt this relocation order to acquire the necessary land interests required for the construction of planned public improvements associated with Engineering Division Project Number 11461 Ronald Reagan Ave, John Wall Dr and Merchant St, consisting of the attached Relocation Order Map in accordance with Section 32.05(1) and 62.22, Wisconsin Statutes.
4. That the Office of Real Estate Services of the Economic Development Division 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 any Uneconomic Remnant (Section 32.05(3m) of the Wisconsin Statutes) that may be subsequently determined to exist by the City of Madison. Also, the Office Real Estate Services 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.

5. That the City of Madison Office of Real Estate Services Division of the Economic Development Division staff shall administer the acquisition of all land interests by Real Estate Master Project No. 11427.
6. That the City of Madison Office of Real Estate Services of the Economic Development Division 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 authorized to sign all necessary documents to accomplish the acquisitions.