



## Legislation Text

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**File #:** 50252, **Version:** 1

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### Fiscal Note

The proposed resolution authorizes the acquisition of land interests required for the construction of public storm sewer on Hammersley Avenue. The estimated cost of the land acquisition is \$19,000 which is sufficiently planned within the Reconstruction Streets capital program in Engineering Major Street's adopted 2018 capital budget; funding is provided by Stormwater Utility GO Borrowing (MUNIS 11753).

### Title

Determining a Public Purpose and Necessity and adopting a Relocation Order for the acquisition of land interests required for the construction and maintenance of a new public storm sewer within a parcel located at 4009 Hammersley Ave. Located in part of the SW ¼ of the SW ¼ of Section 21, T7N, R9E. (11th AD)

### Body

#### PREAMBLE

**WHEREAS**, City of Madison utility improvements and street constructions were scheduled within the Sunset Village and Sunset Hills neighborhood over a 7-year period (2014-2020). The projects include utility replacement and relocation, street improvements including curb and gutter, and new storm sewer. Hammersley Avenue between Westmorland Boulevard and Larkin Street is scheduled for reconstruction in 2019 and funding is included in the adopted 2018 Capital Budget, 2018-2023 Capital Improvement Plan, Engineering-Major Streets, Reconstruction Streets; and,

**WHEREAS**, on May 2, 2017, RES-17-00377, File ID 46725, the City of Madison Common Council approved plans and specifications for the Madison Police Department Midtown District Station, and that approval included the installation of a large public storm pipe providing a future connection and outlet for storm sewer to be constructed as part of the future Hammersley Avenue reconstruction project; and,

**WHEREAS**, the City of Madison Engineering Division has established Munis Project Number 11753 Hammersley Ave, for the design, construction and administration of the public street reconstruction project; and,

**WHEREAS**, acquisition of public land interests are required to accomplish the required construction of storm sewer facilities in conjunction with the Hammersley Avenue reconstruction project; and,

**WHEREAS**, the City of Madison Office of Real Estate Services Division of the Economic Development Division has established a Master File / Project No. 11428 to facilitate and administer acquisition of required land interests to construct the necessary public storm sewer improvements; 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 and maintenance of improvements for a public storm sewer", part of Lot 7, Block 1, Pilgrim Village, located in part of the SW ¼ of the SW ¼, of Sec 21, T 7 N, R 9 E, City of Madison, Dane Co, Wisconsin; and

**WHEREAS**, this Relocation Order Map identifies the necessary public land interest areas of acquisition as shown on the City of Madison Relocation Order Map and Schedule of Interests Required for the public storm sewer improvements; and,

**WHEREAS**, all required funding for the land interest acquisitions by the City of Madison will be available in Account Number 11753-84-160 Hammersley Ave (Easement Acquisition).

**NOW THEREFORE BE IT RESOLVED,**

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 necessity in accordance with Section 32.07(2), Wisconsin Statutes, and the acquisition shall allow for the construction of planned public storm sewer improvements of Hammersley Ave, Engineering Project No. 11753.
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 Interests Required on the attached Relocation Order Map and such acquisitions are required to allow for the construction of said public storm sewer 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 installation of public storm sewer improvements associated with Engineering Division Project Number 11753, Hammersley Ave, 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 Division 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 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. 11753.
6. That the City of Madison Office of Real Estate Services Division 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 acquisition.