



Legislation Text

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File #: 53614, Version: 1

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**Fiscal Note**

The proposed resolution adopts the relocation order for acquisition of real estate an estimated cost of \$23,000. The executive 2019 capital budget includes GO Borrowing funding for this proposed real estate acquisition via the Sidewalk Program in the Engineering Pedesrtian and Bicycle capita budget.

MUNIS:

11985-403-160

**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 public sidewalk connecting existing sidewalks along the east side of American Parkway. Located in part of the NW ¼ of the SW ¼ and SW ¼ of the NW ¼ of Section 14, T8N, R10E. (17th AD)

**Body**

**PREAMBLE**

**WHEREAS**, public sidewalks have been constructed along American Parkway during multiple phases of the development of American Center and other associated developments over the years; and

**WHEREAS**, there are three parcels along the easterly side of American Parkway, located at the addresses of 5917, 5929 and 6001 American Parkway ("Three Parcels") that are separately owned and not part of the American Center development. During the development and construction of American Parkway, public sidewalks were not constructed along the frontages of the Three Parcels, creating a gap in public sidewalk along the easterly side of American Parkway, thereby restricting connectivity for pedestrians using the sidewalk; and

**WHEREAS**, City of Madison Engineering has determined there is a necessity for public sidewalk along the easterly side of American Parkway, fronting along the Three Parcels, in order to provide public sidewalk connectivity and safe passage for pedestrians along American Parkway; and

**WHEREAS**, the City of Madison Engineering Division has established Engineering Project No. 11985 - New Sidewalk Installation for the design and construction of public sidewalks throughout the City, and the said project includes the design and construction of the sidewalk along the frontages of the Three Parcels; and

**WHEREAS**, the City of Madison Office of Real Estate Services has established a Master File / Project No. 11437 to facilitate and administer acquisition of required land interests to construct the necessary public improvements associated with the public sidewalk along American Parkway; 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 PUBLIC SIDEWALK ALONG AMERICAN PARKWAY", PART OF THE NW ¼ OF THE SW ¼ AND SW ¼ OF THE NW ¼ OF SECTION 14, T8N, R10E, CITY OF MADISON, DANE COUNTY, WISCONSIN; and,

**WHEREAS**, this Relocation Order Map identifies additional 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 public improvements along American Parkway; and,

**WHEREAS**, all required funding for the land interest acquisitions by the City of Madison will be available in Account Number 11985-403-160 New Sidewalk Installation 2019, (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 sidewalk improvements along American Parkway, Engineering Project No. 11985 - New Sidewalk Installation 2019.
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 Land Interests on the attached Relocation Order Map and such acquisitions are required to allow for the construction of said public sidewalk improvements along American Parkway.
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 sidewalk improvements along American Parkway associated with Engineering Division Project Number 11985 - New Sidewalk Installation 2019, 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. 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. 11437.
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 acquisition.