



Legislation Text

File #: 54899, **Version:** 1

Fiscal Note

No City appropriation required.

Title

Authorizing the City of Madison's acceptance of a Permanent Limited Easement for Public Pedestrian and Bicycle Path Purposes, granted to the City by Twisted Fitness, LLC, over and across a portion of the property located at 701 Rethke Avenue. (15th A.D.)

Body

WHEREAS, Galtese, Ltd. is the current owner of the property located at 701-703 Rethke Avenue in the City of Madison, Dane County, Wisconsin (together, the "Property"), legally described in attached Exhibit A; and

WHEREAS, Galtese, Ltd. is negotiating a potential sale of the Property to Twisted Fitness, LLC, a Wisconsin limited liability company ("Twisted Fitness"), whereby Twisted Fitness would redevelop the Property after taking ownership and obtaining the necessary approvals from the City of Madison ("City") to facilitate the redevelopment; and

WHEREAS, Twisted Fitness submitted a land use application for a demolition permit to the City, which was conditionally approved by the Plan Commission at their meeting on February 25th, 2019 per Legislative File ID No. 54397 ("Project"); and

WHEREAS, the official map of the City ("Official Map") currently has a 66-foot wide street reservation across the Property for the purposes of extending Burke Avenue to Rethke Avenue ("Reservation Area"). The Project, as proposed, contemplates site improvements that would lie within the officially mapped Reservation Area; and

WHEREAS, Twisted Fitness has requested that the Official Map be amended to eliminate the Reservation Area across the Property. A condition of the Official Map amendment, Legislative File ID No. 54543, requires the granting of the easement for public pedestrian and bicycle path purposes ("Easement") to the City, at no cost to the City, to allow a public pedestrian and/or bicycle path ("Improvements") to be extended across the Property from Rethke Avenue to connect to a future sidewalk or path on Burke Avenue lying east of the Property; and

WHEREAS, conditions of approval for the Project also requires Twisted Fitness, as developer, to construct the Improvements within said Easement according to plans approved by the City's Engineer. The construction of the Improvements is to be completed in accordance with Private Contract No. 8397 by and between Twisted Fitness, as developer, and the City; and

WHEREAS, subsequent to the conveyance of the Property to Twisted Fitness, Twisted Fitness shall grant the Easement to the City to facilitate the construction and maintenance of the Improvements on a portion of the Property legally described in attached Exhibit B and depicted on attached Exhibit C.

NOW, THEREFORE, BE IT RESOLVED that the City is hereby authorized to accept a Permanent Limited Easement for Public Pedestrian and Bicycle Path purposes over and across a portion of the Property, as legally described in attached Exhibit B and depicted in attached Exhibit C.

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are hereby authorized to execute the Easement.