



## Legislation Text

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**File #: 55530, Version: 1**

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The proposed resolution approves documents for easement and fee acquisition associated with the Cottage Grove Road reconstruction project from I94 to Sprecher Road. The land interest acquisition and relocation cost estimate, including City Real Estate staff time and related administration costs, not to exceed \$ 200,000 is funded by carryforward appropriation from the preliminary phases of the project. Construction is planned in the adopted 2019 Capital Improvement Plan for 2020.

**MUNIS:**

10230-402-160 Cottage Grove Rd, (\$60,000 Easement Acquisition)

10230-402-110 Cottage Grove Rd, (\$140,000 Fee Acquisition)

Determining a Public Purpose and Necessity and adopting a Transportation Project Plat Numbers. 5992-09-25 - 4.01 thru 5992-09-25 - 4.04, Cottage Grove Rd - CTH BB from North Star Drive to Sprecher Road for the acquisition of Plat of Land Interests required. Located in part of Section 11 and Section 12, T7N, R10E, in the City of Madison. (3<sup>rd</sup> & 16<sup>th</sup> ADs)

### **PREAMBLE**

**WHEREAS**, the City of Madison is proposing to reconstruct a portion of Cottage Grove Road (CTH BB) from North Star Drive to Stoughton Road. The City applied for Federal Funds in the Surface Transportation Program Fund and the project received approval for 50% Federal funding of Construction; and,

**WHEREAS**, the City of Madison Engineering Division has established Project Number 10230 (53W0472) Cottage Grove Road, for the design and administration of the reconstruction project; and,

**WHEREAS**, the City of Madison Common Council adopted RES-15-00260, File ID 37504 on March 17, 2015, authorizing the Mayor and City Clerk to execute an agreement with the State of Wisconsin Department of Transportation for the improvement of Cottage Grove Road (S Thompson Dr to Sprecher Rd) and authorizing the Mayor and City Clerk to enter into an agreement(s) with Dane County for cost sharing on the project; and,

**WHEREAS**, the City of Madison Common Council adopted RES-16-00738, File ID 44331 on September 20, 2016, authorizing the Mayor and City Clerk to execute an amended agreement with the State of Wisconsin Department of Transportation for the improvement of Cottage Grove Road (CTH BB) from North Star Drive to Sprecher Road and to enter into agreement(s) with Dane County for cost sharing on the project; and,

**WHEREAS**, the City of Madison Common Council adopted RES-16-00864, File ID 44745 on November 22, 2016, approving the roadway geometry for the Cottage Grove Road from Thompson Drive to Sprecher Road project; and,

**WHEREAS**, the City of Madison Office of Real Estate Services of the Economic Development Division has established a Master File / Project No. 11069 to facilitate and administer the land interest acquisitions required for the Cottage Grove Road CTH BB - North Star Drive to Sprecher Road reconstruction as identified in Relocation Order - Transportation Project Plat Numbers 5992-09-25 - 4.01 thru 5992-09-25 - 4.04; and,

**WHEREAS**, the Design Study Report (DSR) was approved on December 27, 2018 by the WisDOT Southwest Region Project Development Section Local Program Project Manager for the project of Cottage Grove Road (CTH BB) Thompson Drive to Sprecher Road; and,

**WHEREAS**, a copy of the Relocation Order - Transportation Project Plat Numbers 5992-09-25 - 4.01 thru 5992-09-25 - 4.04 are attached hereto and made part of this resolution; and,

**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 these acquisitions are determined to be necessity in accordance with Section 32.07(2), Wisconsin Statutes, and the acquisitions shall allow for the construction of planned public improvements of Cottage Grove Road / CTH BB) - North Star Drive to Sprecher 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 Maps 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 10230 (53W0472), Cottage Grove Road North Star Drive to Sprecher Road, consisting of the attached Relocation Order Maps 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. 11069.
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.