



Legislation Text

File #: 60227, **Version:** 1

No City appropriation required.

Authorizing the Mayor and the City Clerk to execute a Release of Public Water Main Easements and accept the grant of new Public Water Main Easements from Madison Area Technical College across portions of the properties located at 1853, 1835, and 1849 Wright Street. (12th A.D.)

WHEREAS, Madison Area Technical College ("Owner") is the owner of three contiguous properties located at 1853, 1835, and 1849 Wright Street (collectively, the "Property"), also known as Lots 1, 2 and 3 of Certified Survey Map No. 12648 ("CSM"), respectively; and

WHEREAS, the Owner is redeveloping Lot 2 of the CSM and submitted a Conditional Use application and a Rezone application to the City of Madison ("City") requesting changes to facilitate the development, with the Conditional Use application being conditionally approved at the City's Plan Commission meeting on January 13, 2020 and the Rezone application being conditionally approved at the City's Common Council meeting on January 21, 2020; and

WHEREAS, the Madison Water Utility's staff review of the Site Plan submitted by the Owner in conjunction with said redevelopment revealed that various existing water main facilities on the Property are located outside of the public water main easements granted to the City for said water main facility purposes ("Existing Water Main Easements"); and

WHEREAS, the Existing Water Main Easements were granted to the City by CSM No. 1389, recorded on February 28, 1974 as Document No. 1390227, modified by CSM No. 12648, recorded on March 2, 2009 as Document No. 4512376, and also by that certain Perpetual Easement for Public Water Main Purposes recorded on August 8, 1986 as Document No. 1955754, all recorded in the office of the Dane County Register of Deeds; and

WHEREAS, as described on attached Exhibits A and C, and depicted on attached Exhibits B and D, the condition of approval for the Owner's redevelopment project is to reconcile the location of the Existing Water Main Easements with their existing water main facilities by the City's release of the Existing Water Main Easements and the Owner's grant of a new Public Water Main Easement on the Property for the benefit of the City with the same or similar conditions as the Existing Water Main Easements; and

WHEREAS, the City's Water Utility and Engineering Division have reviewed the map and legal description of the easement release areas and the new easement grant area, which are included as Exhibits A through D attached hereto, and have verified the accuracy of the exhibits.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and the City Clerk are hereby authorized to execute and accept a Release and Grant of Public Water Main Easement over portions of the Property, as legally described on attached Exhibits A and C, and depicted on attached Exhibits B and D.