



Legislation Text

File #: 72557, Version: 1

Fiscal Note

No appropriation required.

Title

Board of Park Commissioners approval of the City's acquisition of the property located at 13 Lakeshore Court for future assemblage with Olin Park. (13th A.D)

Body

WHEREAS, 13 Lakeshore Court, LLC, Registered Agent Harold Langhammer, Estate of Harold Langhammer and James A. Shapiro appeared in the State of Wisconsin Circuit Court of Dane County on April 12, 2022 regarding the property located at 13 Lakeshore Court, described as Lot 9, Plat of Pleasure Park, in the City of Madison, Dane County, Wisconsin ("Property"); and

WHEREAS, Dane County Circuit Court has posted a Notice of Foreclosure Sale (Sale #22_0047, Court Case # 21CV1824), to take place at 10:00 AM on July 12, 2022 at Room 354, City County Building, 210 Martin Luther King Drive, Madison, WI; and,

WHEREAS, the City of Madison ("City") desires to purchase the Property for future assemblage with Olin Park and blight elimination, as the acquisition of properties in the vicinity of Olin Park is a long term goal of the City's Parks Division; and

WHEREAS, the City's adopted 2018 Comprehensive Plan identifies the Property as parkland on the Generalized Future Land Use Map with the following note: "The existing office and residential uses are recommended to continue until a future opportunity arises to convert this area to public park and open space use ...;" and

WHEREAS, the City's acquisition of the Property would add approximately 43 linear feet of shoreline for future public access to Lake Monona, while providing expanded opportunities for recreational uses in this heavily used park, which is consistent with the City's adopted 2018 Park and Open Space Plan includes the recommendation to "Improve Public Access to Lakes"; and

WHEREAS, the City's Common Council understands that the property is being sold in AS-IS condition, subject to any legal liens and encumbrances and any and all outstanding and accruing real estate taxes, special assessments, and penalties and interest, if any. As such, terms and conditions, including due diligence, found within most City Purchase and Sale Agreements, used to protect the City's interest, will not be available to the City for this transaction.

WHEREAS the City's Common Council adopted Leg File #72120, RES-22-00460 on June 21, 2022, which authorized the following:

- The Economic Development Division Director, or designee, to participate in and bid on behalf of the City at the public auction Foreclosure Sale (Sale #22_0047, Court Case # 21CV1824) for the purposes demolition and blight elimination
- The Parks Division Shall contract with a property management company to manage tenant relations and maintain property until such a time that demolition is scheduled; and,

- Payment by cashier's check made payable to the Dane County Clerk of Courts in the amount of 10% of the bid amount, to be paid on July 12, 2022 upon acceptance of successful bid by City representative or voided if City bid is unsuccessful; and,
- Payment of the balance of a successful bid to the Clerk of Courts through cashier's check or certified funds within ten (10) days after the date of confirmation of the sale; and,
- The Economic Development Division Director (or designee), Mayor and City Clerk are authorized to accept a quit claim deed and otherwise sign, accept, and record any and all documents and legal instruments required to complete the transactions contemplated in this resolution, on a form and in a manner that has been approved by the City Attorney.

WHEREAS, The Economic Development Division Director, or designee, to participated in and bid on behalf of the City at the public auction Foreclosure Sale (Sale #22_0047, Court Case # 21CV1824) on July 12, 2022; and,

WHEREAS, The City was Unsuccessful/awarded a successful bid at the rate of _____ for the property located at 13 Lakeshore Court.

WHEREAS, The Board of Park Commissioners recognizes the importance of securing this property for the future development of Olin Park for use and enjoyment by the public; and,

NOW THEREFORE BE IT RESOLVED that the Board of Park Commissioners approves the acquisition of 13 Lakeshore Court to be included in the Parkland Inventory and managed as an asset of the Parks Division.