



## Legislation Text

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**File #:** 72885, **Version:** 1

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### **Fiscal Note**

The Amendments to these Transportation Project Plats require no additional expenditures.

### **Title**

Determining a Public Purpose and Necessity and adopting Transportation Project Plat Numbers 12777-2-4.05 Amendment 1 and 12777-2-4.10 Amendment 1 for East-West Bus Rapid Transit (3rd and 12th AD's)

### **Body**

WHEREAS, Transportation Project Plat Numbers 12777-1- 4.01 through 12777-2- 4.11, and also Numbers 12777-2 - 4.01 through 12777-2 - 4.15, for the required acquisitions per the Plats of Land Interests for the East -West Bus Rapid Transit project were adopted by the Madison Common Council on May 24, 2022 as RES-22-00371; and

WHEREAS, further design of the proposed public improvements for the reconstruction of East-West Bus Rapid Transit project requires a revision of the configuration of the proposed interests within Parcel 22 of Transportation Project Plat No: 12777-2-4.05, recorded with the Dane County Register of Deeds as Document No. 5839584 and filed in Volume 61-064B of Plats on page 387; and

WHEREAS, further design of the proposed public improvements for the reconstruction of East-West Bus Rapid Transit project requires a revision in the proposed interests of Parcel 39, and requires the addition of Parcel 40 as well as Utility Parcel 101, of Transportation Project Plan No: 12777-2-4.10 recorded with the Dane County Register of Deeds as Document No. 5839596 and filed in Volume 61-065A of Plats on page 392; and,

WHEREAS, a copy of the amended Relocation Orders - Transportation Project Plat No: 12777-1-4.05 and Transportation Project Plat No. 12777-1-4.10 are attached hereto and made part of this resolution.

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 a necessity in accordance with Section 32.07(2), Wisconsin Statutes, and the acquisitions shall allow for the construction of planned public improvements of East-West Bus Rapid Transit
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 East-West Bus Rapid Transit 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 shall administer the acquisition of all land interests.
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 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.