



## Legislation Text

---

**File #:** 74308, **Version:** 1

---

### **Fiscal Note**

No City appropriation required.

### **Title**

Authorizing the City's acceptance of a Temporary Limited Easement from High Point Church, Inc., for access over their property located at 7702 Old Sauk Road, to dredge and maintain the adjacent Wexford Pond, located at 1005 N. High Point Road. (19th A.D.)

### **Body**

WHEREAS, the High Point Church, Inc is the owner in fee simple of certain real property located at 7702 Old Sauk Road in the City of Madison, Dane County, Wisconsin, as legally described in the attached easement; and

WHEREAS, the City is the owner in fee simple of certain real property located at 1005 N. High Point Road , which is adjacent to and northerly of the church's property, as legally described in the attached easement; and

WHEREAS, the City's Engineering Division conducted the Pheasant Branch Watershed Study, which identified that Wexford Pond has accumulated sediment that needs to be dredged to improve its efficiency for storage and nutrient removal; and

WHEREAS, to accomplish the necessary work, the City requires an access route southerly from the pond property to Old Sauk Road, over the church property, for construction purposes including the hauling of material dredged from the Wexford Pond areas, with said route being depicted as the Access Easement Area in the attached easement; and

WHEREAS, the church has agreed to grant the easement upon, over, across and through a portion of the their property, at no cost to the City, to provide temporary access to the pond from Old Sauk Road for the dredging and restoration of the Wexford Pond and Greenway in conjunction with the Wexford Pond Dredging project, Engineering Project No. 12750.

NOW THEREFORE, BE IT RESOLVED that the that the Mayor and City Clerk are authorized to execute a Temporary Limited Easement, materially on the terms and conditions contained in the easement attached hereto, on a form approved by the City Attorney's office; and

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute any and all additional documents that may be required to complete the actions contemplated in this resolution.