Legislation Text

File #: 88855, **Version:** 1

Fiscal Note

The proposed resolution amends two Transportation Project Plats modifying utility acquisitions. No additional appropriation of funds required.

Title

Determining a Public Purpose and Necessity and adopting Transportation Project Plat Numbers: 12777-3-4.02 - Amendment No. 2 and 12777-3-4.11 Amendment No. 1 (District 9 & District 19)

Body

WHEREAS, Transportation Project Plat Numbers 12777-3- 4.01 through 12777-3- 4.11, establishing the Utility Interests Required for the East-West Bus Rapid Transit - Mineral Point Road Segment project, were adopted by the Madison Common Council on May 16, 2023 as RES-23-00373, File ID 77167; and

WHEREAS, further design and construction of the proposed public improvements for the East-West Bus Rapid Transit - Mineral Point Road Segment project require amendments and corrections to the Utility Interests Required within Parcel 4 of Transportation Project Plat No: 12777-3-4.02, recorded with the Dane County Register of Deeds as Document No. 5904319 and filed in Volume 61-088B of Plats on pages 513-514 and also within Parcel 44 of Transportation Project Plat No: 12777-3-4.11, recorded with the Dane County Register of Deeds as Document No. 5904334 and filed in Volume 61-089B of Plats on pages 533-534; and

WHEREAS, copies of the amended Relocation Order - Transportation Project Plat No's: 12777-3-4.02, Amendment No. 2 and 12777-3-4.11, Amendment No. 1 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 - Mineral Point Road Segment

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 and Utility 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 - Mineral Point Road Segment 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 by Real Estate Master Project No 12270.

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.

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