

**MEMO TO:** Public Works & Transportation Committee

**FROM:** Jan Zimmermann, Real Estate Coordinator

**SUBJECT:** Request from City of Madison for 3<sup>RD</sup> Amendment to Temporary Limited Easement Agreement – Lake View Water Tower Project

**DATE:** May 19, 2017

The City Water Utility operates a water tower on the County's Lake View property. In 2014, the City began the process of tower replacement.

The current "Temporary Limited Easement" for this water tower project expires June 1, 2017. Site restoration involves the installation of several rain gardens to meet storm water permit requirements. During the course of site planning, the City's landscape contractor identified AT&T and Charter Communications utility lines running through the eastern most rain garden area closest to Esch Lane. These utilities did not have recorded easements.

Additional time will be needed for the County's formal relocation notice to the utilities, for AT&T and Charter to rebid and install their replacement equipment, and for completion of the rain garden. The City is requesting an extension of the TLE to October 1, 2017. There will be a provision that Dane County Land & Water Department may further extend this deadline based upon circumstances beyond the control of the County and City.

The "3<sup>rd</sup> Amendment to the Temporary Limited Easement" document will be drafted by the City and available to the Public Works & Transportation Committee at its meeting on Tuesday, May 23<sup>rd</sup>.