



Legislation Text

File #: 071176, Version: 1

071176
SUBSTITUTE 1

THE CHAIR

Substitute resolution to vacate the right-turn bypass at the southwest corner of East Pittsburgh Avenue and South Water Street, in the 12th Aldermanic District.

This substitute resolution vacates the above street right-of-way in accordance with vacation proceedings under power granted to the City of Milwaukee by Section 62.73, Wisconsin Statutes, and Section 308-28, Milwaukee Code of Ordinances. This vacation was requested by Lighthouse Development Company, LLC and will facilitate the mixed-use development of the adjacent property to the south.

Whereas, It is proposed that the right-turn bypass at the southwest corner of East Pittsburgh Avenue and South Water Street be vacated pursuant to the provisions of Section 62.73, Wisconsin Statutes; and

Whereas, The Department of Public Works has been directed to prepare a coordinated report estimating all costs and benefit assessments that will be incurred with said vacation; and

Whereas, That as provided by Section 62.73, Wisconsin Statutes, a lis pendens must be filed with the Milwaukee County Register of Deeds; and

Whereas, Said vacation has been reviewed in accordance with Section 308-28, Milwaukee Code of Ordinances; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that said street right-of-way as indicated by Exhibit A and bound and described by:

That part of East Pittsburgh Avenue in the Northeast 1/4 of Section 32 and the Northwest 1/4 of Section 33, Township 7 North, Range 22 East, described as follows: Commencing at the intersection of the westerly line of South Water Street and the south line of East Pittsburgh Avenue; thence North 89°45'17" West, along said south line, 156.86 feet to a point; thence North 72°56'38" East 67.15 feet to a point; thence North 60°01'46" East 57.16 feet to a point; thence South 76°17'10.5" East 14.46 feet to a point in the northwesterly extension of the westerly line of South Water Street; thence South 32°36'07" East, along said northwesterly extension, 54.00 feet to the point of commencement is vacated; and, be it

Further Resolved, That a notice of pendency of said vacation has been recorded at the Milwaukee County Register of Deeds and the Commissioner of the Department of City Development may request a release of the lis pendens without Common Council action if said vacation is not approved; and, be it

Further Resolved, That the Commissioner of Public Works and/or the City Engineer are authorized to implement the actions listed in the coordinated report relating to said vacation and when a money deposit is required, it must be deposited prior to implementing said actions; and, be it

Further Resolved, That as provided by Section 62.73, Wisconsin Statutes, said vacation shall not terminate the easements and rights incidental thereto acquired by or belonging

to any county, town, village or city, or to any utility or person in any underground structures, improvements or services, as enumerated or otherwise existing in said description of land above described, both easements and rights and all rights of entrance, maintenance, construction and repair with reference thereto shall continue as if said street right-of-way had not been vacated.

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09/18/08