

LRB – RESEARCH AND ANALYSIS SECTION ANALYSIS

**JANUARY 4, 2006 AGENDA
PUBLIC WORKS COMMITTEE**

**ITEM 36, FILE 050576
Emma J. Stamps**

File No. 050576 is a resolution to vacate a portion of the east side of North Teutonia Avenue, located north of West Fairmount Avenue, and to authorize acceptance and an offer to exchange and dedicate property with the adjoining owner, in the 1st Aldermanic District.

Background

1. Section 308-28 of the Code of Ordinances adopts vacation proceedings pursuant to s. 62.73, Wis. Stats.
2. Section 304-49 of the Code of Ordinances adopts ss. 62.22(1) and 62.23(17), Wis. Stats., pursuant to the Common Council's authority under s. 62.03(2), Wis. Stats. to determine the best use for city owned real estate acquired by any means and to determine the disposition through lease, sale or transfer of properties.

Discussion

1. File 050576 accomplishes 4 things; it (1) authorizes vacation of a portion of the east side of North Teutonia Avenue, (2) declares the property surplus to municipal needs, and (3) authorizes the acceptance of an offer to exchange and conveyance of the vacated portion to the adjoining owner of property 2812 West Fairmount Avenue for \$1,285, and (4) allows the city to acquire a portion of property needed for the North Teutonia Avenue paving project.
2. File 050576 acknowledges that a notice of pendency (also known as *lis pendens*, latin for “a pending lawsuit”) has been recorded with the register of deeds.
3. If the Common Council does not adopt File 050576, the DCD may request a release of the *lis pendens* without further council action.

Fiscal Impact

This file has a \$1,285 revenue impact from sales proceeds.

Cc: Marianne Walsh
Rocky Marcoux
Martha Brown
Bobbi Marsells

W. Martin Morics
Michael Daun
Mark Nicolini
David Schroeder

Prepared by: Emma J. Stamps X8666
LRB – Research & Analysis Section
January 3, 2006