



Legislation Details (With Text)

**File #:** 111601      **Version:** 1

**Type:** Resolution      **Status:** Passed

**File created:** 3/20/2012      **In control:** PUBLIC WORKS COMMITTEE

**On agenda:**      **Final action:** 6/12/2012

**Effective date:**

**Title:** Substitute resolution to vacate the unimproved portion of the north-south alley in the block bounded by West Garfield Avenue, West Lloyd Street, North 12th Street and North 14th Street, in the 15th Aldermanic District.

**Sponsors:** THE CHAIR

**Indexes:** ALLEY VACATIONS

**Attachments:** 1. Exhibit A, 2. City Plan Commission Letter

| Date      | Ver. | Action By              | Action                   | Result | Tally |
|-----------|------|------------------------|--------------------------|--------|-------|
| 3/20/2012 | 0    | COMMON COUNCIL         | ASSIGNED TO              |        |       |
| 3/22/2012 | 0    | PUBLIC WORKS COMMITTEE | REFERRED TO              |        |       |
| 5/24/2012 | 0    | PUBLIC WORKS COMMITTEE | HEARING NOTICES SENT     |        |       |
| 5/24/2012 | 0    | PUBLIC WORKS COMMITTEE | HEARING NOTICES SENT     |        |       |
| 5/24/2012 | 0    | PUBLIC WORKS COMMITTEE | HEARING NOTICES SENT     |        |       |
| 5/30/2012 | 0    | PUBLIC WORKS COMMITTEE | RECOMMENDED FOR ADOPTION | Pass   | 5:0   |
| 6/12/2012 | 1    | COMMON COUNCIL         | ADOPTED                  | Pass   | 15:0  |
| 6/21/2012 | 1    | MAYOR                  | SIGNED                   |        |       |

111601  
SUBSTITUTE 1

THE CHAIR

Substitute resolution to vacate the unimproved portion of the north-south alley in the block bounded by West Garfield Avenue, West Lloyd Street, North 12th Street and North 14th Street, in the 15th Aldermanic District.

This substitute resolution vacates the above portion of alley 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 the Milwaukee Department of Public Works, since said portion of alley is not needed for public purposes.

Whereas, It is proposed that the unimproved portion of the north-south alley in the block bounded by West Garfield Avenue, West Lloyd Street, North 12th Street and North 14th Street be vacated pursuant to the provisions of Section 62.73, Wisconsin Statutes; and

Whereas, The Department of Public Works has been authorized and 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 portion of alley as indicated by Exhibit A and bound and described by:

That part of the 15.00-foot wide north-south alley as originally platted in Block 29 of Subdivision of Lot E, a recorded subdivision, in the Northeast 1/4 of Section 19, Township 7 North, Range 22 East, and Block 29 of Bachler's Subdivision, a recorded subdivision, in the Northwest 1/4 of Section 20, Township 7 North, Range 22 East, described as follows: Commencing at the southwest corner of Lot 13 in Block 29 of said Bachler's Subdivision; thence Northerly, along the east line of said alley, to the northwest corner of Lot 6 in Block 29 of said Bachler's Subdivision; thence Westerly, as measured normal to, said east line, to a point in the west line of said alley, said point also being in the east line of Lot 21 in Block 29 of said Subdivision of Lot E; thence Southerly, along the west line of said alley, to the southeast corner of Lot 14 in Block 29 of said Subdivision of Lot E; thence Easterly, 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 portion of alley had not been vacated.

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05/21/12