



Legislation Details (With Text)

**File #:** 100053      **Version:** 1

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

**File created:** 5/4/2010      **In control:** PUBLIC WORKS COMMITTEE

**On agenda:**      **Final action:** 6/15/2010

**Effective date:**

**Title:** Substitute resolution to vacate a portion of North 25th Street, east side, between the Menomonee River and the Soo Line Railroad Company right-of-way, in the 8th Aldermanic District.

**Sponsors:** THE CHAIR

**Indexes:** STREET VACATIONS

**Attachments:** 1. Fiscal Note.pdf, 2. Exhibit A.pdf, 3. City Plan Commission Letter.pdf, 4. Hearing Notice List

| Date      | Ver. | Action By              | Action                   | Result | Tally |
|-----------|------|------------------------|--------------------------|--------|-------|
| 5/4/2010  | 0    | COMMON COUNCIL         | ASSIGNED TO              |        |       |
| 5/6/2010  | 0    | PUBLIC WORKS COMMITTEE | REFERRED TO              |        |       |
| 6/1/2010  | 0    | PUBLIC WORKS COMMITTEE | HEARING NOTICES SENT     |        |       |
| 6/1/2010  | 0    | PUBLIC WORKS COMMITTEE | HEARING NOTICES SENT     |        |       |
| 6/1/2010  | 0    | PUBLIC WORKS COMMITTEE | HEARING NOTICES SENT     |        |       |
| 6/3/2010  | 1    | PUBLIC WORKS COMMITTEE | RECOMMENDED FOR ADOPTION | Pass   | 5:0   |
| 6/15/2010 | 1    | COMMON COUNCIL         | ADOPTED                  | Pass   | 14:0  |
| 6/24/2010 | 1    | MAYOR                  | SIGNED                   |        |       |

100053  
SUBSTITUTE 1

THE CHAIR  
 Substitute resolution to vacate a portion of North 25th Street, east side, between the Menomonee River and the Soo Line Railroad Company right-of-way, in the 8th 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 eliminates unneeded excess right-of-way in conjunction with the City Lights development. Whereas, It is proposed that a portion of North 25th Street, east side, between the Menomonee River and the Soo Line Railroad Company right-of-way 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 North 25th Street in the Southwest 1/4 of Section 30, Township 7 North, Range 22 East, described as follows: Commencing at the point of intersection of the present easterly line of North 25th Street and the dock line of the left bank of the Menomonee River, established per Ordinance No. 284, Common Council File No. 69-1176, adopted on September 30, 1969; thence Northwesterly 37.30 feet, along said easterly line and the arc of a curve, which has a radius of 825.83 feet with its center lying to the east and whose chord bears North 12°32'34" West 37.30 feet to the point of beginning of the land to be described; thence North 45°47'24" East, continuing along said easterly line, 53.62 feet to a point; thence North 07°38'34" West, continuing along said easterly line, 40.00 feet to a point; thence North 50°40'03" West, continuing along said easterly line, 56.72 feet to a point; thence South 05°26'20" East 113.50 feet to the point of beginning 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 street right-of-way had not been vacated.

DCD:AJF:ajf  
05/27/10