



Legislation Details (With Text)

File #: 190399 **Version:** 1
Type: Resolution **Status:** Passed
File created: 6/18/2019 **In control:** COMMON COUNCIL
On agenda: **Final action:** 9/24/2019
Effective date:

Title: Substitute resolution to vacate a portion of North 32nd Street from West Wright Street south to a point and to vacate West Wright Street from North 32nd Street west to a point, in the 15th Aldermanic District.

Sponsors: THE CHAIR

Indexes: STREET VACATIONS

Attachments: 1. 190399 Hearing Notice, 2. 190399_Vacation Notices, 3. 190399_Exhibit A.pdf, 4. 190399 City Plan Commission Letter.pdf

Date	Ver.	Action By	Action	Result	Tally
6/18/2019	0	COMMON COUNCIL	ASSIGNED TO		
8/30/2019	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
9/9/2019	0	CITY PLAN COMMISSION	RECOMMENDED FOR ADOPTION AND ASSIGNED	Pass	7:0
9/11/2019	1	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	3:2
9/24/2019	1	COMMON COUNCIL	ADOPTED	Pass	15:0
10/4/2019	1	MAYOR	SIGNED		

190399
SUBSTITUTE 1

THE CHAIR

Substitute resolution to vacate a portion of North 32nd Street from West Wright Street south to a point and to vacate West Wright Street from North 32nd Street west to a point, in the 15th Aldermanic District.

This substitute resolution vacates the above public 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 Master Lock for a security upgrade project.

Whereas, It is proposed that a portion of North 32nd Street from West Wright Street south to a point and to vacate West Wright Street from North 32nd Street west to a point 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 Sections 62.73(1) and 840.11, 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 public right-of-way as indicated by Exhibit A and bound and described by:

All that part of West Wright Street and North 32nd Street in the Southeast 1/4 of Section 13, Township 7 North, Range 21 East, described as follows: Commencing at the southwest corner of Lot 21 in Block 10 of Continuation of North Avenue Park, a recorded subdivision, in said 1/4 Section; thence Southerly, along the east line of North 32nd Street and its extension, to the southwest corner of Lot 27 in Block 11 of said Continuation of North Avenue Park; thence Westerly to the southeast corner of Lot 14 in Block 3 of Lewis' Subdivision, a recorded subdivision, in said 1/4 Section; thence Northerly, along the west line of North 32nd Street, to the northeast corner of Lot 1 in said Block 3; thence Westerly, along the south line of West Wright Street, to the northwest corner of said Lot 1; thence Northerly to the southwest corner of Lot 20 in Block 6 of Continuation of Lewis' Subdivision, a recorded subdivision, in said 1/4 Section; thence Easterly, along the north line of West Wright Street and its extension, 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 Sections 62.73(1) and 66.1005(2), Wisconsin Statutes, said vacation shall not terminate the easements and rights incidental thereto held, acquired by or belonging to any county, school district, town, village or city, or to any utility or person that relate to any underground or overground 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 right-of-way had not been vacated; and, be it

Further Resolved, That the proper City officials, including the Commissioner of Public Works, are authorized to sign any easements or other documents necessary to assert the City of Milwaukee's rights under Section 66.1005(2), Wisconsin Statutes, and cause the same to be recorded in the Milwaukee County Register of Deeds Office.

DCD:Kevin.Kuschel:kmk
09/05/19