



Legislation Details (With Text)

**File #:** 131497 **Version:** 1  
**Type:** Resolution **Status:** Passed  
**File created:** 2/11/2014 **In control:** COMMON COUNCIL  
**On agenda:** **Final action:** 9/22/2015  
**Effective date:**

**Title:** Substitute resolution to vacate the easterly portion of North Water Street between North Lyon Street and East Pleasant Street, in the 3rd Aldermanic District.

**Sponsors:** THE CHAIR

**Indexes:** STREETS

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

Date	Ver.	Action By	Action	Result	Tally
2/11/2014	0	COMMON COUNCIL	ASSIGNED TO		
2/13/2014	0	PUBLIC WORKS COMMITTEE	REFERRED TO		
6/9/2014	0	CITY PLAN COMMISSION	RECOMMENDED FOR ADOPTION AND ASSIGNED	Pass	4:0
6/9/2014	1	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
6/11/2014	1	PUBLIC WORKS COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	4:0
9/3/2015	1	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
9/3/2015	1	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
9/9/2015	1	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
9/22/2015	1	COMMON COUNCIL	ADOPTED	Pass	15:0
9/29/2015	1	MAYOR	SIGNED		

131497  
SUBSTITUTE 1

THE CHAIR

Substitute resolution to vacate the easterly portion of North Water Street between North Lyon Street and East Pleasant Street, in the 3rd Aldermanic District.

This substitute resolution vacates the above 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 USL LLC for the purpose of consolidating land for future development.

Whereas, It is proposed that the easterly portion of North Water Street between North Lyon Street and East Pleasant 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 right-of-way as indicated by Exhibit A and bound and described by:

That part of North Water Street in the Southwest 1/4 of Section 21, Township 7 North, Range 22 East, described as follows: Commencing at the intersection of the northerly line of East Lyon Street and the present easterly line of North Water Street; thence North 44° 09'57" East, along said easterly line, 273.04 feet to its point of intersection with the west line of the north-south 14.50-foot-wide alley in Block 121 of Fractional West 1/2 of the Southwest 1/4 of Section 21, a recorded subdivision, in said 1/4 Section, thence North 46°46'40" West 9.35 feet to a point; thence South 43°13'20" West 272.89 feet to a point in the northwesterly extension of the northerly line of East Lyon Street; thence South 45°24'31" East, along said extension, 4.85 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 right-of-way had not been vacated.

DCD:Ed.Richardson:ear  
06/05/14