



Legislation Details (With Text)

**File #:** 930127      **Version:** 1

**Type:** Resolution      **Status:** Placed On File

**File created:** 5/25/1993      **In control:** PUBLIC WORKS COMMITTEE

**On agenda:**      **Final action:** 9/21/2004

**Effective date:**

**Title:** Substitute resolution to vacate West Kingston Place between North 42nd Street and the Menomonee River and North 42nd Street between West Bluemound Road and the Menomonee River, in the 16th Aldermanic District.

**Sponsors:** THE CHAIR

**Indexes:** STREET VACATIONS

**Attachments:** 1. Exhibit A.PDF, 2. CPC letter.pdf

| Date      | Ver. | Action By                  | Action                          | Result | Tally |
|-----------|------|----------------------------|---------------------------------|--------|-------|
| 5/26/1993 | 0    | PUBLIC WORKS COMMITTEE     | REFERRED TO                     |        |       |
| 6/4/1998  | 0    | STEERING & RULES COMMITTEE | REFERRED TO                     |        |       |
| 6/6/2003  | 0    | PUBLIC WORKS COMMITTEE     | HEARING NOTICES SENT            |        |       |
| 6/6/2003  | 0    | PUBLIC WORKS COMMITTEE     | HEARING NOTICES SENT            |        |       |
| 6/6/2003  | 0    | PUBLIC WORKS COMMITTEE     | HEARING NOTICES SENT            |        |       |
| 6/6/2003  | 1    | CITY CLERK                 | DRAFT SUBMITTED                 |        |       |
| 6/11/2003 | 1    | PUBLIC WORKS COMMITTEE     | HELD TO CALL OF THE CHAIR       | Pass   | 5:0   |
| 9/3/2004  | 1    | PUBLIC WORKS COMMITTEE     | HEARING NOTICES SENT            |        |       |
| 9/3/2004  | 1    | PUBLIC WORKS COMMITTEE     | HEARING NOTICES SENT            |        |       |
| 9/8/2004  | 1    | PUBLIC WORKS COMMITTEE     | RECOMMENDED FOR PLACING ON FILE | Pass   | 5:0   |
| 9/21/2004 | 1    | COMMON COUNCIL             | PLACED ON FILE                  | Pass   | 15:0  |

930127  
SUBSTITUTE 1

THE CHAIR

Substitute resolution to vacate West Kingston Place between North 42nd Street and the Menomonee River and North 42nd Street between West Bluemound Road and the Menomonee River, in the 16th Aldermanic District.

This substitute resolution vacates the above streets in accordance with vacation proceedings under power granted to the City of Milwaukee by Section 66.297(1), Wisconsin Statutes, and Section 81-308-28, Milwaukee Code of Ordinances. This vacation was requested by the Department of Public Works for acquisition of properties by the State of Wisconsin for the new West Wisconsin Avenue viaduct construction.

Whereas, It is proposed that West Kingston Place between North 42nd Street and the Menomonee River and North 42nd Street between West Bluemound Road and the Menomonee River 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, Said vacation has been reviewed in accordance with Sections 81-116-1 and 308-28, Milwaukee Code of Ordinances; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that said streets as indicated by Exhibit A and bound and described by:

All of West Kingston Place lying between the east line of North 42nd Street extended and the southwesterly line of the Menomonee River in the Northwest 1/4 of Section 25, Township 7 North, Range 21 East.

Also all of North 42nd Street lying between the north line of West Bluemound Road extended and the southwesterly line of the Menomonee River in the Northwest 1/4 and the Southwest 1/4 of Section 25, Township 7 North, Range 21 East, is vacated; and, be it

Further Resolved, That upon deposit of the funds required, the Commissioner of Public Works and/or the City Engineer are authorized to implement actions listed in the coordinated report relating to said vacation; and, be it

Further Resolved, That as provided by Section 80.32(4), 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 streets had not been vacated.

DCD:JRH:vlk

06/05/03