



Legislation Details (With Text)

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**Title:** Substitute resolution vacating the East-West alley in the block bounded by East Kenwood Boulevard, East Linnwood Avenue, North Prospect Avenue and North Stowell Avenue, in the 3rd Aldermanic District.

**Sponsors:** THE CHAIR

**Indexes:** ALLEY VACATIONS

**Attachments:** 1. Fiscal Note.pdf, 2. Exhibit A.PDF, 3. City Plan Commission Letter.pdf

Date	Ver.	Action By	Action	Result	Tally
3/22/2007	0	COMMON COUNCIL	ASSIGNED TO		
3/23/2007	1	PUBLIC WORKS COMMITTEE	REFERRED TO		
6/1/2007	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
6/1/2007	1	CITY CLERK	DRAFT SUBMITTED		
6/6/2007	1	PUBLIC WORKS COMMITTEE	AMENDED	Pass	5:0
6/6/2007	2	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
6/12/2007	2	CITY CLERK	DRAFT SUBMITTED		
6/19/2007	2	COMMON COUNCIL	ADOPTED	Pass	13:1
6/26/2007	2	MAYOR	SIGNED		

061531  
SUBSTITUTE 2

THE CHAIR  
Substitute resolution vacating the East-West alley in the block bounded by East Kenwood Boulevard, East Linnwood Avenue, North Prospect Avenue and North Stowell Avenue, in the 3rd Aldermanic District.

This substitute resolution vacates the above 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 will consolidate land for future development of the Hillel House for the Milwaukee Jewish Federation.

Whereas, It is proposed that the East-West alley in the block bounded by East Kenwood Boulevard, East Linnwood Avenue, North Prospect Avenue and North Stowell Avenue 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; and

Whereas, Said vacation is contingent upon the approval of the Certified Survey Map before the end of the year, which dedicates an East-West leg of public alley; otherwise, said vacation is null and void; and

Whereas, Said new public alley continues to be one-way Northbound; now, therefore, be it

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

All of the East-West alley as presently laid out in Block 14 of Second Continuation of E.A. Cummings Boulevard Addition, a recorded subdivision, in the Northwest 1/4 of Section 15, Township 7 North, Range 22 East, lying between and adjacent to the present south line of Lot 22 and the present north line of Lot 23, 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 upon deposit of the funds required, 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, 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 alley had not been vacated.

DCD:AJF:ajf  
06/12/07