



Legislation Details (With Text)

**File #:** 000663      **Version:** 1  
**Type:** Resolution      **Status:** Passed  
**File created:** 9/6/2000      **In control:** PUBLIC WORKS COMMITTEE  
**On agenda:**      **Final action:** 3/20/2001

**Effective date:**

**Title:** Substitute resolution to vacate a portion of West St. Paul Avenue and all of the alleys located West of North 42nd Street, a portion of North 42nd Street located North of West St. Paul Avenue, a portion of West Clybourn Street located West of North 41st Street, a portion of North 41st Street and a portion of the North-South leg of alley located North of West Clybourn Street, all located along the Southern boundary of the Menomonee River, in the 16th Aldermanic District.

**Sponsors:** CHAIR

**Indexes:** ALLEY VACATIONS

**Attachments:** 1. 000663-fiscal.doc

Date	Ver.	Action By	Action	Result	Tally
9/6/2000	0	COMMON COUNCIL	ASSIGNED TO		
9/7/2000		PUBLIC WORKS COMMITTEE	REFERRED TO		
3/2/2001		PUBLIC WORKS COMMITTEE	REFERRED TO		
3/5/2001	0	CITY CLERK	DRAFT SUBMITTED		
3/7/2001	1	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
3/20/2001	1	COMMON COUNCIL	ADOPTED	Pass	16:0
3/26/2001	1	MAYOR	SIGNED		
5/24/2001	1	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		

000663  
SUBSTITUTE 1

THE CHAIR

Substitute resolution to vacate a portion of West St. Paul Avenue and all of the alleys located West of North 42nd Street, a portion of North 42nd Street located North of West St. Paul Avenue, a portion of West Clybourn Street located West of North 41st Street, a portion of North 41st Street and a portion of the North-South leg of alley located North of West Clybourn Street, all located along the Southern boundary of the Menomonee River, in the 16th Aldermanic District.

This substitute resolution vacates the above portions of streets and alleys 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 Milwaukee Metropolitan Sewerage District as part of the Valley Park Neighborhood Project.

Whereas, It is proposed that a portion of West St. Paul Avenue and all of the alleys located West of North 42nd Street, a portion of North 42nd Street located North of West St. Paul Avenue, a portion of West Clybourn Street located West of North 41st Street, a portion of North 41st Street and a portion of the North-South leg of alley located North of West Clybourn Street, all located along the Southern boundary of the Menomonee River, be vacated pursuant to the provisions of Section 66.297, 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 Section 81-308-28, Milwaukee Code of Ordinances; now, therefore, be it

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

Parcel 1: All of the east-west 25.00-foot wide alley and the remaining portion of the north-south 15.00-foot wide alley as platted in Block 13 of Paine and Stacy's Subdivision, a recorded subdivision, in the Southwest 1/4 of Section 25, Township 7 North, Range 21 East.

Parcel 2: That part of West St. Paul Avenue as platted in Paine and Stacy's Subdivision, a recorded subdivision, in the Southwest 1/4 of Section 25, Township 7 North, Range 21 East, described as follows: Commencing at the point of intersection of the west line of North 42nd Street and the south line of West St. Paul Avenue; thence Westerly, along said south line, to its point of intersection with the westerly terminus of West St. Paul Avenue; thence Northeasterly, along said westerly terminus, to its point of intersection with the north line of West St. Paul Avenue; thence Easterly, along said north line to its point of intersection with the west line of North 42nd Street; thence Southerly to the point of commencement.

Parcel 3: All of the east-west 15.00-foot wide alley as platted in Block 6 of Paine and Stacy's Subdivision, a recorded subdivision, in the Southwest 1/4 of Section 25, Township 7 North, Range 21 East.

Parcel 4: That part of North 42nd Street as platted in Paine and Stacy's Subdivision, a recorded subdivision, in the Southwest 1/4 of Section 25, Township 7 North, Range 21 East, described as follows: Commencing at the southwest corner of Lot 24 in Block 7 of said subdivision; thence Northerly, along the west line of said Block, 7.00 feet to the point of beginning of the land to be described; thence Westerly, as measured normal to said west line, to a point in the east line of Block 6 of said subdivision; thence Northerly, along said east line, to its point of intersection with the northerly terminus of North 42nd Street; thence Northeasterly, along said northerly terminus to its point of intersection with the west line of said Block 7; thence Southerly, along said west line, to the point of beginning.

Parcel 5: That part of West Clybourn Street as platted in Paine and Stacy's Subdivision, a recorded subdivision, in the Southwest 1/4 of Section 25, Township 7 North, Range 21 East, described as follows: Commencing at the southeast corner of Block 4 in said subdivision; thence Westerly, along the south line of said Block, 110.00 feet to the point of beginning of the land to be described; thence Southwesterly to a point in the north line of Block 7 in said subdivision, said point lying 2.00 feet Easterly of the northwest corner of Lot 30 in said Block 7; thence Westerly, along said north line to its point of intersection with the westerly terminus of West Clybourn Street; thence Northeasterly, along said westerly terminus, to its point of intersection with the south line of said Block 4; thence Easterly, along said south line, to the point of beginning.

Parcel 6: That part of North 41st Street as platted in Paine and Stacy's Subdivision, a recorded subdivision, in the Southwest 1/4 of Section 25, Township 7 North, Range 21 East, described as follows: Commencing at the southwest corner of Lot 20 in Block 2 of said subdivision; thence Northerly, along the west line of said Block, 35.00 feet to the point of beginning of the land to be described; thence Southwesterly to a point in the east line of Block 4 in said subdivision, said point lying 25.00 feet northerly of the southeast corner of Lot 1 in said Block 4; thence Northerly, along said east line, to its point of intersection with the northerly terminus of North 41st Street; thence

Northeasterly, along said northerly terminus, to its point of intersection with the west line of said Block 2; thence Southerly, along said west line, to the point of beginning.

Parcel 7: That part of the northwest-southeast 15.00-foot wide alley as platted in Block 2 of Paine and Stacy's Subdivision, a recorded subdivision, in the Southwest 1/4 of Section 25, Township 7 North, Range 21 East, described as follows: Commencing at the southwest corner of Lot 7 in said Block; thence Northwesterly, along the easterly line of said alley, 13.00 feet to the point of beginning of the land to be described; thence Southwesterly to a point in the westerly line of said alley, said point lying 86.00 feet northwesterly of the southeast corner of Lot 21 in said Block; thence Northwesterly, along said westerly line to its point of intersection with the northerly terminus of said alley; thence Northeasterly, along said northerly terminus, to its point of intersection with the east line of said alley; thence Southeasterly, along said easterly line, to the point of beginning, 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 portions of streets and alleys had not been vacated.

DCD:JRH:vlk

03/05/01