



Legislation Text

File #: 050346, Version: 1

050346
SUBSTITUTE 1

THE CHAIR

Substitute resolution to vacate the Southerly East-West alley located South of West Walnut Street and East of North 12th Street, in the 15th 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 was requested by TJM Holdings LLC to consolidate land to improve property for an automatic car wash at an existing hand-operated car wash location.

Whereas, It is proposed that the Southerly East-West alley located South of West Walnut Street and East of North 12th Street 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 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 alley as indicated by Exhibit A and bound and described by:

All that part of the Southerly East-West 15.00-foot wide alley as platted in Block 96 in Plat of the Town of Milwaukee on The West Side of the River, a recorded subdivision, in the Southwest 1/4 of Section 20, Township 7 North, Range 22 East, lying between the east line of North 12th Street extended and a line lying 125 feet West of, and parallel to, the west line of vacated North 11th Street, 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 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 alley had not been vacated.

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01/19/07