



## Legislation Text

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**File #: 070693, Version: 1**

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070693  
SUBSTITUTE 1

### THE CHAIR

Substitute resolution to vacate a portion of West Florida Street between South 5th Street and South Alexander Street and a portion of the alley in the block north of West Florida Street between South 5th Street and South 6th Street, in the 12th Aldermanic District. This substitute resolution vacates the above portion of street and 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. The vacation was initiated by Rider Hotel LLC for a hotel expansion.

Whereas, It is proposed that portion of West Florida Street and the remaining portion of the north-south alley in the block bounded by South 5th Street, West Nicholas Street, South Alexander Street, South 6th Street and the Soo Line ROW 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; 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 West Florida Street as presently laid out and a portion of the north-south 20-foot wide alley as platted in Block 13 of Walker's Point, a recorded subdivision, all in the Northeast 1/4 of Section 32, Township 7 North, Range 22 East, described as follows: Commencing at the southeast corner of Lot 6 in said Block 13; thence South 00 00'06" West 41.42 feet to a point; thence South 58 56'50" West 95.87 feet to a point of curve; thence Northwesterly, 82.91 feet along the arc of said curve which has a radius of 67.67 feet with its center lying to the north having a central angle of 70 12'10" and whose chord bears North 85 57'05" West 77.82 feet to a point of tangency; thence North 50 51'00" West 65.54 feet to a point of curve; thence Northwesterly, 33.43 feet along the arc of said curve which has a radius of 37.67 feet with its center lying to the northeast having a central angle of 50 51'06" and whose chord bears North 25 25'27" West 32.34 feet to a point of tangency; thence North 00 00'06" East 15.68 feet to a point in the south line of Lot 7 in said Block 13; thence South 89 46'24" East, along the south line of Lot 7 aforesaid, 64.47 feet to the southeast corner of Lot 7; thence North 00 00'06" East, along the east line of Lot 7 aforesaid, 20.00 feet to a point; thence South 89 46'24" East 20.00 feet to a point in the west line of said Lot 6; thence South 00 00'06" West, along said west line, 20.00 feet to the southwest corner of Lot 6; thence South 89 46'24" East, along the south line of Lot 6 aforesaid, 140.00 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 had not been vacated.

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10/26/07