



Legislation Text

File #: 011407, Version: 1

011407
SUBSTITUTE 1

THE CHAIR

Substitute resolution to vacate the West leg of alley in the block bounded by South 11th Street, South 12th Street, Historic West Mitchell Street and West Lapham Boulevard, in the 12th Aldermanic District.

This substitute resolution vacates the above portion of alley 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 Modjeska Theater for future expansion.

Whereas, It is proposed that the West leg of alley in the block bounded by South 11th Street, South 12th Street, Historic West Mitchell Street and West Lapham Boulevard 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 portion of alley, as indicated by Exhibit A and bound and described by:

All of the 20-foot wide alley as presently laid out in Block 140 of L.W. Week's Subdivision, a recorded subdivision, in the Northwest 1/4 of Section 5, Township 6 North, Range 22 East, described as follows:

Commencing at the present Southwest corner of Lot 23 in said Block 140; thence Easterly, along the present south line of Lot 23, to the present Southeast corner of Lot 23; thence Southerly to the Northeast corner of Lot 18 in said Block 140, to the Northwest corner of Lot 22; thence Northerly to the point of commencement, 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 portion of alley had not been vacated.

DCD:JRH:vlk
03/18/02