



Legislation Text

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050937
SUBSTITUTE 1

THE CHAIR

Substitute resolution to vacate the East-West alley in the block bounded by South 15th Place, South Cesar E. Chavez Drive, West Orchard Street and West Lapham Boulevard, in the 12th 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 St. Martini Evangelical Lutheran Church to consolidate property for the church, parish hall and school.

Whereas, It is proposed that the East-West alley in the block bounded by South 15th Place, South Cesar E. Chavez Drive, West Orchard Street and West Lapham Boulevard 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 on Exhibit A and bound and described by:

All of the East-West alley as presently laid out in the block bounded by South Cesar E. Chavez Drive, West Lapham Boulevard, West Orchard Street and South 15th Place in the Northeast 1/4 of Section 6, Township 6 North, Range 22 East, 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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04/20/06