



Legislation Text

File #: 011425, Version: 1

011425
SUBSTITUTE 1

THE CHAIR

Substitute resolution to vacate South 11th Street between West Canal Street and the South Menomonee Canal, in the 12th Aldermanic District.

This substitute resolution vacates the above street 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 We Energies to consolidate property for possible future development. Whereas, It is proposed that South 11th Street between West Canal Street and the South Menomonee Canal be vacated pursuant to the provisions of Section 66.297, Wisconsin Statutes; and

Whereas, The City of Milwaukee ("City") is interested in maintaining public access to the canal; 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 street as indicated by Exhibit A and bound and described by:

All of South 11th Street as presently laid out in Subdivision and Partition of the Northwest 1/4 of Section 32, Township 7 North, Range 22 East, a recorded subdivision, lying between the south line of West Canal Street extended and the north line of the South Menomonee Canal, is vacated; and, be it

Further Resolved, That the City and We Energies have mutually agreed upon a 35-foot reservation for public street purposes to be created for future public right-of-way to the West of the property as indicated by Exhibit B and bounded and described by:

The West 35.00 feet of that part of Lot 3 in Subdivision and Partition of the Northwest 1/4 of Section 32, Township 7 North, Range 22 East, lying between the present south line of West Canal Street and the dock line of the left bank of the South Menomonee Canal, established per Ordinance No. 787, Common Council File No. 61-3943-a, adopted on March 20, 1962, is reserved for public access to the canal; 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 street had not been vacated.

DCD:JRH:vlk

06/17/04