



Legislation Text

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170296
SUBSTITUTE

THE CHAIR

Substitute resolution to vacate a portion of the north-south alley in the block bounded by West Hadley Street, West Locust Street, North 4th Street and North 5th Street, in the 6th Aldermanic District.

This substitute resolution vacates the above public right-of-way 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 Welford Sanders Lofts LLC to consolidate land holdings.

Whereas, It is proposed that a portion of the north-south alley in the block bounded by West Hadley Street, West Locust Street, North 4th Street and North 5th Street be vacated pursuant to the provisions of Section 62.73, Wisconsin Statutes; and

Whereas, The Department of Public Works has been 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 Sections 62.73(1) and 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 public right-of-way as indicated by Exhibit A and bound and described by:

That part of the north-south 20.00-foot-wide alley as platted in Block 80 of H.M. Benjamin's Subdivision, a recorded subdivision, in the Northeast 1/4 of Section 17, Township 7 North, Range 22 East, described as follows: Commencing at the southeast corner of Lot 15 in said Block 80; thence North, along the east line of Lot 15 aforesaid, 30.00 feet to the northeast corner of Lot 15; thence Easterly to the northwest corner of Lot 16 in said Block 80; thence South, along the west line of Lot 16 aforesaid, 30.00 feet to the southwest corner of Lot 16; thence Westerly 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 Sections 62.73(1) and 66.1005(2), 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 right-of-way had not been vacated; and, be it

Further Resolved, That the proper City officials, including the Commissioner of Public Works, are authorized to sign any easements or other documents necessary to assert the City of Milwaukee's rights under Section 66.1005(2), Wisconsin Statutes, and cause the same to be recorded in the Milwaukee County Register of Deeds Office.

DCD:Kyle.Gast:kcg

09/07/17