



Legislation Text

File #: 000270, Version: 1

000270
SUBSTITUTE 1

THE CHAIR

Substitute resolution to vacate the right-turn bypass located at the Southwest corner of West Kilbourn Avenue and North Prospect Avenue, in the 4th Aldermanic District.

This substitute resolution vacates the above right-turn bypass 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 Department of City Development for the sale and redevelopment of City owned land.

Whereas, It is proposed that the right-turn bypass located at the Southwest corner of West Kilbourn Avenue and North Prospect Avenue 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, The Department of Public Works will enter into an Out-of-Program Agreement with the developer for design of the new curb alignment; and

Whereas, It is anticipated that a Subterranean Lease Agreement will be prepared by the Department of Public Works; 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 right-turn bypass, as indicated by Exhibit A and bound and described by:

That part of Lot 1 as platted in Block 102 of Plat of Lot 1, a recorded subdivision, in the Northwest 1/4 of Section 28, Township 7 North, Range 22 East, described as follows:

Commencing at the Southwest corner of Lot 1; thence Easterly, along the south line of Lot 1, to a point lying 7 feet East of, as measured normal to, the west line of Lot 1; thence Northerly, parallel to said west line to a point in the present south line of East Kilbourn Avenue; thence Easterly, along the easterly extension of said south line of East Kilbourn Avenue, to its point of intersection with the northerly extension of the present west line of North Prospect Avenue; thence Southerly, along said northerly extension, to a point in the south line of Lot 1; thence Westerly, along said south line, 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 the Department of Public Works is authorized to prepare the necessary documents to enter into an Out-of-Program Agreement; and, be it

Further Resolved, That upon deposit of the funds required, the Department of Public Works is authorized to prepare design engineering documents for various City infrastructure relocations; 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 right-turn bypass had not been vacated.

DCD:JRH:vlk

06/11/02