



## Legislation Text

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**File #: 150853, Version: 1**

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150853  
SUBSTITUTE 1

### THE CHAIR

Substitute resolution to vacate North Granville Road from West Good Hope Road north to relocated North Granville Road, in the 5th Aldermanic District.

This substitute resolution vacates the above street 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 the Department of Public Works, since said street right-of-way is no longer needed for public purposes, due to the relocation of North Granville Road.

Whereas, It is proposed that North Granville Road from West Good Hope Road north to relocated North Granville Road 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 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 street right-of-way as indicated by Exhibit A and bound and described by:

That part of the original North Granville Road, as presently laid out, in the Southeast 1/4 of Section 17, Township 8 North, Range 21 East, described as follows: Commencing at the point of intersection of the present westerly line of said original North Granville Road and the easterly line of relocated North Granville Road; thence Northeasterly, as measured normal to, said present westerly line, to a point in the present easterly line of said original North Granville Road; thence Southeasterly, along said present easterly line, to its point of intersection with the present west line of North 91st Street; thence Southerly, along the southerly extension of said present west line, to its point of intersection with the easterly extension of the north line of West Good Hope Road; thence Westerly, along said easterly extension of said north line, to its point of intersection with the present westerly line of said original North Granville Road; thence Northwesterly, along said present westerly line, 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 street right-of-way had not been vacated; and, be it

Further Resolved, That the proper City officials, including the Commissioner of Public Works, are hereby authorized to sign any easement 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

01/21/16