



Legislation Text

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030446
SUBSTITUTE 1

THE CHAIR

Substitute resolution to vacate a portion of the Northwest Side of North Commerce Street located West of North Humboldt Avenue, in the 6th Aldermanic District.

This substitute resolution vacates the above portion of 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 the Redevelopment Authority of the City of Milwaukee to eliminate encroachment of staircases for future residential development within the Beerline "B" master plan area.

Whereas, It is proposed that a portion of the Northwest Side of North Commerce Street located West of North Humboldt Avenue 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, Said vacation has been reviewed in accordance with Sections 81-116-1 and 308-28, Milwaukee Code of Ordinances; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that said portion of street as indicated by Exhibit A and bound and described by:

That part of North Commerce Street in the Northwest 1/4 of Section 21, Township 7 North, Range 22 East, described as follows:

Commencing at the Southeast corner of Lot 2 of Certified Survey Map No. 7274; thence Southwesterly, along the northwesterly line of North Commerce Street, 555.50 feet to the Southwest corner of Lot 2; thence Southeasterly, along the southeasterly extension of the southwest line of Lot 2, to a point 5 feet southeasterly of, as measured normal to, said northwesterly line of North Commerce Street; thence Northeasterly, parallel to said northwesterly line, to a point in the southeasterly extension of the northeasterly line of Lot 2; thence Northwesterly, along said southeasterly extension, 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 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 portion of street had not been vacated.

DCD:JRH:vlk

03/04/04