



Legislation Text

File #: 041697, Version: 1

041697
SUBSTITUTE 1

THE CHAIR

Substitute resolution to vacate West Pettibone Place from the East Side of North 25th Street to a point East, in the 4th Aldermanic District.

This substitute resolution vacates the above street 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 Eagles Auditorium, Inc., to improve security in this isolated area.

Whereas, It is proposed that West Pettibone Place from the East Side of North 25th Street to a point East 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 Section 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 as indicated by Exhibit A and bound and described by:

That part of West Pettibone Place, as platted in Block 3 of Mariner's Addition, a recorded subdivision, in the Southwest 1/4 of Section 30, Township 7 North, Range 22 East, described as follows: Commencing at the southwest corner of Lot 14 in said Block 3; thence Easterly, along the north line of West Pettibone Place, to the southeast corner of Lot 86 in said Block 3; thence Southerly, along the southerly extension of the east line of Lot 86 aforesaid, 17.50 feet to a point in the centerline of West Pettibone Place; thence Easterly, along said centerline, 0.58 feet to a point in the northerly extension of the east line of Lot 62 in said Block 3; thence Southerly, along said northerly extension, 17.50 feet to the northeast corner of Lot 62; thence Westerly, along the south line of West Pettibone Place, to the northwest corner of Lot 45 in said Block 3; thence Northerly 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 upon deposit of the funds required, 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, 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.

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12/20/05