



## Legislation Text

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**File #: 160287, Version: 1**

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160287  
SUBSTITUTE 1  
160286  
ALD. LEWIS

Substitute resolution to vacate a portion of North Industrial Road from West Green Tree Road southeasterly to a point, in the 9th 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 62.73, Wisconsin Statutes, and Section 308-28, Milwaukee Code of Ordinances. This vacation was requested by the Department of City Development to accommodate an expansion of the campus for Direct Supply, Inc.

Whereas, It is proposed that a portion of North Industrial Road from West Green Tree Road southeasterly to a point 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 portion of street as indicated by Exhibit A and bound and described by:

All that part of North Industrial Road, as presently laid out, in the Southeast 1/4, the Southwest 1/4 and the Northwest 1/4 of Section 22, Township 8 North, Range 21 East, described as follows: Commencing at the southwest corner of Parcel 1 of Certified Survey Map No. 3161; thence Southeasterly, along the northeasterly line of North Industrial Road, to the southeast corner of Lot 1 of Certified Survey Map No. 5513; thence Southwesterly, as measured normal to said northeasterly line, to a point in the southwesterly line of North Industrial Road; thence Northwesterly, along said southwesterly line, to a point in the southerly extension of the west line of Parcel 1 of Certified Survey Map No. 3161; thence Northerly, along said southerly extension, 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 portion of street 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

06/23/16