



Legislation Text

File #: 181877, Version: 1

181877
SUBSTITUTE 1

ALD. PÉREZ

Substitute resolution to vacate a portion of the east side of South 1st Street, south of East Pittsburgh Avenue to a point, in the 12th Aldermanic District.

This substitute resolution vacates the above public 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 Gateway 117, LLC for the future development of the adjacent site.

Whereas, It is proposed that a portion of the east side of South 1st Street, south of East Pittsburgh Avenue to a point be vacated pursuant to the provisions of Section 62.73, Wisconsin Statutes; and

Whereas, The Department of Public Works has been 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 public right-of-way as indicated by Exhibit A and bound and described by:

That part of South 1st Street in the Northeast 1/4 of Section 32, Township 7 North, Range 22 East described as follows: Commencing at the present southwest corner of Lot 6 in Block 9 of Walkers Point, a recorded subdivision, in said 1/4 Section, said point lying 1.00 feet east of the southwest corner of Lot 6 as originally platted; thence North 00° 36'41" East, along the present west line of Lot 6 aforesaid, 23.40 feet to the point of beginning of the land to be described; thence North 00°36'41" East, along said present west line extended to the north, 77.31 feet to a point; thence South 89°43'09" East 13.00 feet to a point; thence North 00°36'41" East 30.50 feet to a point; thence North 48° 47'36" East 12.08 feet to a point in the westerly extension of the south line of East Pittsburgh Avenue; thence South 89°43'09" East, along said westerly extension, 51.56 feet to a point in the present easterly line of South 1st Street, said point lying 23.96 feet westerly of the northeast corner of Lot 5 in said Block 9; thence South 59°14'26" West, along said present east line, 16.55 feet to a point; thence South 33°58'59" West, continuing along said present east line, 90.66 feet to a point of curve; thence Southwesterly 33.78 feet along said present easterly line and the arc of said curve which has a radius of 58.00 feet with its center lying to the southeast having a central angle of 33°22'18" and whose chord bears South 17°17'50" West 33.31 feet to the point of beginning 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 held, acquired by or belonging to any county, school district, town, village or city, or to any utility or person that relate to any underground or overground 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 right-of-way 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:Kevin.Kuschel:kmk

09/05/19