



Legislation Text

File #: 060255, Version: 1

060255
SUBSTITUTE 1

THE CHAIR

Substitute resolution to vacate a portion of the East-West alley in the block bounded by North 42nd Street, West North Avenue, North Sherman Boulevard and West Garfield Avenue, in the 15th Aldermanic District.

This substitute resolution vacates the above portion of alley 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 New Covenant Housing Corporation to allow for the construction of a mixed-use development including 6,000 square feet of commercial space and 22 residential units. Whereas, It is proposed that a portion of the East-West alley in the block bounded by North 42nd Street, West North Avenue, North Sherman Boulevard and West Garfield 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, 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 portion of alley as indicated by Exhibit A and bound and described by:

That part of the northerly East-West 15.00-foot wide alley as platted in Block 4 of Grant Park, a recorded subdivision, in the Northwest 1/4 of Section 24, Township 7 North, Range 22 East, from the northerly extension of the west line of the North-South alley westerly to its terminus, 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 portion of alley had not been vacated.

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