



Legislation Text

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050470
SUBSTITUTE 1

THE CHAIR

Substitute resolution to vacate North 8th Street and West Hinman Street, South of West St. Paul Avenue and North of the Soo Line Railroad right-of-way, in the 4th Aldermanic District.

This substitute resolution vacates the above streets 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 WISDOT in conjunction with the Marquette Interchange Project and the Milwaukee Intermodal Station.

Whereas, It is proposed that North 8th Street and West Hinman Street, South of West St. Paul Avenue and North of the Soo Line Railroad right-of-way 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 Subdivision Plat as indicated by Exhibit A and bound and described by:

All of West Hinman Street as presently laid out in the Southwest 1/4 of Section 29, Township 7 North, Range 22 East, from the westerly line of North 8th Street extended southwesterly to its terminus; and

All of North 8th Street in the Southwest 1/4 of Section 29, Township 7 North, Range 22 East, from the south line of West St. Paul Avenue extended southeasterly 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 said vacated area will be joined with abutting property and consolidated to provide access to public right-of-way; 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 streets had not been vacated.

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02/10/06