



Legislation Text

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151185
SUBSTITUTE 1

THE CHAIR

Substitute resolution to vacate all alleys in the area bounded by West Fond du Lac Avenue, West Juneau Avenue, West McKinley Avenue, North Old World Third Street and West Winnebago Street, in the 6th Aldermanic District.

This substitute resolution vacates the above alleys 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 City of Milwaukee for the purpose of consolidating land for future development related to the arena project.

Whereas, It is proposed that all alleys in the area bounded by West Fond du Lac Avenue, West Juneau Avenue, West McKinley Avenue, North Old World Third Street and West Winnebago Street 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 alleys as indicated by Exhibit A and bound and described by:

The east-west 25-foot-wide alley and the north-south 20-foot-wide alley in Block 1 of Park East on the West Side of the Milwaukee River, a recorded subdivision, in the Southwest 1/4 of Section 20, Township 7 North, Range 22 East, described as follows: Commencing at the northeast corner of Lot 3 in said Block 1; thence Westerly, along the southerly line of said east-west alley, to the northwest corner of Lot 3; thence Southerly, along the east line of said north-south alley, 129.945 feet to the present southwest corner of Lot 1; thence Northwesterly to the present southeast corner of Lot 2 in said Block 1, said point lying 117.065 feet southerly of the northeast corner of Lot 2, as measured along the west line of said north-south alley; thence Northerly, along said west alley line, 129.579 feet to its point of intersection with the northerly line of said east-west alley; thence Easterly, along said northerly alley line, to the southeast corner of Lot 1 of said Block 1; thence Southerly to the point of commencement; and

All of the east-west 25-foot-wide alley as platted in Block 2 of Park East on the West Side of the Milwaukee River, a recorded subdivision, in the Southeast 1/4 and the Southwest 1/4 of Section 20, Township 7 North, Range 22 East, lying between the west line of North 5th Street extended and the east line of North 6th Street extended; and

All of the east-west 25-foot-wide alley as platted in Block 3 of Park East on the West Side of the Milwaukee River, a recorded subdivision, in the Southeast 1/4 of Section 20,

Township 7 North, Range 22 East, lying between the west line of North 4th Street extended and the east line of North 5th Street extended; and

All of the east-west 25-foot-wide alley as platted in Block 4 of Park East on the East Side of the Milwaukee River, a recorded subdivision, in the Southeast 1/4 of Section 20, Township 7 North, Range 22 East, lying between the west line of Old World Third Street extended and the east line of North 4th Street extended also all of the north-south 20-foot-wide alley as platted in said Block 4, lying between the north line of West Juneau Avenue extended and the southerly line of West McKinley Avenue extended are 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 alleys 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 easement 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.

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