



Legislation Text

File #: 040562, Version: 1

040562
SUBSTITUTE 1

THE CHAIR

Substitute resolution to vacate a portion of right-of-way on the West Side of North Terrace Avenue between East Bradford Avenue and East North Avenue, in the 3rd Aldermanic District.

This substitute resolution vacates the above portion of 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 for expansion and renovation of the Columbia St. Mary's institutional facility. Whereas, It is proposed that a portion of right-of-way on the West Side of North Terrace Avenue between East Bradford Avenue and East North 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, 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 right-of-way as indicated by Exhibit A and bound and described by:

That part of North Terrace Avenue as platted in Gilman's Subdivision, a recorded subdivision, in the Southeast 1/4 of Section 15, Township 7 North, Range 22 East, described as follows:

Beginning at the southeast corner of Lot 37 in Block 3 of said subdivision; thence Southwesterly, along the southwesterly extension of the easterly line of Lot 37, to a point in the west line of said subdivision; thence Northerly, along said west line, to the southwest corner of Lot 37; thence Southeasterly, along the southerly line of Lot 37 aforesaid, 26.56 feet to the point of commencement, is vacated; 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 right-of-way had not been vacated.

DCD:JRH:vlk
08/03/05