



Legislation Text

File #: 090424, Version: 1

090424
SUBSTITUTE 1

THE CHAIR

Substitute resolution to vacate South 6th Street from a point south of West Grange Avenue southerly 2,450 feet more or less to a point, in the 13th Aldermanic District.

This substitute resolution vacates the above 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 GMIA Engineering, on behalf of Milwaukee County, as part of the improvements to General Mitchell International Airport, including the relocation of South 6th Street. Whereas, It is proposed that South 6th Street from a point south of West Grange Avenue southerly 2,450 feet more or less 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 right-of-way as indicated by Exhibit A and bound and described by:

The unimproved portion of South 6th Street, as originally laid out, in the Northeast 1/4, Northwest 1/4, Southwest 1/4 and the Southeast 1/4 of Section 32, Township 6 North, Range 22 East, described as follows: Commencing at the southeast corner of said Southwest 1/4 Section; thence North 00°36'08" West, along the east line of said Southwest 1/4 Section, 2,150.07 feet to a point; thence South 89°09'58" West 33.00 feet to a point in the original west line of South 6th Street; thence North 00°36'08" West, along said original west line extended, 144.50 feet to its point of intersection with the easterly line of relocated South 6th Street and the point of beginning of the land to be described; thence continuing North 00°36'08" West, along said original west line, 355.62 feet to a point in the north line of said Southwest 1/4 Section; thence North 00°56'07" West, continuing along said west line, 2,093.30 feet to its point of intersection with the easterly line of relocated South 6th Street; thence South 73°18'49" East 69.25 feet to a point in the original east line of South 6th Street; thence South 00°56'07" East, along said east line, 2,072.30 feet to a point in the south line of said Northeast 1/4 Section; thence 00°36'08" East, continuing along said east line, 356.04 feet to a point; thence South 89°23'52" West 66.00 feet to the point of beginning, which right-of-way 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 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 right-of-way had not been vacated; and, be it

Further Resolved, That the proper City officials, including the Commissioner of Public Works, are hereby authorized to sign any easement(s) 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:Ed.Richardson:ear

11/03/15