



Legislation Text

File #: 141269, Version: 1

141269
SUBSTITUTE 1

THE CHAIR

Substitute resolution to vacate North 30th Street, from West Roosevelt Drive south to its terminus, and a portion of the southerly east-west alley, south of West Roosevelt Drive between North 29th Street and North 30th Street, in the 1st Aldermanic District.

This substitute resolution vacates the above street and 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 the Milwaukee Metropolitan Sewerage District to facilitate a stormwater management project.

Whereas, It is proposed that North 30th Street, from West Roosevelt Drive south to its terminus, and a portion of the southerly east-west alley, south of West Roosevelt Drive between North 29th Street and North 30th 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 street and alley as indicated by Exhibit A and bound and described by:

All that part of North 30th Street, as presently laid out, in the Southeast 1/4 of Section 1, Township 7 North, Range 21 East, from the westerly extension of the north line of Lot 7 in Block 4 of City View, a recorded subdivision in said 1/4 Section, south to its southerly terminus; and

All that part of the east-west 20-foot-wide alley as opened by Quit Claim Deed, recorded on October 22, 1934, as Document No. 2007432, lying south of and adjacent to Lot 16 in Block 4 of City View, a recorded subdivision, in the Southeast 1/4 of Section 1, Township 7 North, Range 21 East, and between the southerly extension of the east line of Lot 16 and the southerly extension of the east line of North 30th Street 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 street and alley 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.

DCD:Kyle.Gast:kcg

02/11/16