



Legislation Text

File #: 021639, Version: 1

021639
SUBSTITUTE 1

THE CHAIR

Substitute resolution to vacate a portion of street right-of-way located between the South Side of West Hopkins Street and the North Side of West Burleigh Street, in the 7th Aldermanic District.

This substitute resolution vacates the above portion of street right-of-way in accordance with vacation proceedings under power granted to the City of Milwaukee by Section 66.297 (1), Wisconsin Statutes, and Section 81-308-28, Milwaukee Code of Ordinances. This vacation was requested by Dhaliwal Petroleum Equipment and Construction Corporation to consolidate a parcel of land for development of a gas station with convenience store. Whereas, It is proposed that a portion of street right-of-way located between the South Side of West Hopkins Street and the North Side of West Burleigh 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, Said vacation has been reviewed in accordance with Sections 81-116-1 and 308-28, Milwaukee Code of Ordinances; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that said portion of street right-of-way, as indicated by Exhibit A and bound and described by:

That part of excess street right-of-way in the Southeast 1/4 of Section 7, Township 7 North, Range 22 East, described as follows: Commencing at the point of intersection of the southeasterly extension of the westerly line of West Hopkins Street and the easterly extension of the north line of West Burleigh Street; thence North 89 deg. 36 min. 00 sec. West, along said easterly extension, 39.06 feet to a point on a curve; thence Northerly 46.27 feet along the arc of said curve which has a radius of 32.00 feet with its center lying to the west and whose chord bears North 02 deg. 20 min. 30 sec. West 42.34 feet to a point in the westerly line of West Hopkins Street; thence South 43 deg. 46 min. 00 sec. East, along the southeasterly extension of said westerly line, 58.96 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 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 street right-of-way had not been vacated.

DCD:JRH:vlk
05/14/03