



Legislation Text

File #: 001537, Version: 1

001537
SUBSTITUTE 1

THE CHAIR

Substitute resolution to vacate the west side of North Humboldt Avenue between East Garfield Avenue and East North Avenue, in the 6th Aldermanic District.

This substitute resolution vacates the above portion of street 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 to eliminate existing building encroachments and to allow a retaining wall and staircase for a new commercial building at the corner of East Garfield Avenue and North Humboldt Avenue.

Whereas, It is proposed that the west side of North Humboldt Avenue between East Garfield 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 street as indicated by Exhibit A and bound and described by:

That part of North Humboldt Avenue in the Northwest 1/4 of Section 21, Township 7 North, Range 22 East, described as follows:

Commencing at the intersection of the south line of East North Avenue and the west line of North Humboldt Avenue; thence Southerly along said west line to its point of intersection with the present northerly line of East Garfield Avenue; thence Northeasterly, along the northeasterly extension of said present northerly line, to a point lying 5.00 feet East of, as measured normal to, the west line of North Humboldt Avenue; thence Northerly, parallel to said west line, to a point in the easterly extension of the south line of East North Avenue; thence Westerly, along said easterly extension, 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 street had not been vacated.

DCD:JRH:vlk

09/09/05