



Legislation Text

File #: 001332, Version: 2

001332
SUBSTITUTE 2

THE CHAIR

Substitute resolution to vacate a portion of North 31st Street between the Wisconsin and Southern Railroad Company right-of-way and West Cameron Avenue, in the 1st 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 66.297(1), Wisconsin Statutes, and Section 81-308-28, Milwaukee Code of Ordinances. This vacation was requested by the Milwaukee Metropolitan Sewerage District for the construction of Lincoln Creek watercourse improvements.

Whereas, It is proposed that a portion of North 31st Street between the Wisconsin and Southern Railroad Company right-of-way and West Cameron Avenue be vacated pursuant to the provisions of Section 66.297, 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, This proposed vacation has been reviewed in accordance with Section 81-308-28, 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 31st Street as platted in North Milwaukee Townsite Companys Addition No. 1, a recorded subdivision, in the Southeast 1/4 of Section 36, Township 8 North, Range 21 East, described as follows:

Commencing at the point of intersection of the northerly line of the Wisconsin and Southern Railroad Company right-of-way and the westerly line of Lincoln Creek as platted in said subdivision; thence North 32 deg. 20 min. 00 sec. East, along said westerly line, 39.92 feet to its point of intersection with the east line of North 31st Street; thence North 00 deg. 26 min. 00 sec. West, along said east line, 25.00 feet to a point; thence South 89 deg. 34 min. 00 sec. West 4.00 feet to a point on a curve; thence Southwesterly 24.68 feet along the arc of said curve which has a radius of 35.00 feet with its center lying to the Northwest having a central angle of 40 deg. 23 min. 52 sec. and whose chord bears South 19 deg. 45 min. 56 sec. West 24.17 feet to a point of tangency; thence South 39 deg. 57 min. 52 sec. West 38.47 feet to a point in the northerly line of said railroad right-of-way; thence South 67 deg. 38 min. 00 sec. East, along said northerly line, 17.00 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, such 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

09/11/01