



Legislation Details (With Text)

File #: 111599 **Version:** 1

Type: Resolution **Status:** Passed

File created: 3/20/2012 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:** 6/12/2012

Effective date:

Title: Substitute resolution to vacate the unimproved alleys in the block bounded by West Roberts Street, West Walnut Street, North 37th Street and North 38th Street, in the 15th Aldermanic District.

Sponsors: THE CHAIR

Indexes: ALLEY VACATIONS

Attachments: 1. Exhibit A, 2. City Plan Commission Letter

Date	Ver.	Action By	Action	Result	Tally
3/20/2012	0	COMMON COUNCIL	ASSIGNED TO		
3/22/2012	0	PUBLIC WORKS COMMITTEE	REFERRED TO		
5/24/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
5/24/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
5/24/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
5/30/2012	0	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
6/12/2012	1	COMMON COUNCIL	ADOPTED	Pass	15:0
6/21/2012	1	MAYOR	SIGNED		

111599
SUBSTITUTE 1

THE CHAIR

Substitute resolution to vacate the unimproved alleys in the block bounded by West Roberts Street, West Walnut Street, North 37th Street and North 38th Street, in the 15th Aldermanic District.

This substitute resolution vacates the above alleys 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 Department of Public Works, since said alleys are not needed for public purposes.

Whereas, It is proposed that the unimproved alleys in the block bounded by West Roberts Street, West Walnut Street, North 37th Street and North 38th 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 Section 62.73, 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 alleys as indicated by Exhibit A and bound and described by:

All of the north-south 10.00-foot wide and east-west 30.00-foot wide alleys, as platted in Block 4 of Coldspring Heights, a recorded subdivision, in the Southwest 1/4 of Section 24, Township 7 North, Range 21 East, described as follows: Commencing at the northwest corner of Lot 1 in said Block 4; thence Southerly, along the east line of said north-south alley, to the southwest corner of Lot 9 in said Block 4; thence Westerly, to the southeast corner of Lot 10 in said Block 4; thence Northerly, along the west line of said north-south alley, to the northeast corner of Lot 10; thence Westerly, along the south line of said east-west alley, to the northwest corner of Lot 13 in said Block 4, said point also being in the west line of Lot 18 in said Block 4; thence Northerly, along the said west line, to the northeast corner of Lot 18; thence Easterly, along the north line of said east-west alley to the southeast corner of Lot 21 in said Block 4; thence Northerly, along the west line of said north-south alley, to the northeast corner of Lot 21; thence Easterly, to the point of commencement 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 Section 62.73, 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 alleys had not been vacated.

DCD:EAR:ear
05/21/12