



Legislation Details (With Text)

File #: 130057 **Version:** 0
Type: Resolution **Status:** Passed
File created: 4/30/2013 **In control:** COMMON COUNCIL
On agenda: **Final action:** 5/21/2013
Effective date:

Title: Resolution authorizing acceptance of the quit claim deed from Glendale Redevelopment, LLC for a portion of the former Wisconsin and Southern Railroad right-of-way at 320 West Capitol Drive, part of 3521R North Richards Street and the adjoining bridge over West Capitol Drive to dedicate these properties as public right-of-way for a pedestrian and bicycle way and to authorize the City to accept assignment of an access easement to the right-of-way, in the 6th Aldermanic District.

Sponsors: THE CHAIR

Indexes: BICYCLES, EASEMENTS, PEDESTRIAN AREAS, QUIT CLAIM DEEDS, RAILROADS

Attachments: 1. Exhibits A and B, 2. City Plan Commission Letter, 3. Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
4/30/2013	0	COMMON COUNCIL	ASSIGNED TO	Fail	
5/1/2013	0	PUBLIC WORKS COMMITTEE	REFERRED TO		
5/3/2013	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
5/8/2013	0	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
5/21/2013	0	COMMON COUNCIL	ADOPTED	Pass	12:0
5/30/2013	0	MAYOR	SIGNED		

130057
ORIGINAL
110135
THE CHAIR

Resolution authorizing acceptance of the quit claim deed from Glendale Redevelopment, LLC for a portion of the former Wisconsin and Southern Railroad right-of-way at 320 West Capitol Drive, part of 3521R North Richards Street and the adjoining bridge over West Capitol Drive to dedicate these properties as public right-of-way for a pedestrian and bicycle way and to authorize the City to accept assignment of an access easement to the right-of-way, in the 6th Aldermanic District.

This resolution permits the City of Milwaukee to accept a quit claim deed to acquire property and to dedicate property for public right-of-way for a pedestrian and bicycle way and to accept assignment of an access easement.

Whereas, By adoption of File No. 110135 on June 14, 2011, the Common Council of the City of Milwaukee authorized the Department of Public Works ("DPW") to execute documents for a federal Transportation Enhancements Grant to purchase the abandoned Wisconsin and Southern Railroad corridor between North Richards Street and West Capitol Drive to extend the Beer Line B pedestrian and bicycle trail; and

Whereas, In advance of formal acquisition efforts, the owner of the former railroad corridor, Glendale Redevelopment, LLC, offered to donate a portion of the former railroad corridor and the existing bridge over West Capitol Drive, which will allow a temporary, artistic installation redevelopment by a non-profit organization until the full trail improvements are made; and

Whereas, Glendale Redevelopment, LLC has agreed to quit claim to the City of Milwaukee ("City"), for no monetary consideration, the property illustrated in Exhibit A, a copy of which is attached to this Common Council File and is described as follows:

Area "A" (320 West Capitol Drive/Tax Key No. 242-9999-110): Being a part of the Southeast 1/4 of Section 5, Township 7 North, Range 22 East, City of Milwaukee, Milwaukee County, Wisconsin, more particularly described as follows: Commencing at the southwest corner of the Southeast 1/4 of Section 5; thence North 89°05'07" East along the south line of said Southeast 1/4, 820.32 feet to a point; thence North 36°15'00" West, 40.45 feet to the point of beginning; thence continuing North 36°15'00" West, 90.74 feet; thence North 89°05'07" East 72.58 feet; thence South 36°15'00" East, 90.74 feet to the north line of West Capitol Drive; thence South 89°05'07" West along said north line, 72.58 feet to the point of beginning.

Area "B" (part of 3521R North Richards Street/Tax Key No. 273-9996-100): Being a part of the Northeast 1/4 of Section 8, Township 7 North, Range 22 East, City of Milwaukee, Milwaukee County, Wisconsin, more particularly described as follows: Commencing at the northwest corner of the Northeast 1/4 of said Section 8; thence North 89°05'07" East along the north line of said Northeast 1/4, 820.32 feet to a point; thence South 36°15'00" East, 211.65 feet to the point of beginning; thence North 89°05'07" East, 50.00 feet; thence North 36°15'00" West, 105.00 feet to the south right-of-way line of West Capitol Drive; thence North 89°05'07" East along said south line, 19.61 feet; thence South 36°15'00" East, 105.00 feet; thence South 00°54'53" East, 98.19 feet to a point; thence North 36°15'00" West, 120.36 feet to the point of beginning.

Bridge: The existing bridge over West Capitol Drive that connects Area "A" and Area "B;" and

Whereas, The deed of conveyance, besides conveying property to the City, also will dedicate Area "A," Area "B" and the existing bridge as public right-of-way for a pedestrian and bicycle way; and

Whereas, The City Plan Commission has approved the acquisition and dedication of these properties as public right-of-way for a pedestrian and bicycle way; and

Whereas, Glendale Redevelopment, LLC also has offered to assign to the City its access easement to Area "A" that crosses an adjoining property from the West Capitol Drive public frontage road, as illustrated in Exhibit B, a copy of which is attached to this Common Council File and is legally described as follows:

Being a part of the Southeast 1/4 of Section 5, Township 7 North, Range 22 East, City of Milwaukee, Milwaukee County, Wisconsin, more particularly described as follows: Commencing at the southwest corner of the Southeast 1/4 of said Section 5; thence North 89°05'07" East along the south line of said Southeast 1/4, 942.90 feet to a point; thence North 36°15'00" West, 111.59 feet to the point of beginning; thence South 89°05'07" West, 50.00 feet; thence North 36°15'00" West, 19.61 feet; thence North 89°05'07" East, 50.00 feet; thence South 36°15'00" East, 19.61 feet to the point of beginning; and

Whereas, The easement assignment and terms may be included in the deed dedicating the land or may be executed as a separate document with Glendale Redevelopment, LLC and Managed Investments, LLC, the adjoining owner, to ensure public access to the pedestrian and bicycle way; and

Whereas, The donated land and bridge will be incorporated in the Beer Line B pedestrian and bicycle trail after the City completes acquisition efforts on the remaining corridor as contemplated by the federal Transportation Enhancements Grant; and

Whereas, After donation and prior to the trail construction, DPW plans to grant a right-of-way permit with Beintween, Ltd. to construct the ARTery, a linear artistic improvement and foot path using local flora, stone and discarded tires as a temporary improvement

until the full Beer Line B pedestrian and bicycle trail extension is completed; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Commissioner of the Department of City Development ("DCD"), or assigns, is authorized to accept a quit claim deed from Glendale Redevelopment, LLC, for the properties at 320 West Capitol Drive, a portion of 3521R North Richard Street and the existing bridge over West Capitol Drive that connects the parcels and to dedicate these areas as public right-of-way for a pedestrian and bicycle way as legally described above and illustrated in Exhibit A; and, be it

Further Resolved, That the Commissioner of DCD, or assigns, is authorized to include the assignment of the access easement to Area "A," as legally described above and illustrated in Exhibit B, in the deed of conveyance from Glendale Redevelopment, LLC or to execute a separate document with Glendale Redevelopment, LLC and Managed Investments, LLC.

DPW:DCD

MDL:bmm

04/30/13/B