



Legislation Details (With Text)

**File #:** 130159      **Version:** 0  
**Type:** Resolution      **Status:** Passed  
**File created:** 5/21/2013      **In control:** COMMON COUNCIL  
**On agenda:**      **Final action:** 6/11/2013

**Effective date:**

**Title:** Resolution to authorize tunnel abandonment concerning the tunnel under the Canadian Pacific Rail right-of-way between the Century City site and the DPW Field Headquarters, in the 7th Aldermanic District.

**Sponsors:** ALD. WADE

**Indexes:** CITY PROPERTY, RAILROADS

**Attachments:** 1. Exhibit A-Tunnel Location, 2. Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
5/21/2013	0	COMMON COUNCIL	ASSIGNED TO		
5/28/2013	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
5/30/2013	0	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
6/11/2013	0	COMMON COUNCIL	ADOPTED	Pass	15:0
6/18/2013	0	MAYOR	SIGNED		

130159  
ORIGINAL

ALD. WADE

Resolution to authorize tunnel abandonment concerning the tunnel under the Canadian Pacific Rail right-of-way between the Century City site and the DPW Field Headquarters, in the 7th Aldermanic District.

This resolution authorizes abandonment of a tunnel under the Canadian Pacific Rail right-of-way between the Century City site and DPW Field Headquarters.

Whereas, The Redevelopment Authority of the City of Milwaukee ("RACM") owns Lot 3, CSM No. 8363, with an address of 2725 West Hopkins Street, Milwaukee, TIN 269-0443-000 (the "RACM Land"); and

Whereas, The City of Milwaukee ("City") owns the parcel with an address of 3700 North 35th Street, Milwaukee, TIN 269-0432-000 (the "City Land"); and

Whereas, The Soo Line Railroad Company (d/b/a Canadian Pacific) ("CP") owns the right-of-way and track (the "Track") between the RACM Land and City Land; and

Whereas, There is a tunnel ("Tunnel") that goes under the Track connecting on one end to the RACM Land and on the other end to the City Land that was constructed and that exists pursuant to a July 29, 1959 Agreement between the Chicago, Milwaukee, St. Paul and Pacific Railroad Company (the "Milwaukee Road") and the A.O. Smith Corporation ("AOS"), AOS built the Tunnel; and

Whereas, CP is successor in interest to the Milwaukee Road regarding the Track, and the City (on the west side of the Track) and RACM (on the east side of the Track) are the successors in interest to AOS regarding the lands lying on either side of the Track; and

Whereas, The Tunnel is no longer used and there is a desire to abandon the Tunnel; and

Whereas, The Department of Public Works ("DPW") and RACM will share the Tunnel abandonment costs, and \$25,000 will come from the Outlying Facilities Program; and

Whereas, This item was heard and authorized by the RACM Board on May 16, 2013; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the appropriate City officials are authorized to sign a document with CP to evidence the termination and abandonment of the 1959 Tunnel Agreement on terms and conditions that RACM staff shall devise, with the assistance of the City Attorney's Office, and that City staff shall take such further action to effectuate the intent and purpose of this resolution.

CA:DCD:GCH:bmt

05/21/13/A