



## Legislation Details (With Text)

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**Type:** Resolution      **Status:** Placed On File

**File created:** 11/23/2004      **In control:** PUBLIC WORKS COMMITTEE

**On agenda:**      **Final action:** 1/16/2009

**Effective date:**

**Title:** Substitute resolution to vacate East Center Street located East of North Humboldt Boulevard to its terminus at the alley, in the 3rd Aldermanic District.

**Sponsors:** THE CHAIR

**Indexes:** STREET VACATIONS

**Attachments:** 1. Fiscal Note.pdf, 2. Exhibit A.PDF

Date	Ver.	Action By	Action	Result	Tally
11/23/2004	0	COMMON COUNCIL	ASSIGNED TO		
11/29/2004		PUBLIC WORKS COMMITTEE	REFERRED TO		
4/14/2005	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
4/14/2005	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
4/14/2005	1	CITY CLERK	DRAFT SUBMITTED		
4/20/2005	1	PUBLIC WORKS COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	5:0
1/7/2009	1	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR PLACING ON FILE	Pass	3:0
1/16/2009	1	COMMON COUNCIL	PLACED ON FILE	Pass	14:0

041049  
SUBSTITUTE 1

### THE CHAIR

Substitute resolution to vacate East Center Street located East of North Humboldt Boulevard to its terminus at the alley, in the 3rd 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 by Craig Smith to consolidate land for construction of a private driveway.

Whereas, It is proposed that East Center Street located East of North Humboldt Boulevard to its terminus at the alley 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 840.11, 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 portion of street as indicated by Exhibit A and bound and described by:

All that part of East Center Street, as platted in W. Cywinski's Subdivision, a recorded subdivision, in the Northeast 1/4 of Section 16, Township 7 North, Range 22 East, which lies between the east line of North Humboldt Boulevard, extended, and the southerly extension of the east line of Lot 2 in Block 1, of said subdivision, 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 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, 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

04/14/05