



## Legislation Details (With Text)

**File #:** 050938      **Version:** 2

**Type:** Resolution      **Status:** Passed

**File created:** 11/15/2005      **In control:** PUBLIC WORKS COMMITTEE

**On agenda:**      **Final action:** 11/14/2006

**Effective date:**

**Title:** Substitute resolution to vacate a portion of the West Side of North Humboldt Boulevard located South of East Chambers Street, in the 3rd Aldermanic District.

**Sponsors:** THE CHAIR

**Indexes:** STREET VACATIONS

**Attachments:** 1. Fiscal Note.pdf, 2. Exhibit A, 3. Exhibit A, 4. Final Exhibit A dated 10-30-06, 5. CPC Letter

Date	Ver.	Action By	Action	Result	Tally
11/15/2005	0	COMMON COUNCIL	ASSIGNED TO		
11/16/2005	0	PUBLIC WORKS COMMITTEE	REFERRED TO		
10/26/2006	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
10/27/2006	1	CITY CLERK	DRAFT SUBMITTED		
10/31/2006	1	PUBLIC WORKS COMMITTEE	SUBSTITUTED	Pass	3:0
10/31/2006	2	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	3:0
11/14/2006	2	COMMON COUNCIL	ADOPTED	Pass	15:0
11/21/2006	2	MAYOR	SIGNED		

050938  
SUBSTITUTE 2

THE CHAIR

Substitute resolution to vacate a portion of the West Side of North Humboldt Boulevard located South of East Chambers Street, 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 the Redevelopment Authority of the City of Milwaukee to eliminate existing and possible building encroachments to support the Alterra Post building renovation. Whereas, It is proposed that a portion of the West Side of North Humboldt Boulevard located South of East Chambers 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 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:

That part of North Humboldt Boulevard in the Northwest 1/4 of Section 16, Township 7 North, Range 22 East, described as follows: Commencing at the point of intersection of the west line of North Humboldt Boulevard and the south line of East Chambers Street; thence Easterly, along the easterly extension of said south line, to a point lying 5.60 feet East of, as measured normal to, the west line of North Humboldt Boulevard; thence Southerly, parallel to said west line, to a point in the easterly line of the former railroad right-of-way; thence Northwesterly, along said easterly line and the westerly line of North Humboldt Boulevard, to a point in the south line of Block 1 of Humboldt Park, a recorded subdivision, in said 1/4 Section; thence Easterly, along said south line and the westerly line of North Humboldt Boulevard, 7.92 feet to a point; thence Northerly, along the west line of North Humboldt Boulevard, 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 upon deposit of the funds required, 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, 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:VLK:ajf

10/30/06