Legislation Details (With Text)

File #:	071678 **Version:** 1		
Type:	Resolution	**Status:**	Passed
File created:	4/9/2008	**In control:**	PUBLIC WORKS COMMITTEE
On agenda:		**Final action:**	5/20/2008
Effective date:			
Title:	Substitute resolution to vacate the North-South and East-West alleys in the block bounded by North 13th Street, North 14th Street, West Galena Street and West Walnut Street, in the 15th Aldermanic District.		
Sponsors:	THE CHAIR		
Indexes:	ALLEY VACATIONS		
Attachments:	1. Fiscal Note.pdf, 2. Hearing notice list, 3. Exhibit A.pdf, 4. Response from City Plan Commission		

Date	Ver.	Action By	Action	Result	Tally
4/9/2008	0	COMMON COUNCIL	ASSIGNED TO		
4/11/2008	0	PUBLIC WORKS COMMITTEE	REFERRED TO		
4/30/2008	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
5/2/2008	1	CITY CLERK	DRAFT SUBMITTED		
5/7/2008	0	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	4:0
5/20/2008	1	COMMON COUNCIL	ADOPTED	Pass	13:0
5/30/2008	1	MAYOR	SIGNED		

071678
SUBSTITUTE 1

THE CHAIR
Substitute resolution to vacate the North-South and East-West alleys in the block bounded by North 13th Street, North 14th Street, West Galena Street and West Walnut Street, in the 15th Aldermanic District.
This substitute resolution vacates said 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 initiated by the City of Milwaukee, Department of Public Works, to consolidate land for the sanitation central project.
Whereas, It is proposed that the North-South and East-West alleys in the block bounded by North 13th Street, North 14th Street, West Galena Street and West Walnut 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

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Resolved, By the Common Council of the City of Milwaukee, that said alleys as indicated by Exhibit A and bound and described by:

The North-South and East-West 20-foot wide alleys as presently laid out in Block 8 of Kneeland's Addition, a recorded subdivision, in the Southeast 1/4 of Section 19, Township 7 North, Range 22 East, described as follows: Commencing at the southwest corner of Lot 7 in said Block 8; thence Easterly, along the south line of Lot 7 aforesaid, 150 feet to the southeast corner of Lot 7; thence Northerly, along the east line of Lots 7, 6 and 3 in said Block 8, to a point lying 4.00 feet north of the southeast corner of Lot 3; thence Easterly, parallel to the easterly extension of the south line of Lot 3, to a point lying 7.50 feet east of, as measured normal to, the east line of Lot 3; thence Northerly, parallel to said east line, to a point in the westerly extension of the north line of the south 15.00 feet of Lot 4 in said Block 8; thence Easterly, along said westerly extension, to a point lying 5.00 feet east of, as measured normal to, the west line of Lot 4 as originally platted; thence Southerly, parallel to the west line of Lots 4, 5, 8 and 9 as originally platted in said Block 8, to a point in the easterly extension of the north line of the south 30.00 feet of Lot 10 in said Block 8; thence Westerly, along said easterly extension and the north line of the south 30 feet of Lot 10, to a point in the west line of Lot 10 in said Block 8; thence Northerly, along the northerly extension of said west line, 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:VLK:kdc
05/01/08