



## Legislation Details (With Text)

**File #:** 071680      **Version:** 1

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

**File created:** 4/9/2008      **In control:** PUBLIC WORKS COMMITTEE

**On agenda:**      **Final action:** 10/29/2008

**Effective date:**

**Title:** Substitute resolution vacating the north-south alley in the block bounded by West Garfield Avenue, West North Avenue, North 7th Street and North 8th Street, in the 6th Aldermanic District.

**Sponsors:** THE CHAIR

**Indexes:** ALLEY VACATIONS

**Attachments:** 1. Fiscal Note, 2. Exhibit A, 3. City Plan Commission Letter, 4. Hearing notice list

Date	Ver.	Action By	Action	Result	Tally
4/9/2008	0	COMMON COUNCIL	ASSIGNED TO		
4/11/2008	0	PUBLIC WORKS COMMITTEE	REFERRED TO		
10/9/2008	1	CITY CLERK	DRAFT SUBMITTED		
10/9/2008	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
10/15/2008	1	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	4:0
10/29/2008	1	COMMON COUNCIL	ADOPTED	Pass	12:0
11/3/2008	1	MAYOR	SIGNED		

071680  
SUBSTITUTE 1

### THE CHAIR

Substitute resolution vacating the north-south alley in the block bounded by West Garfield Avenue, West North Avenue, North 7th Street and North 8th Street, in the 6th Aldermanic District.

This substitute resolution vacates the above alley 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 Redevelopment Authority of the City of Milwaukee to consolidate land for future development in the Bronzeville redevelopment area.

Whereas, It is proposed that the north-south alley in the block bounded by West Garfield Avenue, West North Avenue, North 7th Street and North 8th 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

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

That part of the north-south 15-foot wide alley as platted in Block 210 of Houghton's Addition, a recorded subdivision, in the Northwest 1/4 of Section 20, Township 7 North, Range 22 East, lying between a line 133.33 feet south of and parallel to the north line of said 1/4 Section and a line 5.00 feet north of and parallel to the north line of West Garfield Avenue extended 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 alley had not been vacated.

DCD:AJF:ajf

10/08/08