



## Legislation Details (With Text)

**File #:** 131584 **Version:** 1

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

**File created:** 3/4/2014 **In control:** COMMON COUNCIL

**On agenda:** **Final action:** 4/22/2014

**Effective date:**

**Title:** Substitute resolution to vacate the North-South alley in the block bounded by West Highland Avenue, West Juneau Avenue, North 4th Street and North 5th Street, in the 4th Aldermanic District.

**Sponsors:** THE CHAIR

**Indexes:** ALLEY VACATIONS

**Attachments:** 1. Exhibit A, 2. Hearing Notice List, 3. City Plan Commission Letter

Date	Ver.	Action By	Action	Result	Tally
3/4/2014	0	COMMON COUNCIL	ASSIGNED TO	Fail	
3/6/2014	0	PUBLIC WORKS COMMITTEE	REFERRED TO		
4/4/2014	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
4/7/2014	0	CITY PLAN COMMISSION	RECOMMENDED FOR ADOPTION AND ASSIGNED	Pass	5:0
4/9/2014	0	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	4:0
4/22/2014	1	COMMON COUNCIL	ADOPTED	Pass	14:0
4/28/2014	1	MAYOR	SIGNED		

131584  
SUBSTITUTE 1

THE CHAIR

Substitute resolution to vacate the North-South alley in the block bounded by West Highland Avenue, West Juneau Avenue, North 4th Street and North 5th Street, in the 4th 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 requested by the Bradley Center Sports and Entertainment Corporation for the purpose of consolidating its land holdings.

Whereas, It is proposed that the North-South alley in the block bounded by West Highland Avenue, West Juneau Avenue, North 4th Street and North 5th 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:

All that part of the north-south 20-foot wide alley as platted in Block 43 of Plat of the Town of Milwaukee on the West Side of the River, a recorded subdivision, in the Northeast 1/4 of Section 29, Township 7 North, Range 22 East, described as follows: Commencing at the northwest corner of Lot 1 in said Block 43, thence Southerly, along the east line of said north-south alley, to the southwest corner of Lot 8 in said Block 43; thence Westerly to the southeast corner of Lot 7 in said Block 43; thence Northerly, along the west line of said north-south alley, to the northeast corner of Lot 4 in said Block 43; thence Easterly 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 alley had not been vacated.

DCD:EAR:ear

04/04/14