



Legislation Details (With Text)

File #: 131747 **Version:** 1

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On agenda: **Final action:** 6/24/2014

Effective date:

Title: Substitute resolution to vacate a portion of North 34th Street between vacated West Eggert Place and West Villard Avenue, in the 1st Aldermanic District.

Sponsors: THE CHAIR

Indexes: STREET VACATIONS

Attachments: 1. Exhibit A-Final Map, 2. Exhibit A-Preliminary Map, 3. City Plan Commission Letter

| Date | Ver. | Action By | Action | Result | Tally |
|-----------|------|------------------------|---------------------------------------|--------|-------|
| 4/2/2014 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 4/4/2014 | 0 | PUBLIC WORKS COMMITTEE | REFERRED TO | | |
| 5/19/2014 | 0 | CITY PLAN COMMISSION | RECOMMENDED FOR ADOPTION AND ASSIGNED | Pass | 7:0 |
| 6/9/2014 | 1 | PUBLIC WORKS COMMITTEE | HEARING NOTICES SENT | | |
| 6/11/2014 | 1 | PUBLIC WORKS COMMITTEE | RECOMMENDED FOR ADOPTION | Pass | 4:0 |
| 6/24/2014 | 1 | COMMON COUNCIL | ADOPTED | Pass | 14:0 |
| 7/2/2014 | 1 | MAYOR | SIGNED | | |

131747
SUBSTITUTE 1

THE CHAIR

Substitute resolution to vacate a portion of North 34th Street between vacated West Eggert Place and West Villard Avenue, in the 1st Aldermanic District.

This substitute resolution vacates the above right-of-way 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 Stainless Foundry & Engineering, Inc. for the purpose of land consolidation.

Whereas, It is proposed that a portion of North 34th Street between vacated West Eggert Place and West Villard Avenue be vacated pursuant to the provisions of Section 62.73, Wisconsin Statutes; and

Whereas, The Department of Public Works has been 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 right-of-way as

indicated by Exhibit A and bound and described by:

All that part of North 34th Street in the Southeast 1/4 of Section 36, Township 8 North, Range 21 East, lying between the north line of vacated West Eggert Place and the north line of Assessor's Plat No. 104, a recorded subdivision, in said 1/4 Section 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 right-of-way had not been vacated.

DCD:Ed.Richardson:ear

06/05/14