



Legislation Details (With Text)

File #: 141000 **Version:** 1
Type: Resolution **Status:** Passed
File created: 10/14/2014 **In control:** COMMON COUNCIL
On agenda: **Final action:** 12/16/2014
Effective date:

Title: Substitute resolution to vacate South Barclay Street from East Scott Street south to its terminus and the East-West alley in the block bounded by South Barclay Street, vacated East Madison Street, East Scott Street and South 1st Street, in the 12th Aldermanic District.

Sponsors: ALD. PEREZ

Indexes: STREET VACATIONS

Attachments: 1. 141000 Exhibit A.pdf, 2. 141000 City Plan Commission Letter.pdf

Date	Ver.	Action By	Action	Result	Tally
10/14/2014	0	COMMON COUNCIL	ASSIGNED TO		
10/15/2014	0	PUBLIC WORKS COMMITTEE	REFERRED TO		
11/10/2014	0	CITY PLAN COMMISSION	RECOMMENDED FOR ADOPTION AND ASSIGNED	Pass	7:0
11/26/2014	1	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
12/3/2014	1	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
12/16/2014	1	COMMON COUNCIL	ADOPTED	Pass	14:0
12/29/2014	1	MAYOR	SIGNED		

141000
SUBSTITUTE 1

ALD. PEREZ

Substitute resolution to vacate South Barclay Street from East Scott Street south to its terminus and the East-West alley in the block bounded by South Barclay Street, vacated East Madison Street, East Scott Street and South 1st Street, in the 12th Aldermanic District.

This substitute resolution vacates the above rights-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 Oak Creek Steel LLC for the purpose of consolidating land for development.

Whereas, It is proposed that South Barclay Street from East Scott Street south to its terminus and the East-West alley in the block bounded by South Barclay Street, vacated East Madison Street, East Scott Street and South 1st 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 Sections 62.73(1) and 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 rights-of-way as indicated by Exhibit A and bound and described by:

South Barclay Street: All that part of South Barclay Street as presently laid out in the Southeast 1/4 of Section 21, Township 7 North, Range 22 East, lying between the south line of East Scott Street extended and the easterly extension of the centerline of vacated East Madison Street.

Alley: All of the East-West 20-foot-wide alley in the Southeast 1/4 of Section 32, Township 7 North, Range 22 East, as presently laid out in the block bounded by South Barclay Street, vacated East Madison Street, East Scott Street and South 1st Street are 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 Sections 62.73(1) and 66.1005(2), 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 rights-of-way had not been vacated; and, be it

Further Resolved, That the proper City officials, including the Commissioner of Public Works, are authorized to sign any easement or other documents necessary to assert the City of Milwaukee's rights under Section 66.1005(2), Wisconsin Statutes, and cause the same to be recorded in the Milwaukee County Register of Deeds Office.

DCD:Ed.Richardson:ear

11/10/14