



## Legislation Details (With Text)

**File #:** 150182 **Version:** 1

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

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**On agenda:** **Final action:** 7/21/2015

**Effective date:**

**Title:** Substitute resolution to vacate a portion of North 30th Street, west side, at West Lloyd Street, in the 15th Aldermanic District.

**Sponsors:** THE CHAIR

**Indexes:**

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

Date	Ver.	Action By	Action	Result	Tally
5/12/2015	0	COMMON COUNCIL	ASSIGNED TO		
5/14/2015	0	PUBLIC WORKS COMMITTEE	REFERRED TO		
6/8/2015	0	CITY PLAN COMMISSION	RECOMMENDED FOR ADOPTION AND ASSIGNED	Pass	5:0
6/25/2015	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
6/25/2015	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
7/8/2015	0	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	4:0
7/21/2015	1	COMMON COUNCIL	ADOPTED	Pass	13:0
7/30/2015	1	MAYOR	SIGNED		

150182  
SUBSTITUTE 1

THE CHAIR

Substitute resolution to vacate a portion of North 30th Street, west side, at West Lloyd Street, in the 15th 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 the Redevelopment Authority of the City of Milwaukee for the purpose of consolidating land for a Micro-Farm project.

Whereas, It is proposed that a portion of North 30th Street, west side, at West Lloyd 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 right-of-way as indicated by Exhibit A and bound and described by:

That part of North 30th Street in the Northeast 1/4 of Section 24, Township 7 North, Range 21 East, described as follows: Commencing at the southeast corner of Lot 9 in Block 11 of Garfield Heights No. 2, a recorded subdivision, in said 1/4 Section; thence Northerly, along the west line of North 30th Street, 43.04 feet to its point of intersection with the westerly extension of the south line of West Lloyd Street and the point of beginning of the land to be described; thence Westerly, continuing along the westerly line of North 30th Street, 28.49 feet to a point; thence Northerly, continuing along said westerly line, 75.00 feet to a point; thence Southeasterly to the point of beginning 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 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 right-of-way had not been vacated; and, be it

Further Resolved, That the proper City officials, including the Commissioner of Public Works, are hereby 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:Kyle.Gast:kcg

07/01/15