



Legislation Details (With Text)

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

**File created:** 7/6/2016      **In control:** COMMON COUNCIL

**On agenda:**      **Final action:** 11/24/2020

**Effective date:**

**Title:** Substitute resolution to vacate South Harbor Drive from East Jones Street north to its terminus, in the 14th Aldermanic District.

**Sponsors:** THE CHAIR

**Indexes:** STREET VACATIONS

**Attachments:** 1. 160387 Updated Map.pdf, 2. Copy of 160387\_Notices, 3. Hearing Notice, 4. 160387 City Plan Commission Letter.pdf

Date	Ver.	Action By	Action	Result	Tally
7/6/2016	0	COMMON COUNCIL	ASSIGNED TO		
7/8/2016	0	CITY CLERK	REFERRED TO		
11/5/2020	1	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
11/9/2020	0	CITY PLAN COMMISSION	RECOMMENDED FOR ADOPTION AND ASSIGNED	Pass	6:0
11/11/2020	1	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
11/24/2020	2	COMMON COUNCIL	ADOPTED	Pass	15:0
12/2/2020	2	MAYOR	SIGNED		

160387  
SUBSTITUTE 2

THE CHAIR

Substitute resolution to vacate South Harbor Drive from East Jones Street north to its terminus, in the 14th Aldermanic District.

This substitute resolution vacates the above street 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 Milwaukee Metropolitan Sewerage District to reflect existing conditions.

Whereas, It is proposed that South Harbor Drive from East Jones Street north to its terminus 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 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 portion of public right-of-way as indicated in Exhibit A and bound and described by:

All that part of South Harbor Drive, as presently open, in the Southwest 1/4 of Section 33, Township 7 North, Range 22 East, described as follows: Commencing at the southwest corner of said 1/4 Section; thence North 89°56'29" East, along the south line of said 1/4 Section, 2450.28 feet to a point; thence North 20°13'01" West 1381.29 feet to a point; thence North 54°32'09" West 35.18 feet to the point of beginning of the land to be described; thence North 80°10'51" East, along the northerly line of South Harbor Drive, 59.99 feet to a point; thence South 09°49'09" East, along the easterly line of South Harbor Drive, 125.30 feet to a point; thence continuing, along said easterly line, South 17°06'23" East 283.54 feet to a point of curve; thence continuing, along said easterly line, Southeasterly 30.39 feet along the arc of said curve whose radius is 100.00 feet with its center lying to the northeast having a central angle of 17°24'34" and whose chord bears South 25°48'40" East 30.27 feet to a point; thence South 72°53'37" West 46.58 feet to a point on the westerly line of South Harbor Drive; thence North 17°06'23" West, along said westerly line, 316.14 feet to a point; thence continuing, along said westerly line, North 09°49'09" West 12.92 feet to a point of curve; thence continuing, along said westerly line, Northwesterly 62.53 feet along the arc of said curve whose radius is 100.00 feet with its center lying to the southwest having a central angle of 35°49'44" and whose chord bears North 27°44'01" West 61.52 feet to a point of compound curve; thence continuing, along said westerly line, Northwesterly 8.96 feet along the arc of said curve whose radius is 35.00 feet with its center lying to the southwest having a central angle of 14°39'46" and whose chord bears North 52°58'46" West 8.93 feet to a point; thence continuing, along said westerly line, North 01°48'17" West 50.49 feet to the point of beginning; 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 held, acquired by or belonging to any county, school district, town, village or city, or to any utility or person that relate to any underground or overground 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 portion of right-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 easements 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:Kevin.Kuschel:kmk  
11/05/20