



Legislation Details (With Text)

**File #:** 180165      **Version:** 1  
**Type:** Resolution      **Status:** Passed  
**File created:** 5/8/2018      **In control:** COMMON COUNCIL  
**On agenda:**      **Final action:** 7/10/2018

**Effective date:**

**Title:** Substitute resolution to vacate the east-west alley in the block bounded by West Meinecke Avenue, West North Avenue, North 54th Street and North 55th Street, in the 10th Aldermanic District.

**Sponsors:** THE CHAIR

**Indexes:** ALLEYS

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

Date	Ver.	Action By	Action	Result	Tally
5/8/2018	0	COMMON COUNCIL	ASSIGNED TO		
5/10/2018	0	PUBLIC WORKS COMMITTEE	REFERRED TO		
6/4/2018	0	CITY PLAN COMMISSION	APPROVED CONDITIONALLY	Pass	4:0
6/4/2018	0	CITY PLAN COMMISSION	REFERRED TO	Pass	4:0
6/27/2018	1	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
7/10/2018	1	COMMON COUNCIL	ADOPTED	Pass	14:0
7/19/2018	1	MAYOR	SIGNED		

180165  
SUBSTITUTE 1

THE CHAIR

Substitute resolution to vacate the east-west alley in the block bounded by West Meinecke Avenue, West North Avenue, North 54th Street and North 55th Street, in the 10th Aldermanic District.

This substitute resolution vacates the above public 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 Family Dollar Store of Wisconsin, LLC, Edward Miller, Cori Aronow and Michael Aronow to improve neighborhood safety and security for adjacent property owners. Whereas, It is proposed that the east-west alley in the block bounded by West Meinecke Avenue, West North Avenue, North 54th Street and North 55th Street 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 public right-of-way as indicated by Exhibit A and bound and described by:

All of the east-west 20.00-foot-wide alley as platted in Block 1 of North Avenue Heights, a recorded subdivision, in the Southwest 1/4 of Section 14, Township 7 North, Range 21 East, lying between the west line of North 54th Street extended and the east line of North 55th Street extended 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 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 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:Amy.Oeth:ao

06/22/18