



## Legislation Details (With Text)

**File #:** 090886 **Version:** 1

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

**File created:** 11/3/2009 **In control:** PUBLIC WORKS COMMITTEE

**On agenda:** **Final action:** 5/4/2010

**Effective date:**

**Title:** Substitute resolution to vacate the east-west and north-south alleys in the block bounded by North 20th Street, North 21st Street, West Lloyd Street extended and West Garfield Avenue, in the 15th Aldermanic District.

**Sponsors:** THE CHAIR

**Indexes:** ALLEY VACATIONS

**Attachments:** 1. Fiscal Note.pdf, 2. Exhibit A.pdf, 3. City Plan Commission Letter.pdf, 4. Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
11/3/2009	0	COMMON COUNCIL	ASSIGNED TO		
11/4/2009	0	PUBLIC WORKS COMMITTEE	REFERRED TO		
4/15/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
4/15/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
4/16/2010	1	CITY CLERK	DRAFT SUBMITTED		
4/21/2010	1	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
5/4/2010	1	COMMON COUNCIL	ADOPTED	Pass	13:0
5/10/2010	1	MAYOR	SIGNED		

090886  
SUBSTITUTE 1

THE CHAIR

Substitute resolution to vacate the east-west and north-south alleys in the block bounded by North 20th Street, North 21st Street, West Lloyd Street extended and West Garfield Avenue, in the 15th Aldermanic District.

This substitute resolution vacates the above alleys 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 initiated by the Department of City Development to consolidate land to allow for site improvements for a Milwaukee Urban Garden Project known as Alice's Urban Garden.

Whereas, It is proposed that the east-west and north-south alleys in the block bounded by North 20th Street, North 21st Street, West Lloyd Street extended and West Garfield 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 alleys as indicated by Exhibit A and bound and described by:

All of the north-south and east-west alleys, as originally platted, in Block 229 of Continuation of Brown's Addition, a recorded subdivision, in the Northwest 1/4 of Section 19, Township 7 North, Range 22 East 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 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 alleys had not been vacated.

DCD:AJF:ajf  
04/15/10