



## Legislation Details (With Text)

**File #:** 091170 **Version:** 1

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

**File created:** 12/22/2009 **In control:** PUBLIC WORKS COMMITTEE

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

**Effective date:**

**Title:** Substitute resolution to vacate the east-west alley in the block bounded by West Oklahoma Avenue, West Lakefield Drive, South 62nd Street and South 66th Street, in the 11th 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
12/22/2009	0	COMMON COUNCIL	ASSIGNED TO		
4/15/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
4/16/2010	1	CITY CLERK	DRAFT SUBMITTED		
4/16/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
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		

091170  
SUBSTITUTE 1

THE CHAIR

Substitute resolution to vacate the east-west alley in the block bounded by West Oklahoma Avenue, West Lakefield Drive, South 62nd Street and South 66th Street, in the 11th Aldermanic District.

This substitute resolution vacates the above alley 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 City of Milwaukee, Department of Public Works, and will vacate an unimproved and landlocked alley with the property reverting to the properties along West Lakefield Drive.

Whereas, It is proposed that the unimproved east-west alley in the block bounded by West Oklahoma Avenue, West Lakefield Drive, South 62nd Street and South 66th 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 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 alley as indicated by Exhibit A and bound and described by:

All of the east-west 20-foot wide alley as platted in Block 1 of Park Towne, a recorded subdivision, in the Northeast 1/4 of Section 15, Township 6 North, Range 21 East, described as follows: Commencing at the northwest corner of Lot 1 in said Block 1; thence Easterly, along the south line of said alley, 393.11 feet to the northeast corner of Lot 7 in said Block 1; thence Northerly, along the northerly extension of the east line of Lot 7 aforesaid, 20.0 feet to a point in the north line of said alley and the north line of said Park Towne; thence Westerly, along said north line, 393.09 feet to a point in the northerly extension of the west line of Lot 1; thence Southerly, along said northerly extension, 20.0 feet to the point of commencement, 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 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 alley had not been vacated.

DCD:AJF:ajf

04/15/10