



## Legislation Text

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**File #: 061395, Version: 1**

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061395  
SUBSTITUTE 1

### THE CHAIR

Substitute resolution to vacate North 8th Street from the south side of West Winnebago Street to the north side of West Juneau Avenue, in the 4th 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 Brewery Project, LLC, to consolidate land as part of the redevelopment of the former Pabst Brewery complex.

Whereas, It is proposed that North 8th Street between West Winnebago Street and West Juneau 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 right-of-way as indicated by Exhibit A and bound and described by:

All of North 8th Street, as presently laid out, in the Southwest 1/4 of Section 20, Township 7 North, Range 22 East, described as follows: Commencing at the northwest corner of Lot 3 in Block 130 of Plat of the Town of Milwaukee on the West Side of the River, a recorded subdivision, in said 1/4 Section; thence Southwesterly, along the westerly line of Lot 3 to the southwest corner of Lot 3; thence Westerly, to the southeast corner of Lot 3 of Certified Survey Map No. 8092; thence Northeasterly, along the easterly line of Lot 3, to the northeast corner of Lot 3; thence Southeasterly, 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 right-of-way had not been vacated.

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01/23/14