



Legislation Text

File #: 130625, Version: 1

130625
SUBSTITUTE 1

THE CHAIR

Substitute resolution to vacate South 5th Street between West Florida Street and the Canadian Pacific Railroad right-of-way, in the 12th 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 Florida Lofts LLC for the purpose of providing additional parking.

Whereas, It is proposed that South 5th Street between West Florida Street and the Canadian Pacific Railroad right-of-way be vacated pursuant to the provisions of Section 62.73, Wisconsin Statutes; and

Whereas, The Department of Public Works has been authorized and 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 street as indicated by Exhibit A and bound and described by:

All that part of South 5th Street as originally platted in Walker's Point, a recorded subdivision, in the Northeast 1/4 of Section 32, Township 7 North, Range 22 East, described as follows: Commencing at the southeast corner of Block 13 of said subdivision; thence Northerly, along the east line of Block 13 aforesaid, 100 feet to the northeast corner of Lot 5 in said Block 13; thence Easterly, along the easterly extension of the north line of Lot 5 aforesaid, 37.50 feet to a point in the centerline of South 5th Street; thence Northerly, along said centerline, 25 feet to a point in the westerly extension of the north line of the south half of Lot 9 in Block 14 of said subdivision; thence Easterly, along said westerly extension, 37.50 feet to a point in the west line of said Block 14; thence Southerly, along said west line, 125 feet to the southwest corner of said Block 14; thence Westerly 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 street had not been vacated.

DCD:EAR:ear

04/04/14