



Legislation Text

File #: 010815, Version: 1

010815
SUBSTITUTE 1

THE CHAIR

Substitute resolution to vacate South 44th Street from the North Line of the Soo Line Railroad Company right-of-way North to a point, in the 16th Aldermanic District. This substitute resolution vacates the above portion of street in accordance with vacation proceedings under power granted to the City of Milwaukee by Section 66.297(1), Wisconsin Statutes, and Section 81-308-28, Milwaukee Code of Ordinances. This vacation was requested by the Southeastern Wisconsin Professional Baseball District and is necessary for Miller Park improvements.

Whereas, It is proposed that South 44th Street from the North Line of the Soo Line Railroad Company right-of-way North to a point 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, Said vacation has been reviewed in accordance with Sections 81-116-1 and 308-28, Milwaukee Code of Ordinances; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that said portion of street as indicated by Exhibit A and bound and described by:

All that part of South 44th Street in the Northeast 1/4 of Section 35, Township 7 North, Range 21 East, described as lying between the northerly line of the Soo Line Railroad Company right-of-way and the easterly extension of the southerly line of a property known as the Menomonee Valley Booster Station Site described in a Quit Claim Deed dated February 9, 1956, recorded April 23, 1956, Vol. 3565 Page 90 as Document Number 3485458, is vacated; and, be it

Further Resolved, That upon deposit of the funds required, the Commissioner of Public Works and/or the City Engineer are authorized to implement actions listed in the coordinated report relating to said vacation; and, be it

Further Resolved, That as provided by Section 80.32(4), 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 portion of street had not been vacated.

DCD:JRH:vlk
06/27/03