



## Legislation Text

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**File #: 021646, Version: 1**

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021646  
SUBSTITUTE 1

### THE CHAIR

Substitute resolution to vacate the alleys in the block bounded by West Cherry Street, West Galena Street, North 35th Street and North 37th Street, in the 17th Aldermanic District.

This substitute resolution vacates the above alleys 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 Milwaukee Public Schools for construction of a new elementary school. Whereas, It is proposed that the alleys in the block bounded by West Cherry Street, West Galena Street, North 35th Street and North 37th Street 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 alleys as indicated by Exhibit A and bound and described by:

All of the North-South 13-foot wide alley, the North-South 40-foot wide alley and the East-West 20-foot wide alley, as originally platted in Young Men's Load and Investment Association Subdivision No. 1, a recorded subdivision, in the Southwest 1/4 of Section 24, Township 7 North, Range 21 East, 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 alleys had not been vacated.

DCD:JRH:vlk  
06/26/03