



Legislation Text

File #: 140582, Version: 1

140582
SUBSTITUTE 1

ALD. STAMPER

Substitute resolution to vacate the North-South alley in the block bounded by West Highland Boulevard, West Juneau Avenue, North 35th Street and North 37th Street, in the 15th Aldermanic District.

This substitute resolution vacates the above alley 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 Harley-Davidson Motor Company for the purpose of consolidating its land holdings.

Whereas, It is proposed that the North-South alley in the block bounded by West Highland Boulevard, West Juneau Avenue, 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, That as provided by Sections 62.73(1) and 840.11, 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 right-of-way as indicated by Exhibit A and bound and described by:

All that remaining portion of the westerly North-South 14.00-foot-wide alley as platted in Block 2 of Highland Home, a recorded subdivision, in the Northwest 1/4 of Section 25, Township 7 North, Range 21 East, lying between the south line of West Juneau Avenue extended and a line 80.00 feet North of and parallel to the north line of West Highland Avenue extended, which alley right-of-way 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 Sections 62.73(1) and 66.1005(2), 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 right-of-way had not been vacated; and, be it

Further Resolved, That the proper City officials, including the Commissioner of Public Works, are authorized to sign any easements or other documents necessary to assert the City's rights under Section 66.1005(2), Wisconsin Statutes, and cause the same to be recorded in the Milwaukee County Register of Deeds Office.

DCD:Ed.Richardson:ear

09/25/14