



## Legislation Text

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**File #: 011305, Version: 1**

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011305  
SUBSTITUTE 1

ALD. D'AMATO

Substitute resolution to vacate portions of North Astor Street (East Side) between East Lyon Street and East Pleasant Street; and East Lyon Street (North Side) between North Astor Street and North Humboldt Avenue, in the 3rd Aldermanic District.

This substitute resolution vacates the above portions 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 Ogden & Company, Inc., on behalf of Astor Row Condominium Association, Inc., to eliminate encroachments for improvements made to the property.

Whereas, It is proposed that portions of North Astor Street (East Side) between East Lyon Street and East Pleasant Street; and East Lyon Street (North Side) between North Astor Street and North Humboldt Avenue be vacated pursuant to the provisions of Section 66.297, 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 Section 81-308-28, Milwaukee Code of Ordinances; now, therefore, be it

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

Those parts of North Astor Street and East Lyon Street in the Southwest 1/4 of Section 21, Township 7 North, Range 22 East, described as follows: Commencing at the point of intersection of the present west line of North Humboldt Avenue and the present north line of East Lyon Street; thence Westerly, along said present north line, to its point of intersection with the present east line of North Astor Street; thence Northerly, along said present east line to a point in the north line of the South 60 feet the West 120 feet of Block 11 in Partition of the East 1/2 of the Southwest 1/4 of Section 21, a recorded subdivision, in said 1/4 Section; thence Westerly, along the westerly extension of said north line, to a point lying 3.80 feet West of, as measured normal to, the present east line of North Astor Street; thence Southerly, parallel to said present east line, to a point lying 5.50 feet South of, as measured normal to, the westerly extension of the present north line of East Lyon Street; thence Easterly, parallel to said present north line, to a point in the southerly extension of the present west line of North Humboldt Avenue; thence Northerly, along said southerly extension, to the point of commencement are 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 portions of street had not been vacated.

DCD:JRH:ajf

10/15/03