



## Legislation Text

---

**File #: 060257, Version: 1**

---

060257  
SUBSTITUTE 1

### THE CHAIR

Substitute resolution to vacate a portion of right-of-way on the East Side of North Milwaukee Street between East Lyon Street and North Water Street, in the 3rd Aldermanic District.

This substitute resolution vacates the above portion of 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 Redevelopment Authority of the City of Milwaukee for consolidation of land in the Park East Redevelopment Area.

Whereas, It is proposed that a portion of right-of-way on the East Side of North Milwaukee Street between East Lyon Street and North Water 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 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 portion of right-of-way as indicated by Exhibit A and bound and described by:

That part of North Milwaukee 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 north line of East Lyon Street and the east line of North Milwaukee Street; thence North 00 deg. 33 min. 42 sec. East, along said east line, 122.54 feet to its point of intersection with the present easterly line of North Water Street; thence South 45 deg. 35 min. 04 sec. West, along the southwesterly extension of said present easterly line, 103.37 feet to a point 76.00 feet northeasterly of, as measured normal to, the present southerly line of East Lyon Street; thence South 43 deg. 57 min. 48 sec. East, parallel to said present southerly line, 69.51 feet to a point in the westerly extension of the north line of East Lyon Street; thence South 89 deg. 37 min. 56 sec. East, along said westerly extension, 24.39 feet 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 upon deposit of the funds required, 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, 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 portion of right-of-way had not been vacated.

DCD:AJF:ajf

04/20/07