



## Legislation Text

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**File #: 030025, Version: 1**

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030025  
SUBSTITUTE 1

### THE CHAIR

Substitute resolution to vacate a 2-foot wide portion of the South Side of East Menomonee Street located between North Jackson Street and North Jefferson Street, in the 4th 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 New Land Enterprises to allow for the encroachment of building footings for the Jefferson Block Phase 1 project.

Whereas, It is proposed that a 2-foot wide portion of the South Side of East Menomonee Street located between North Jackson Street and North Jefferson 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 portion of street as indicated by Exhibit A and bound and described by:

That part of East Menomonee Street in the Southwest 1/4 of Section 28, Township 7 North, Range 22 East, described as follows: Commencing at the present west line of North Jackson Street and the south line of East Menomonee Street; thence Westerly, along said south line, to its point of intersection with the east line of North Jefferson Street; thence Northerly, along the northerly extension of said east line, to a point lying 2.00 feet northerly of, as measured normal to, said south line; thence Easterly, parallel to said south line, to its point of intersection with the northerly extension of the present west line of North Jackson Street; thence Southerly, along said northerly extension, to the point of commencement, 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  
09/06/03