



## Legislation Text

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**File #:** 041096, **Version:** 1

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### SUBSTITUTE

#### THE CHAIR

Substitute resolution approving the plat of permanent limited easements for the improvements of West Highland Boulevard CP Rail System underpass to be undertaken with Federal/State funds under the Surface Transportation Program (STP).

Whereas, The Common Council Resolution File Number 030052, adopted May 13, 2003, authorized and directed the Commissioner of Public Works to execute a revised project agreement with Wisconsin Department of Transportation (WISDOT) for the programming and reconstruction of the West Highland Boulevard CP Rail underpass and the inclusion of Rail Road and Real Estate Phases as part of this project; and

Whereas, The Commissioner of Public Works executed the agreement and WISDOT subsequently authorized the revised project agreement; and

Whereas, It is necessary that the Common Council approve the plat of the permanent limited easements required for the project and authorize the acquisition of easements or land interests, as shown on the permanent limited easement plat; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the permanent limited easements plat, for the West Highland Boulevard CP Rail System Underpass, tracks improvement project be approved a draft copy of which is attached to Common Council Resolution File Number 041096, and is incorporated in this resolution by reference as though set forth in full, and that the City Engineer and the Commissioner of Public Works are authorized and directed to affix their signatures to the plat and authorize the City Engineer to request the WISDOT and/or Federal Highway Administration for approval to acquire the permanent limited easements; and, be it

Further Resolved, That upon receiving approval from the WISDOT and/or Federal Highway Administration to proceed with the easement acquisition, the City Engineer is hereby authorized and directed, to acquire easements or interests in lands, as shown on the approved plat, in the name of the City of Milwaukee; and, be it

Further Resolved, That minor revisions in the above plat to meet altered and unforeseen conditions encountered during acquisition of the easements are hereby authorized and approved; and, be it

Further Resolved, That the Commissioner of Public Works is hereby authorized to engage a consultant to act as City's agent in preparing appraisals and in negotiating and acquiring the necessary easements and interests for the project if determined to be in the best interest of the City of Milwaukee; and, be it

Further Resolved, That the City Attorney is hereby directed to assist in the real estate closing as may be necessary; and, be it

Further Resolved, That the City Engineer is hereby authorized and directed to execute all acquisition documents as may be required for the acquisition of the permanent limited easements.

Department of Public Works

Infrastructure Services Division

LCG:ah

December 1, 2004  
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