Legislation Text

File #: 071397, **Version:** 1

071397
SUBSTITUTE 1

THE CHAIR
Substitute resolution to vacate the North Cottage Grove Place abandoned street remnant in the block bounded by West Randolph Street, West Townsend Street, North 1st Street and North 2nd Street, in the 6th Aldermanic District.
This substitute resolution vacates the above abandoned street remnant 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 initiated by the Department of City Development, Real Estate Division, so that the abandoned street remnant, which is currently public right-of-way, will revert back to the adjacent property owners.
Whereas, It is proposed that the North Cottage Grove Place abandoned street remnant in the block bounded by West Randolph Street, West Townsend Street, North 1st Street and North 2nd 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 abandoned street remnant as indicated by Exhibit A and bound and described by:

All of Cottage Grove Place as platted in Adler, Fiebrantz and Mueller's Subdivision No. 1, a recorded subdivision, in the Southeast 1/4 of Section 8, Township 7 North, Range 22 East, lying between the north line of said subdivision and the south line of said subdivision 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 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 abandoned street remnant had not been vacated.
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05/01/08