



Legislation Text

File #: 071564, Version: 1

071564
SUBSTITUTE 1

THE CHAIR

Substitute resolution to vacate the alleys in the block bounded by West Juneau Avenue, West McKinley Avenue, North Old World Third Street and North 4th Street, in the 6th Aldermanic District.

This substitute resolution vacates said alleys 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 Gatehouse Capital to construct Palomar, a mixed-use development, including a hotel and residential condominiums, in the Park East redevelopment area.

Whereas, It is proposed that the alleys in the block bounded by West Juneau Avenue, West McKinley Avenue, North Old World Third Street and North 4th 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 alleys as indicated by Exhibit A and bound and described by:

All of the north-south 20-foot wide alley and the east-west 25-foot wide alley as platted in Block 4 of Park East on the West Side of the Milwaukee River, a recorded subdivision, in the Southeast 1/4 of Section 20, Township 7 North, Range 22 East, and the Northeast 1/4 of Section 29, Township 7 North, Range 22 East, 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 the access restriction stipulated in the coordinated report includes the south side of West McKinley Avenue from North Old World Third Street to North 4th Street; 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 alleys had not been vacated.

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05/23/08