



Legislation Text

File #: 050941, Version: 1

050941
SUBSTITUTE 1

THE CHAIR

Substitute resolution to vacate a 5.5-foot portion of the West Side of South 6th Street, in the 12th 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 62.73, Wisconsin Statutes, and Section 308-28, Milwaukee Code of Ordinances. This vacation was requested by Esperanza Unida, Inc., to eliminate encroachments for an existing building and surface parking lot for property at 611 West National Avenue.

Whereas, It is proposed that a 5.5-foot portion of the West Side of South 6th 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 840.11, 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 street as indicated on Exhibit A and bound and described by:

That part of South 6th Street in the Southwest 1/4 of Section 32, Township 7 North, Range 22 East, described as follows:

Commencing at the point of intersection of the south line of West National Avenue and the present west line of South 6th Street; thence Southerly, along said present west line, to a point in the easterly extension of the south line of the North 10.00 feet of Lot 8 in Block 35 of Walker's Point, a recorded subdivision, in said 1/4 Section; thence Easterly, along said easterly extension, to a point lying 29.00 feet West of, as measured normal to, the east line of said 1/4 Section; thence Northerly, parallel to said east line, to a point in the easterly extension of the south line of West National Avenue; thence Westerly, along said easterly extension, 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 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:VLK:vlk

04/20/06