



Legislation Text

File #: 140201, Version: 1

140201
SUBSTITUTE 1

THE CHAIR

Substitute resolution to vacate a portion of the right-turn bypass at the southeast corner of South 1st Street and East Pittsburgh Avenue, in the 12th Aldermanic District. This substitute resolution vacates the above right-of-way 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 Michael Pelsley to consolidate land for the development of the adjacent parcel. Whereas, It is proposed that a portion of the right-turn bypass at the southeast corner of South 1st Street and East Pittsburgh Avenue 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 Sections 62.73(1) and 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 right-of-way as indicated by Exhibit A and bound and described by:

That part of South 1st Street in the Northeast 1/4 of Section 32, Township 7 North, Range 22 East, described as follows: Commencing at the northeast corner of Lot 5 in Block 9 of Walkers Point, a recorded subdivision, in said 1/4 Section; thence South 33°58'59" West, along the present easterly line of South 1st Street, 133.68 feet to a point; thence South 00°36'41" West, continuing along said easterly line, 28.00 feet to a point in the north line of an east-west 20-foot-wide alley; thence North 89°43'09" West, along the westerly extension of said north line, 24.00 feet to a point lying 24.00 feet west of, as measured normal to, said present easterly line; thence North 00°36'41" East, parallel to said present easterly line, 23.40 feet to a point of curve; thence Northeasterly, 33.78 feet along the arc of said curve, which has a radius of 58.00 feet, with its center lying to the southeast, having a central angle of 33°22'18" and whose chord bears North 17°17'50" East 33.31 feet to a point of tangency, said point being 27.00 feet northwesterly, as measured normal to, the present easterly line of South 1st Street; thence North 33°58'59" East, parallel to said present easterly line, 90.66 feet to a point; thence North 59°14'26" East, 16.55 feet to a point in the westerly extension of the south line of East Pittsburgh Avenue; thence South 89°43'09" East, along said westerly extension, 23.96 feet to the point of beginning 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 Sections 62.73(1) and 66.1005(2), 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 right-of-way had not been vacated; and, be it

Further Resolved, That the proper City officials, including the Commissioner of Public Works, are authorized to sign any easement or other documents necessary to assert the City of Milwaukee's rights under Section 66.1005(2), Wisconsin Statutes, and cause the same to be recorded in the Milwaukee County Register of Deeds Office.

DCD:Ed.Richardson:ear

11/26/14