



## Legislation Text

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**File #: 020631, Version: 1**

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020631  
SUBSTITUTE 1  
020420  
THE CHAIR

Substitute resolution to vacate portions of West Pittsburgh Avenue and South 19th Street, located South of West Canal Street, in the 8th Aldermanic District.

This substitute resolution vacates the above portions of street in accordance with vacation proceedings under power granted to the City of Milwaukee by Section 66.297(1), Wisconsin Statutes, and Section 81-308-28, Milwaukee Code of Ordinances. This vacation was requested by the Redevelopment Authority of the City of Milwaukee to support the realignment and/or construction of proposed West Pittsburgh Avenue and proposed South 20th Street.

Whereas, By adoption of File No. 020420 on July 16, 2002, the Common Council of the City of Milwaukee authorized an agreement ("Master Contract") between the City of Milwaukee ("City"), the Redevelopment Authority of the City of Milwaukee ("Authority") and the Forest County Potawatomi Community of Wisconsin ("Tribe") in which the Tribe would realign and extend West Pittsburgh Avenue West of South 16th Street and to create a new South 20th Street South of Canal Street ("Road Project"); and

Whereas, All construction for the Road Project will be to City standards and the final road will be inspected by the Department of Public Works ("DPW") prior to dedication of any land for said Road Project; and

Whereas, The Master Contract anticipated that portions of existing Pittsburgh Avenue not needed for realigned Pittsburgh Avenue would be vacated after satisfactory completion of the Road Project and that the vacated right-of-way would revert and/or be conveyed to the Tribe; and

Whereas, The Road Project is nearing construction and the Authority and the Tribe have requested that portions of existing West Pittsburgh Avenue and South 19th Street not needed for the Road Project, located South of West Canal Street, be vacated pursuant to the provisions of Section 62.73, Wisconsin Statutes; and

Whereas, DPW prepared a coordinated report estimating all costs and benefit assessments that will be incurred with said vacation; and

Whereas, Said vacation has been reviewed in accordance with Sections 81-116-1 and 308-28, Milwaukee Code of Ordinances; and

Whereas, In the event that some portions of the vacated right-of-way revert to City ownership, the City Plan Commission has determined that such land is surplus to municipal need; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that said portions of street, as indicated by Exhibit A and bound and described as follows, are vacated:

All that part of West Pittsburgh Avenue and South 19th Street as presently laid out in the Northeast 1/4 of Section 31, Township 7 North, Range 22 East, described as follows:

Commencing at the most Southerly Southeast corner of Parcel 2 of Certified Survey Map No.

5100; thence South 88 deg. 41 min. 31 sec. West, along the south line of Parcel 2 aforesaid, 291.88 feet to the point of beginning of the land to be described; thence continuing South 88 deg. 41 min. 31 sec. West 114.82 feet to a point of curve; thence Southwesterly, 102.01 feet along the arc of said curve which has a radius of 1830.96 feet with its center lying to the south having a central angle of 3 deg. 11 min. 32 sec. and whose chord bears South 87 deg. 05 min. 45 sec. West, 102.00 feet to a point of tangency; thence South 85 deg. 29 min. 59 sec. West 71.37 feet to a point in the present southerly line of West Pittsburgh Avenue; thence North 76 deg. 06 min. 17 sec. West, along said southerly line; 179.61 feet to a point; thence South 00 deg. 19 min. 00 sec. West 51.46 feet to a point; thence South 88 deg. 41 min. 31 sec. West 50.00 feet to a point; thence North 01 deg. 13 min. 22 sec. West 13.25 feet to a point; thence North 00 deg. 23 min. 02 sec. East 50.99 feet to a point in the Southerly extension of the west line of Parcel 1 of Certified Survey Map No. 3997; thence North 01 deg. 01 min. 12 sec. West, along said Southerly extension, 46.90 feet to the Southwest corner of said Parcel 1, said point being a point on a curve; thence Northeasterly and Southeasterly, 172.70 feet along the southerly line of Parcel 1 and the arc of said curve which has a radius of 60.00 feet with its center lying to the Southeast having a central angle of 164 deg. 54 min. 55 sec. and whose chord bears North 81 deg. 26 min. 15 sec. East 118.96 feet to a point of reverse curve; thence Southeasterly, 62.83 feet along the southerly lines of said Parcel 1 and said Parcel 2 and the arc of said curve which has a radius of 60.00 feet with its center lying to the Northeast having a central angle of 60 deg. 00 min. 00 sec. and whose chord bears South 46 deg. 06 min. 17 sec. East 60.00 feet to a point of tangency; thence South 76 deg. 06 min. 17 sec. East, along the southerly line of Parcel 2 aforesaid, 191.80 feet to a point of curve; thence Southeasterly, 167.65 feet along said southerly line and the arc of said curve which has a radius of 631.80 feet with its center lying to the Northeast having a central angle of 15 deg. 12 min. 12 sec. and whose chord bears South 83 deg. 42 min. 23 sec. East 167.16 feet to the point of beginning; and, be it

Further Resolved, That upon deposit of the funds required, the Commissioner of DPW and/or the City Engineer are authorized to implement actions listed in the coordinated report relating to said vacation; and, be it

Further Resolved, That upon vacation, if any vacated right-of-way reverts to City ownership, the land is declared surplus to municipal needs and the Commissioner of the Department of City Development, or designee, is authorized to execute a quit claim deed to convey any interest that the City might have to the Tribe pursuant to the Master Contract; and, be it

Further Resolved, Upon inspection of the Road Project by DPW, the City is authorized to accept all necessary quit claim deeds to dedicate the Road Project; and, be it

Further Resolved, That upon deposit of the funds required, DPW is authorized to prepare design engineering documents for various City infrastructure relocations; 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 portions of street had not been vacated.

DCD:JRH:vlk  
11/07/02