



Legislation Text

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141791
ORIGINAL
THE CHAIR

Resolution approving a right-of-way plat and accepting land conveyances for public right-of-way dedication and a permanent limited easement from the City of Greenfield for West Morgan Avenue.

This Resolution approves a right-of-way plat for West Morgan Avenue and conditionally authorizes the City of Milwaukee to accept from the City of Greenfield a permanent limited easement and a quit claim deed that dedicates property for public right-of-way for street purposes.

Whereas, The City of Greenfield is reconstructing West Morgan Avenue from West Forest Home Avenue to South 43rd Street, a small portion on the western end of which is located in the City of Milwaukee; and

Whereas, The City of Greenfield has prepared a right-of-way plat for the reconstruction of West Morgan Avenue which identifies a small triangular area of land to be dedicated for right-of-way purposes and an area of land on which a permanent limited easement is needed for drainage purposes, both of which are part of Parcel No. 1 of the right-of-way plat within the City of Milwaukee and need to be acquired for the West Morgan Avenue project (collectively, the "Land Interests"); and

Whereas, The City of Greenfield will negotiate with and compensate the private property owners in the City of Milwaukee in order to acquire the Land Interests; and

Whereas, Following completion of the reconstruction project and after the expiration of the statutory time limit for the property owners to appeal the acquisition and the compensation paid by the City of Greenfield for the Land Interests, the City of Greenfield will convey the Land Interests to the City of Milwaukee; and

Whereas, If the Land Interests are acquired by the City of Greenfield by a negotiated deal, the statutory time limit for appeal is 6 months following acquisition and if the property rights are acquired by the City of Greenfield by jurisdictional offer, the statutory time limit for appeal is 2 years following acquisition; and

Whereas, If the private property owners file an appeal of the acquisition of or the compensation paid for the Land Interests, the City of Milwaukee will not accept the Land Interests from the City of Greenfield until such appeal(s) are resolved; and

Whereas, The property to be dedicated as public right-of-way is illustrated and described in Exhibit A, a copy of which is attached and the quit claim deed from the City of Greenfield to the City of Milwaukee shall designate the dedicated property as public right-of-way for public street purposes; and

Whereas, The property to be encumbered by the permanent limited easement is illustrated and described in Exhibit B, a copy of which is attached; and

Whereas, The City of Milwaukee Planning Commission has approved the dedication of this property for use as public street right-of-way and the permanent limited easement; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the right-of-way plat for Project No. 2405-00-24: West Morgan between Forest Home and 43rd Street is approved for the portions of the West Morgan Avenue reconstruction project located in the City of Milwaukee, subject to minor modifications to be approved by the Commissioner of Public Works, and that the City of Greenfield is authorized to acquire the right-of-way dedication and permanent limited easement needed for the project within the City of Milwaukee; and, be it

Further Resolved, That following completion of the reconstruction project and after the expiration of the statutory time limit for the property owners to appeal the acquisition of and the compensation paid by the City of Greenfield for the Land Interests, or upon resolution of such appeals if filed, the Commissioner of the Department of Public Works, or designee, is authorized to accept a quit claim deed from the City of Greenfield for property needed for public street right-of-way and a permanent limited easement for drainage purposes, as legally described and illustrated in Exhibits A and B; and, be it

Further Resolved, That the City Engineer is hereby directed to have a certified copy of this resolution recorded in the Office of the Register of Deeds of Milwaukee County.

Department of Public Works
Mary L. Schanning/C. Murphy
February 16, 2015