



Legislation Text

File #: 141138, Version: 1

141138
SUBSTITUTE 1

THE CHAIR

Substitute resolution to vacate the North-South alley in the area bounded by West Hopkins Street, West Townsend Street, vacated North 26th Street and North 27th Street, in the 7th Aldermanic District.

This substitute resolution vacates the above alley 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 the Redevelopment Authority of the City of Milwaukee for the purpose of consolidating land holdings for future development.

Whereas, It is proposed that the North-South alley in the area bounded by West Hopkins Street, West Townsend Street, vacated North 26th Street and North 27th 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 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 alley as indicated by Exhibit A and bound and described by:

The remainder of the north-south 15.00-foot-wide alley as platted in Block 3 of People's Building and Loan Association Subdivision No. 3, a recorded subdivision, in the Southwest 1/4 of Section 7, Township 7 North, Range 22 East, lying between the north line of West Townsend Street extended and a line between the southwest corner of Lot 13 in said Block 3 and the southeast corner of Lot 24 in said Block 3 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 alley 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

05/14/15