



Legislation Text

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160614

SUBSTITUTE 1

160611, 160612, 160613

THE CHAIR

Substitute resolution to vacate all streets and alleys in the area bounded by West Harrison Avenue, South 13th Street, South 16th Street and the Kinnickinnic River channel, in the 12th Aldermanic District.

This substitute resolution vacates the above public 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 the Milwaukee Metropolitan Sewerage District as part of the Kinnickinnic River Flood Management Project.

Whereas, It is proposed that all streets and alleys in the area bounded by West Harrison Avenue, South 13th Street, South 16th Street and the Kinnickinnic River channel be vacated pursuant to the provisions of Section 62.73, Wisconsin Statutes; and

Whereas, The Department of Public Works has been 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 public right-of-way as indicated by Exhibit A and bound and described by:

All of South 14th Street, in the Northeast 1/4 of Section 7, Township 6 North, Range 22 East, lying between the northerly line of the Kinnickinnic River channel, as originally laid out in Pulaski Park, a recorded subdivision in said 1/4 Section, and the south line of West Harrison Avenue extended; and

All of South 15th Street, in the Northeast 1/4 of Section 7, Township 6 North, Range 22 East, lying between the northerly line of the Kinnickinnic River channel, as originally laid out in Pulaski Park, a recorded subdivision in said 1/4 Section, and the south line of West Harrison Avenue extended; and

All of South 15th Place, in the Northeast 1/4 of Section 7, Township 6 North, Range 22 East, lying between the northerly line of the Kinnickinnic River channel, as originally laid out in Pulaski Park, a recorded subdivision in said 1/4 Section, and the south line of West Harrison Avenue extended; and

All of the north-south 30-foot-wide alley in Block 1 of Pulaski Park and Block 13 of Hopkins and Hadley's Subdivision No. 3, recorded subdivisions, in the Northeast 1/4 of Section 7, Township 6 North, Range 22 East, lying between the northerly line of the Kinnickinnic River channel, as originally laid out in said Pulaski Park, and the south line of West Harrison Avenue extended; and

All of the north-south 30-foot-wide alley in Block 2 of Pulaski Park and Block 12 of Hopkins and Hadley's Subdivision No. 3, recorded subdivisions, in the Northeast 1/4 of Section 7, Township 6 North, Range 22 East, lying between the northerly line of the Kinnickinnic River channel, as originally laid out in said Pulaski Park, and the south line of West Harrison Avenue extended; and

All of the north-south 20-foot-wide alley in Block 3 of Pulaski Park and Block 6 of Hopkins and Hadley's Subdivision No. 2, recorded subdivisions, in the Northeast 1/4 of Section 7, Township 6 North, Range 22 East, lying between the northerly line of the Kinnickinnic River channel, as originally laid out in said Pulaski Park, and the south line of West Harrison Avenue extended; and

All of the north-south variable width alley in the block bounded by West Cleveland Avenue, West Harrison Avenue, South 15th Place and South 16th Street, lying between the northerly line of the Kinnickinnic River channel, as originally laid out in Pulaski Park, a recorded subdivision, in the Northeast 1/4 of Section 7, Township 6 North, Range 22 East, and the south line of West Harrison Avenue extended are 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 held, acquired by or belonging to any county, school district, town, village or city, or to any utility or person that relate to any underground or overground 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 easements 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.

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04/19/18