



## Legislation Text

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**File #:** 200339, **Version:** 0

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200339

ORIGINAL

13106  
16928  
84313  
871158

THE CHAIR

Resolution approving a Quit Claim Deed and Assignment of City sewer facilities and easement interests from the City to Milwaukee Metropolitan Sewerage District (MMSD) in the vicinity of vacated N. Ship Street and N. Cape Street, in the 6th Aldermanic District.

This resolution authorizes the City of Milwaukee to convey to the Milwaukee Metropolitan Sewerage District (MMSD) sewer facilities and easement interests in the vicinity of vacated N. Ship Street and N. Cape Street that the MMSD needs to maintain combined sewer overflows for operation of the deep tunnel system.

Whereas, The City of Milwaukee ("City"), pursuant to Common Council Resolution File Numbers 13106 in 1918, 16928 in 1920, and 84313 in 1951, vacated N. Ship Street, and pursuant to Common Council Resolution File No. 871158 vacated N. Cape Street in 1988, giving the City, per Wis. Stat. 66.1005, remaining easements in the vacated public right-of-way ("ROW") for utility purposes; and

Whereas, The City is also the grantee of easements for sewer purposes that were recorded on October 31, 1928 as Register of Deeds Document No. 1655062, October 31, 1928 as Register of Deeds Document No. 1655063, and April 9, 1952 as Register of Deeds Document No. 31006322; and

Whereas, The City of Milwaukee has the following sewer facilities in the vacated N. Ship Street ROW, in the vacated N. Cape Street ROW, and in the easement area under the 1928 and 1952 easements (the "Facilities"); and

Whereas, The City Department of Public Works ("DPW") determined that the City does not need to own the Facilities but the Milwaukee Metropolitan Sewerage District ("MMSD") does since the Facilities are integral to MMSD's maintenance of combined sewer overflows for MMSD's operation of the deep tunnel system, and DPW further determined, for the same reasons, that the City does not need to retain the 1928 and 1952 easement rights or statutory Wis. Stat. 66.1005 rights for these Facilities, but MMSD does, and DPW has discussed this matter with MMSD, and MMSD is willing to accept a conveyance from the City of the Facilities and an assignment from the City of the City's associated easement interests; and

Whereas, DPW and MMSD negotiated the Quit Claim Deed and Assignment document that is part of this file;

now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the Quit Claim Deed and Assignment document, as submitted to this file, is hereby approved, and the City and its representatives, including the Commissioner of DPW, are authorized to sign that document or one with terms and conditions materially in conformance therewith, and to take such actions, as may be needed, to effectuate the terms of that document and this resolution.

Department of Public Works  
Infrastructure Services Division  
Environmental Engineering Section  
Robert Seleen  
June 26, 2020