



## Legislation Text

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220166  
ORIGINAL

### 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) and authorizing the proper City officials to execute a Bill of Sale for the acceptance of storm and sanitary sewer facilities from MMSD at various locations.

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 E. Pleasant Street, W. Cherry Street, Vacated N. 2<sup>nd</sup> Street, Vacated W. Galena Street, and Vacated N. 5<sup>th</sup> Street that the MMSD needs to maintain combined sewer overflows for operation of the deep tunnel system. This resolution also authorizes the City of Milwaukee to accept sanitary and storm sewers from the MMSD in the vicinity of 1900 South Kinnickinnic Ave, N. 27<sup>th</sup> Street, N. 31<sup>st</sup> Street, and W. Villard Ave. that are needed by the City to provide sewer service to properties located in the City.

Whereas, The City of Milwaukee ("City"), pursuant to Common Council Resolution File Numbers 69299 in 1968, and 910214 in 1992, vacated W. Galena Street, and pursuant to Common Council Resolution File No. 940749 vacated N. 2nd Street in 1999, giving the City, per Wis. Stat. 66.1005, and pursuant to Common Council Resolution File No. 702098 vacated N. 5<sup>th</sup> Street in 1971 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 in vacated W. Galena Street and vacated N. 2<sup>nd</sup> Street, that were recorded on June 27, 2014 as Register of Deeds Document No. 10371651; and

Whereas, The City of Milwaukee has sewer facilities, described in the Quit Claim Deed, in E. Pleasant Street, W. Cherry Street, Vacated N. 2<sup>nd</sup> Street, Vacated W. Galena Street, and Vacated N. 5<sup>th</sup> Street and in the easement area under the 2014 easement (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 2014 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 conveying the E. Pleasant Street, W. Cherry Street, Vacated N. 2<sup>nd</sup> Street, Vacated W. Galena Street, and Vacated N. 5<sup>th</sup> Street and in the easement area under the 2014 easement facilities described above from the City to MMSD; and

Whereas, MMSD designed and constructed the N. 31<sup>st</sup> sanitary relief sewer following the major rainfalls in 2004. The intention was that ownership would be transferred to the City of Milwaukee because it only serves City sewers. Construction documents regarding pipelines and manholes were specified and sized in accordance with City specs; and

Whereas, MMSD no longer needs the North Side High Level Relief Sewer in N. 27<sup>th</sup> St. These facilities are remnants of the former Metropolitan Intercepting Sewer that served this area prior to 1991. This sewer now only serves City building sewers; and

Whereas, MMSD has made modifications to their intercepting and diversion structures in S. Kinnickinnic Ave and no longer needs the storm and sanitary sewers located near 1900 S. Kinnickinnic Ave. These sewers are still needed to provide drainage for the City maintained right-of-way and to provide service for City building sewers and

Whereas, DPW and MMSD negotiated the Bill of Sale and Assignment document that is part of this file conveying the N. 31<sup>st</sup> Street, N.27<sup>th</sup> Street and S. Kinnickinnic Avenue storm and sanitary facilities described above from MMSD to the City; 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, and Bill of Sale, 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  
May 23, 2022