



Legislation Text

File #: 220875, Version: 1

220875
SUBSTITUTE 1

THE CHAIR

Substitute resolution to vacate North Hopkins Street from West Florist Avenue south to North Sherman Boulevard, in the 1st 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 County Department of Transportation to make street and green infrastructure improvements.

Whereas, It is proposed that North Hopkins Street from West Florist Avenue south to North Sherman Boulevard be vacated pursuant to the provisions of Section 62.73, Wisconsin Statutes; and

Whereas, The Department of Public Works ("DPW") 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 ("Common Council"), that said portion of public right-of-way is vacated as indicated in Exhibit A and bound and described by:

North Hopkins Street as presently laid out in the Southeast 1/4 of Section 26, Township 8 North, Range 21 East, described as follows: Beginning at the intersection of the easterly line of North Hopkins Street and the south line of West Florist Avenue; thence Southwesterly, to a point lying 33.00 feet westerly of, as measured perpendicular to, said easterly line and 50.00 feet south of, as measured perpendicular to, the north line of said 1/4 Section; thence Westerly, and parallel to said north line, to a point in the present westerly line of North Hopkins Street; thence Southeasterly, along said present westerly line, 126.55 feet; thence Southeasterly, continuing along said present westerly line, 403.75 feet; thence Northeasterly, to the intersection of the westerly line of North Sherman Boulevard and the easterly line of North Hopkins Street; thence Northwesterly, along said easterly line to the point of beginning; 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 DPW 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 portion of right-of-way had not been vacated; and, be it

Further Resolved, That the proper City officials, including the Commissioner of DPW, 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.

DCD:Kevin.Kuschel:kmk

03/23/23