



Legislation Text

File #: 091640, Version: 1

091640
SUBSTITUTE 1

THE CHAIR

Substitute resolution to vacate the southernmost east-west alley and the north-south alley in the block bounded by West McKinley Place, West Vliet Street, North 7th Street and North 8th Street, in the 6th Aldermanic District.

This substitute resolution vacates the above alleys 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 initiated by McKinley Avenue LLC to allow for consolidation of lands to the north and south of the southernmost east-west alley.

Whereas, It is proposed that the southernmost east-west alley and the north-south alley in the block bounded by West McKinley Place, West Vliet Street, North 7th Street and North 8th Street 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 Section 62.73, 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 alleys as indicated by Exhibit A and bound and described by:

That part of the north-south alley as presently laid out in Block 118 of Plat of the Town of Milwaukee on the West Side of the River, a recorded subdivision, in the Southwest 1/4 of Section 20, Township 7 North, Range 22 East, lying between the present north line of Lot 8 in said Block 118 extended and the north line of the southerly east-west alley extended; and

All of the southerly east-west 15.00-foot wide alley as originally platted in Block 118 of Plat of the Town of Milwaukee on the West Side of the River, a recorded subdivision, in the Southwest 1/4 of Section 20, Township 7 North, Range 22 East, lying between the west line of North 7th Street extended and the east line of North 8th Street 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 Section 62.73, 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 alleys had not been vacated.

DCD:AJF:ajf

05/27/10