




Enter West Allis, WI Address

W. CLEVELAND AVE.



S. 92ND ST.



-  **Subject area**
-  Vacation/discontinuance
-  City right-of-way







## Staff checklist for Right-of-Way Discontinuances

RE: Vacation and discontinuance of a portion of public right of way along S. 92 St. and W. Cleveland Ave.

Date	Step	Action to be Taken
12/21/22	1	<ol style="list-style-type: none"> <li>1. Applicant requested has obtained sponsor - Application to be <i>initiated by the Common Council by introducing a resolution declaring that the "public interest requires it."</i> - 66.1003(4)(a)</li> <li>2. Applicant requested – does not have sponsor – then fee via Planning Application (\$500 fee and project description).</li> </ol>
12/21-12/22	2	<b>Planning Office</b> - Preparation of Document Package includes: A basic area map, a list of property owners of abutters – per WI §66.1003(2), <b>upload circulate vacation request to City staff via OpenGov</b> , Verify if 66.1003(8) applies – additional State or RR agency notice if within ¼ mile of State highway or if there is RR crossing involved, submit the request to <b>Engineering Department to begin preparation</b> of the <b>y-drawing</b> , also place application on next Technical Review and Plan Commission agenda for consideration.
12/21-22	3	Notify Engineering Department to prepare official map of right-of-way vacation area (called a "Y"-drawing) – this is needed for attachment to the recorded document
12/21-1/3	4	Prepare two resolutions per 66.1003(4) for Common Council action: <ol style="list-style-type: none"> <li>1) Notice of Hearing (this resolution seeks Council authorization to proceed, or not)</li> <li>2) Discontinuance Resolution (this resolution for final action – gets recorded)</li> </ol>
1/10/23	4	Common Council meeting to introduce discontinuance resolution: 1) Notice of Hearing
1/11/23	5	Technical Staff Review meeting
1/11/23	6	e-Filing (via Simplifile account) of Lis Pendens with Milwaukee County Register of Deeds per Sec. 840.10. A lis pendens containing the names of the parties, the object of the action and a description of the land in that county affected thereby. You will need cover sheet for filing – same date as introduction of Council Resolution/or a few days before.
1/11/23	7	Serve Notice of Hearing to all owners of <b>frontage of lots and land abutting</b> , in accordance with Sec 66.1003(4)(b), Wis. Stats.– <b>at least one week before deadline</b> , if possible. (Certified, return receipt requested w/Affidavit of Service). The <b>LAST DAY</b> to serve or mail notices to abutting properties ( <b>30 days prior to Hearing</b> ). Just remember that for the abutting property owners, they need to be notified by "certified mail". You can put all the names on one affidavit of mailing.
1/11/23	8	<b>Schedule Public Hearing for 3/7/23 must be scheduled no less than 40 days from introduction. So, 40 day minimum in this case is no sooner than 2/21/23.</b>
1/25/23	9	Plan Commission meeting date
2/10/23	10	1 <sup>st</sup> Publication in NOW of Notice of Hearing (Our deadline w/ Clerks Office to do this is 8/12/20)
2/17/23	10	2 <sup>nd</sup> Publication in NOW of Notice of Hearing
2/24/23	10	3 <sup>rd</sup> Publication in NOW of Notice of Hearing ( <b>7 days prior to Hearing date</b> )
3/7/23	11	<b>Common Council Hearing</b> at 7:00 pm in Council Chambers (not less than <b>40 days</b> from introduction of Resolution) Adoption of Discontinuance Resolution
Within 30 days of adoption	12	e-Record Vacation Resolution & Map with MKE Co. (via Simplifile account). Need a cover sheet for e-filing.