



City of West Allis

Resolution: R-2019-0246

File Number: R-2019-0246

Final Action:

Sponsor(s): Safety & Development Committee

APR 01 2019

Resolution relative to the Notice of Hearing for the Vacation and Discontinuance of a portion of unimproved City alley right-of-way between S. 107 St. and S. 108 St. south of W. Lincoln Ave. and north of W. Hayes Ave.

WHEREAS, the public interest requires that a portion of unimproved City alley right-of-way between S. 107 St. and S. 108 St. south of W. Lincoln Ave. and north of W. Hayes Ave., shown and legally described on Exhibit A map of the City of West Allis Engineering Department dated March 5, 2019, also known as File No. Y-1194, which is attached hereto and incorporated herein by reference, be vacated and discontinued; and,

WHEREAS, the Common Council will conduct a hearing on May 21, 2019 as it is deemed within the public interest to proceed with this vacation. The reason to vacate is to reduce the City's ongoing maintenance and liability expense for this section of public right-of-way which derives no public benefit. Further, this is a very small portion of an alleyway, which the beginning and end are within a few hundred feet of each other.

WHEREAS, State Statutes requires publishing a class 3 notice and personal service on abutting landowners at least 30 days before a public hearing (to be May 21) or, if they can't be personally served, the notice needs to be mailed to them at least 30 days ahead of time. Any abutting owner can object to discontinuance by filing a written objection; it would then take a 2/3 vote by the council to override that objection.

WHEREAS, this Resolution was introduced before the Common Council of the City of West Allis on April 1, 2019; Notice of Pendency of the Resolution to vacate the aforesaid portion of public right-of-way was filed with the Register of Deeds of Milwaukee County on or about April 1, 2019; and Notice of Hearing was published in the official City newspaper on April 10, April 17, and April 24, 2019, and that the Hearing was scheduled before the Common Council on May 21, 2019, at 7:00 p.m.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of West Allis, in accordance with the authority vested in the Common Council by Sec. 66.1003, Wisconsin Statutes, that a portion of unimproved City alley right-of-way between S. 107 St. and S. 108 St. south of W. Lincoln Ave. and north of W. Hayes Ave., shown and legally described on Exhibit A map of the City of West Allis Engineering Department dated March 5, 2019, also known as File No. Y-1194, which is attached hereto and incorporated herein by reference, be, and the same is hereby vacated and discontinued, as required by the public interest.

cc: Rebecca Grill, City Administrator

Engineering Department

Attorney's Office


Planning Division

GIS Coordinator

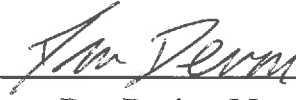
ZON-R-1178-4-1-19

ADOPTED APR 01 2019

APPROVED 4/9/19

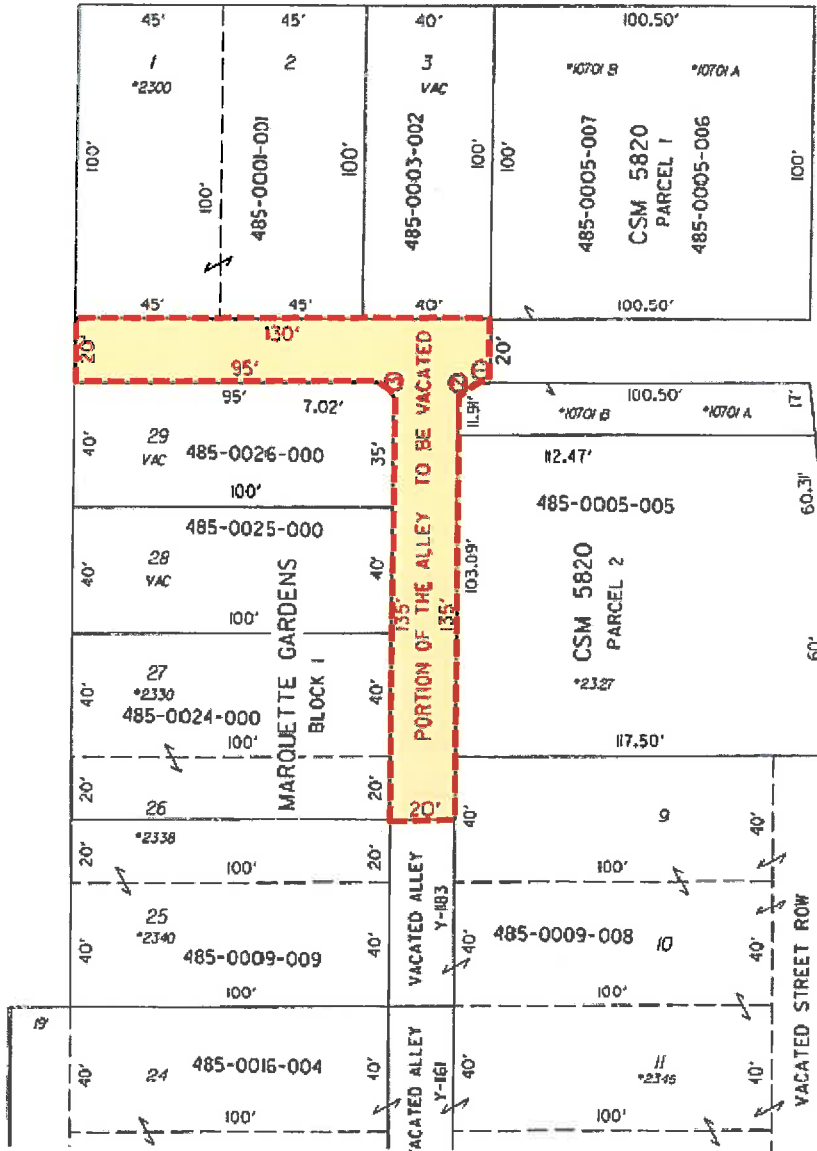


Steven A. Braatz, Jr., City Clerk



Dan Devine, Mayor

SOUTH 108TH STREET (140' ROW)



WEST LINCOLN AVENUE (155' ROW)

DESCRIPTION & LOCATION

That portion of a public alley adjacent to Lots 1, 2, 3, 9, 26, 27, 28, 29 in Block 1 of Marquette Gardens subdivision and Parcel 2, Certified Survey Map No. 5820, being a duly recorded subdivision of a portion of the Northwest 1/4 of Section 8, Township 6 North, Range 21 East, in the City of West Allis, Milwaukee County, State of Wisconsin, more particularly described as follows:

Commencing at the Northwest corner of Parcel 1, Certified Survey Map No. 5820; thence Southerly, 100.00 feet to the North right-of-way line of public alley and Point of Beginning; thence Southerly, 20.00 feet; thence Westerly, 5.00 feet; thence Southwesterly, 7.12 feet; thence Southerly, 135.00 feet along the East right-of-way line of said public alley; thence Westerly, 20.00 feet to the Southeast corner of Lot 28 and West right-of-way line of said public alley; thence Northerly, 135.00 feet along said West line; thence Northwesterly, 7.02 feet; thence Westerly, 95.00 feet along South right-of-way line of said public alley to the East right-of-way line of South 108th Street; thence Northerly, 20.00 feet along said East line to the North right-of-way line of said public alley; thence Easterly, 130.00 feet along said North line to the Point of Beginning.



DOCUMENT NO.	FEET	DATES	ACQUIRED
SCALE: 1"=40', C.S.M. NO. 5820	485		
PLANNED BY: J. K.	CREATED BY: J. K.	City of West Allis	
DESCRIPTION BY: J. K.		Engineering Department	
REVISIONS	ALLEY VACATION		
	South of W. Lincoln Avenue		
	Between S. 107th St. and S. 108th St.		
	APPROVED: [Signature]	CITY ENGINEER	
	DATE: 03-5-19	FILE NO. Y-1194	

1	5.00'
2	7.12'
3	7.02'

SOUTH 107TH STREET (60' ROW)