

**CITY OF WEST ALLIS
RESOLUTION R-2023-0179**

**RESOLUTION TO APPROVE THE VACATION AND DISCONTINUANCE OF A
PORTION OF PUBLIC RIGHT OF WAY NEAR S. 92ND ST. AND W. CLEVELAND
AVE.**

WHEREAS, the public interest requires that request that a portion of City right-of-way shown and described on Exhibit A map (Y-1201) of the City of West Engineering Department dated December 28, 2022, which is attached for reference, be considered for vacation and discontinuance; and,

WHEREAS, the reason to vacate is to assemble lands for private ownership. This is a small portion of right of way, of about 20x118-ft along S. 92 St. and about 315-ft along W. Cleveland Ave. (width varying between 30-ft and 50-ft). The beginning and the end are within proximity as measured from the corner of 9131 W. Cleveland Ave. The properties abutting the subject area include: 9131 W Cleveland Ave., 9119-21 W. Cleveland Ave. and 9109-11 W. Cleveland Ave. Said property owners will be sent notice of the public hearing.

WHEREAS, a resolution introducing said request was presented to the Common Council of the City of West Allis on January 10, 2023. Notice of Pendency of the resolution to vacate the aforesaid portion of right-of-way was filed with the Register of Deeds of Milwaukee County on January 19, 2023; and,

WHEREAS, a class 3 notice and personal service were served to abutting landowners at least 30 days before a public hearing on March 7. The city has received no objections to date. Any abutting owner may object to discontinuance by filing a written objection; it would then take a 2/3 vote by the council to override that objection.

NOW THEREFORE, BE IT RESOLVED, that the notice of hearing, for the Vacation and Discontinuance of a portion of City right-of-way near S. 92 St. and W. Cleveland Ave. abutting frontages along 9131 W Cleveland Ave., 9119-21 W. Cleveland Ave. and 9109-11 W. Cleveland Ave. was presented to the City Plan Commission on January 25, 2023. A Class 3 notice published in the official City newspaper on February 10, 17, 24, 2023. A hearing scheduled before the Common Council on March 7, 2023 at 7:00 p.m. or as soon thereafter as the matter may be heard; that a copy of the aforesaid Notice was mailed more than thirty (30) days prior to the Hearing in the manner prescribed by the law on the owners of all of the frontage of the lots and lands abutting upon the said portion of a street proposed to be discontinued.

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of West Allis, that the Notice of Hearing, for the Vacation and Discontinuance of a portion of unimproved City right-of-way shown and described on Exhibit A map (Y-1201) of the City of West Engineering Department dated December 28, 2022, which is attached for reference, be vacated and discontinued.

SECTION 1: **ADOPTION** “R-2023-0179” of the City Of West Allis
Municipal Resolutions is hereby *added* as follows:

ADOPTION

R-2023-0179(*Added*)

PASSED AND ADOPTED BY THE CITY OF WEST ALLIS COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Ald. Vince Vitale	_____	_____	_____	_____
Ald. Ray Turner	_____	_____	_____	_____
Ald. Tracy Stefanski	_____	_____	_____	_____
Ald. Marty Weigel	_____	_____	_____	_____
Ald. Suzzette Grisham	_____	_____	_____	_____
Ald. Danna Kuehn	_____	_____	_____	_____
Ald. Thomas Lajsic	_____	_____	_____	_____
Ald. Dan Roadt	_____	_____	_____	_____
Ald. Rosalie Reinke	_____	_____	_____	_____
Ald. Kevin Haass	_____	_____	_____	_____

Attest

Presiding Officer

Rebecca Grill, City Clerk, City Of
West Allis

Dan Devine, Mayor, City Of West
Allis