



# City of West Allis

## Legislation Details (With Text)

**File #:** R-2023-0022 **Version:** 1

**Type:** Resolution **Status:** Adopted

**File created:** 1/4/2023 **In control:** Common Council

**On agenda:** 1/10/2023 **Final action:** 1/10/2023

**Title:** Resolution to schedule a Notice of Hearing for the vacation and discontinuance of a portion of public right of way along S. 55th St. between W. Mobile St. (North) and W. Mobile St. (South).

**Sponsors:** Public Works Committee

**Indexes:**

**Code sections:**

**Attachments:** 1. Res\_R-2023-0022, 2. Exhibit A, 3. Res\_R-2023-0022 - SIGNED

| Date      | Ver. | Action By      | Action  | Result |
|-----------|------|----------------|---------|--------|
| 1/10/2023 | 1    | Common Council | Adopted | Pass   |
| 1/10/2023 | 1    | Common Council |         |        |

Resolution to schedule a Notice of Hearing for the vacation and discontinuance of a portion of public right of way along S. 55<sup>th</sup> St. between W. Mobile St. (North) and W. Mobile St. (South).

WHEREAS, the public interest requires that request that a portion of City right-of-way shown and described on Exhibit A map, which is attached for reference, be considered for vacation and discontinuance; and,

WHEREAS, the reason to vacate is to reduce the City's ongoing maintenance and liability expense for this section of public right of way. The WisDOT W. Beloit Rd. reconstruction project from S. 60 St. to W. Lincoln Ave. will bring the at-grade railroad crossing up to current standards including the installation of new railroad signal equipment. The railroad signal equipment cannot accommodate the closely spaced crossings at Beloit, 60<sup>th</sup>, 57<sup>th</sup>, and 55<sup>th</sup> Streets. The railroad property is the only abutting property and will be sent notice of the public hearing.

WHEREAS, State Statutes requires publishing a class 3 notice and personal service on abutting landowners at least 30 days before a public hearing 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.

NOW, THEREFORE, BE IT RESOLVED, that the notice of hearing, for the Vacation and Discontinuance of a portion of City right-of-way along S. 55<sup>th</sup> St. between W. Mobile St. (north) and W. Mobile St. (South) being introduced to the Common Council on January 10<sup>th</sup>, 2023, if directed, then presented to the City Plan Commission on January 25<sup>th</sup>, 2023. A Class 3 notice also being published in the official City newspaper on February 10<sup>th</sup>, 17<sup>th</sup>, 24<sup>th</sup>, 2023. A hearing to be scheduled before the Common Council no sooner than March 7<sup>th</sup>, 2023 at 7:00 p.m. or as soon thereafter as the matter may be heard; that a copy of the aforesaid Notice be served or 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.

Adopt