



# City of West Allis

## Legislation Details (With Text)

**File #:** R-2023-0216 **Version:** 1

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

**File created:** 3/14/2023 **In control:** Public Works Committee

**On agenda:** 3/21/2023 **Final action:** 3/21/2023

**Title:** Resolution considering discontinuing a portion of S. 55th St. from W. Mobile St. (North) to W. Mobile St. (South) that crosses the Union Pacific Railroad tracks.

**Sponsors:** Public Works Committee

**Indexes:**

**Code sections:**

**Attachments:** 1. Res\_R-2023-0216, 2. Res\_R-2023-0216 Exhibit A, 3. Res\_R-2023-0216 - SIGNED, 4. PROOF OF PUBLICATION - R-2023-0216 PH

Date	Ver.	Action By	Action	Result
3/21/2023	1	Common Council	Adopted	Pass

Resolution considering discontinuing a portion of S. 55<sup>th</sup> St. from W. Mobile St. (North) to W. Mobile St. (South) that crosses the Union Pacific Railroad tracks.

WHEREAS, the public interest requires 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, 60th, 57th, and 55th Streets. The railroad property is the only abutting property and was sent a notice of the public hearing as was the Office of the Commissioner of Railroads (OCR).

WHEREAS, a resolution introducing said request was presented to the Common Council of the City of West Allis on January 10, 2023.

WHEREAS, a class 3 notice and personal service were served at least 30 days before a public hearing on March 21. 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 along S. 55th St. between W. Mobile St. (North) and W. Mobile St. (South) was introduced to the Common Council R-2023-0022 on January 10th, 2023, then presented to the City Plan Commission on February 22nd, 2023. A Class 3 notice also was published in the official City newspaper on February 24th, March 3rd, and March 10th, 2023. A hearing scheduled before the Common Council on March 21st, 2023 at 7:00 p.m. or as soon thereafter as the matter may be heard; that a copy of the aforesaid Notice was 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.

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 public right of way shown on Exhibit A be vacated and discontinued.