



# City of West Allis

## Legislation Text

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**File #:** R-2020-0170, **Version:** 1

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Resolution for the Vacation and Discontinuance of a portion of S. 59 St. City right-of-way between W. National Ave. and W. Greenfield Ave.

WHEREAS, the City is considering Vacation and Discontinuance of a portion of S. 59 St. City right-of-way between W. National Ave. and W. Greenfield Ave. The subject area is shown and legally described and identified as a map exhibit of the City of West Allis Engineering Department file no. Y-1195 dated December 20, 2019, which is attached and incorporated within this notice; and,

WHEREAS, the Common Council of the City of West Allis will hold a public hearing on March 17, 2020, at 7p.m., or as soon thereafter as the matter may be heard, in the Common Council Chambers of the City Hall, 7525 W. Greenfield Ave., West Allis, WI, upon a resolution herein described and will act upon said resolution at said time and place; and,

WHEREAS, the City is considering to vacate and discontinue a portion of S. 59 St. City right-of-way between W. National Ave. and W. Greenfield Ave. as it is deemed within the public interest. A resolution introducing said request was presented to the Common Council of the City of West Allis on February 4, 2020. 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 February 13, 2020; and,

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. Notice of hearing was published in the official City newspaper on February 19, February 26 and March 3, 2020, and the hearing was scheduled before the Common Council on March 17, 2020 at 7:00 P.M.; and,

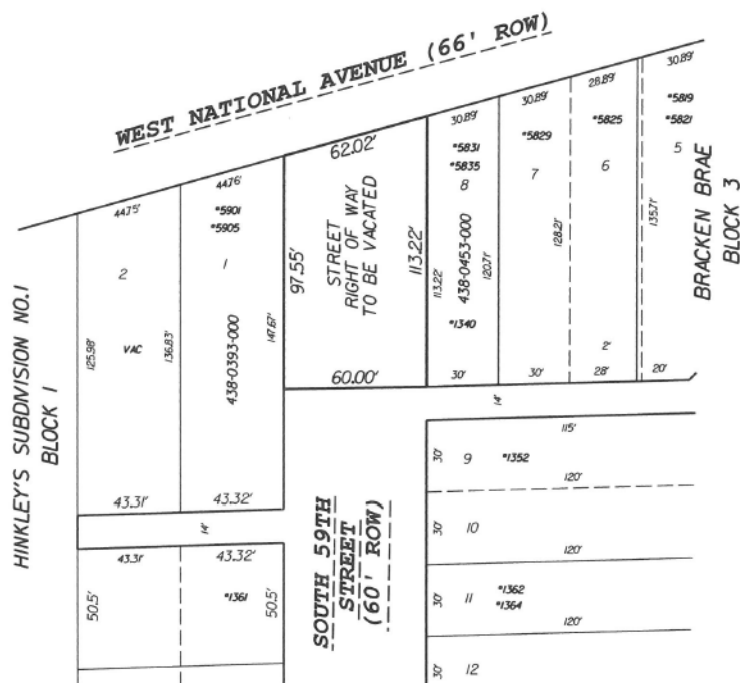
WHEREAS, any abutting owner can object to discontinuance by filing a written objection; it would then take a 2/3 vote by the Council to override that objection. Should the Council decide to vacate this portion of unimproved public right-of-way, the abutting property owners would receive an abutting portion of land.

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 S. 59 St. City right-of-way between W. National Ave. and W. Greenfield Ave. shown and legally described and identified as a map exhibit of the City of West Allis Engineering Department file no. Y-1195 dated December 20, 2019, which is attached and incorporated within this notice, be, and the same is hereby vacated and discontinued, as required by the public interest.

ZON-R-1214-3-17-20

cc: City Administrator  
City Engineer  
Attorney's Office  
Development Department/Planning  
GIS  
Assessor's Office


Plan Commission recommends approval



DESCRIPTION & LOCATION

That portion of a street right of way, being part of the Southwest 1/4 of the Southwest 1/4 of Section 35, Township 7 North, Range 21 East, in the City of West Allis, Milwaukee County, State of Wisconsin, more particularly described as follows:

Beginning at the Northeast corner of Lot 1 in Block 1 of the Hinkley's Subdivision No. 1; thence Northeasterly, 62.02 feet, along the South right of way line of West National Avenue to the Northwest corner of Lot 8 in Block 3 of the Bracken Brae subdivision; thence Southerly, 113.22 feet, along the East right of way line of South 59th Street; thence Westerly, 60.00 feet to the West right of way line of said South 59th Street; thence Northerly, 97.55 feet, along said right of way line to the Point of Beginning of this description.

SCALE, 1"=40'	QTR. SEC. NO. 438-C	<b>City of West Allis</b> <b>Engineering Department</b> STREET RIGHT OF WAY VACATION South 59th Street Between W. National Av. and W. Greenfield Av. APPROVED: <i>[Signature]</i> DATE 12-20-19 FILE NO. Y-1195
DRAWN BY L.K.	CHECKED BY L.K.	
DESCRIPTION BY	Leopold Kos	
SURVEY		
		
REVISIONS		

----- Proposed Discontinuance of unimproved public right of way

