

(ATTACHMENT 1) ACTION ON A REQUEST TO APPROVE A LIS PENDENS AND PETITION TO VACATE THE NORTHWEST-SOUTHEAST ALLEY DIRECTLY ADJACENT TO LANCASTER SCHOOL IN ORDER TO MAKE BETTER USE OF THE SITE AS PART OF THE PLANNED PARKING LOT RECONSTRUCTION PROJECT

Document Number	LIS PENDENS & Petition for Vacating File No. 191561
<u>Name and Return Address</u> City of Milwaukee Department of City Development/Planning Admin. Attn: Vanessa Koster 809 N. Broadway, 2nd Floor Milwaukee, WI 53201-0324 <u>Drafted By</u> City of Milwaukee, Department of Public Works. CAO Doc # 234547 Tax Key Numbers: 212-0229-110	

LIS PENDENS

This is a Lis Pendens, per Wis. Stat. 62.73 (1), Wis. Stat. 840.11 (1), Wis. Stat. 840.10 and Milwaukee Code of Ordinances (“MCO”) 308-208-6-a, given to provide notice that the following Petition was presented to the City of Milwaukee (“City”) Common Council for discontinuance and vacation of the public right-of-way described in the Petition (the “Affected ROW”). The Affected ROW is in the 2nd Aldermanic District in Milwaukee, Wisconsin.

PETITION FOR VACATING

The undersigned owners (“**Owners**”), per Wis. Stat. 62.73 and MCO 308-28, hereby petition the Mayor and the City Common Council to discontinue and vacate the Affected ROW.

The Affected ROW is generally described as follows: The northwest-southeast alley in the block bounded by West Fond du Lac Avenue, West Lancaster Avenue, North 68th Street and North 69th Street.

The **Map** attached as **EXHIBIT A** shows the Affected ROW. The **Legal Description** of the Affected ROW is attached as **EXHIBIT B**.

This petition is pending before the Common Council.

Owners state and represent:

1. Each Owner owns the respective property described by tax key number in the respective Owner’s signature area. Each owner has signed this petition.
2. Together the Owners constitute the owners of all property abutting the Affected ROW.
3. Owners state their opinion that the Affected ROW is no longer of public usefulness, and that public interest requires the Affected ROW to be vacated.
4. The Affected ROW is shown as shaded on the Map to distinguish it from property surrounding and adjacent thereto.
5. Owners waive notice of the public hearing on the petition, and all who will take possession of property to which the benefit of public improvements will accrue as a result of this vacation, waive right to notice and hearing and agree to the special assessments for such benefits.
6. The person signing on behalf of an entity owner represents having authority to sign this on behalf of the entity, thus binding the entity.
7. This petition may be signed in counterparts.

Owners understand that as provided in Wis. Stat. 66.1005, vacation of the Affected ROW shall not terminate or affect easements and rights incidental thereto that belong to any county, school district, town, village, city (including Milwaukee), utility, or person that relate to any underground or overground structures, improvements, or services or to rights incidental thereto, including rights of entrance, maintenance, construction and repair.

THIS DOCUMENT IS DATED as of this ____ day of _____, 20 ____.

This petition must be returned to the Department of City Development before it can be submitted for approval to the Common Council. Signature pages follow.

Part of the foregoing Petition

* * * * *

Name and mailing address of Petitioner/Owner.

Tax Key Number of property owned by
Petitioner/Owner that abuts the Affected ROW.

City of Milwaukee (continued)
809 North Broadway
Milwaukee, WI. 53202

Tax Key No.: 212-0229-110

City of Milwaukee

STATE OF WISCONSIN)

) SS

COUNTY OF MILWAUKEE)

This instrument was acknowledged before me on this ____ day of _____, 20__ by Martin Matson, who personally appeared before me and signed this instrument on behalf of the above-named entity, and who attested to holding the above-referenced position in that entity and to having authority to sign for the entity.

Notary Public, State of _____
Name Printed: _____
My commission expires: _____

STATE OF WISCONSIN)

) SS

COUNTY OF MILWAUKEE)

This instrument was acknowledged before me on this ____ day of _____, 20__ by James Owczarski, who personally appeared before me and signed this instrument on behalf of the above-named entity, and who attested to holding the above-referenced position in that entity and to having authority to sign for the entity.

Notary Public, State of _____
Name Printed: _____
My commission expires: _____

*This petition must be returned to the Department of City Development
before it can be submitted for approval to the Common Council.*

Part of the foregoing Petition

* * * * *

Name and mailing address of Petitioner/Owner.

Tax Key Number of property owned by
Petitioner/Owner that abuts the Affected ROW.

City of Milwaukee (continued)
809 North Broadway
Milwaukee, WI. 53202

Tax Key No.: 212-0229-110

City of Milwaukee
For the benefit of the Board of School Directors

STATE OF WISCONSIN)

) SS

COUNTY OF MILWAUKEE)

This instrument was acknowledged before me on this ____ day of _____, 20__ by Keith Posley, who personally appeared before me and signed this instrument on behalf of the above-named entity, and who attested to holding the above-referenced position in that entity and to having authority to sign for the entity.

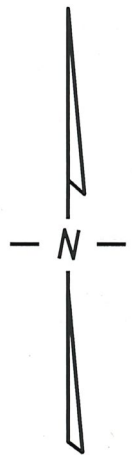
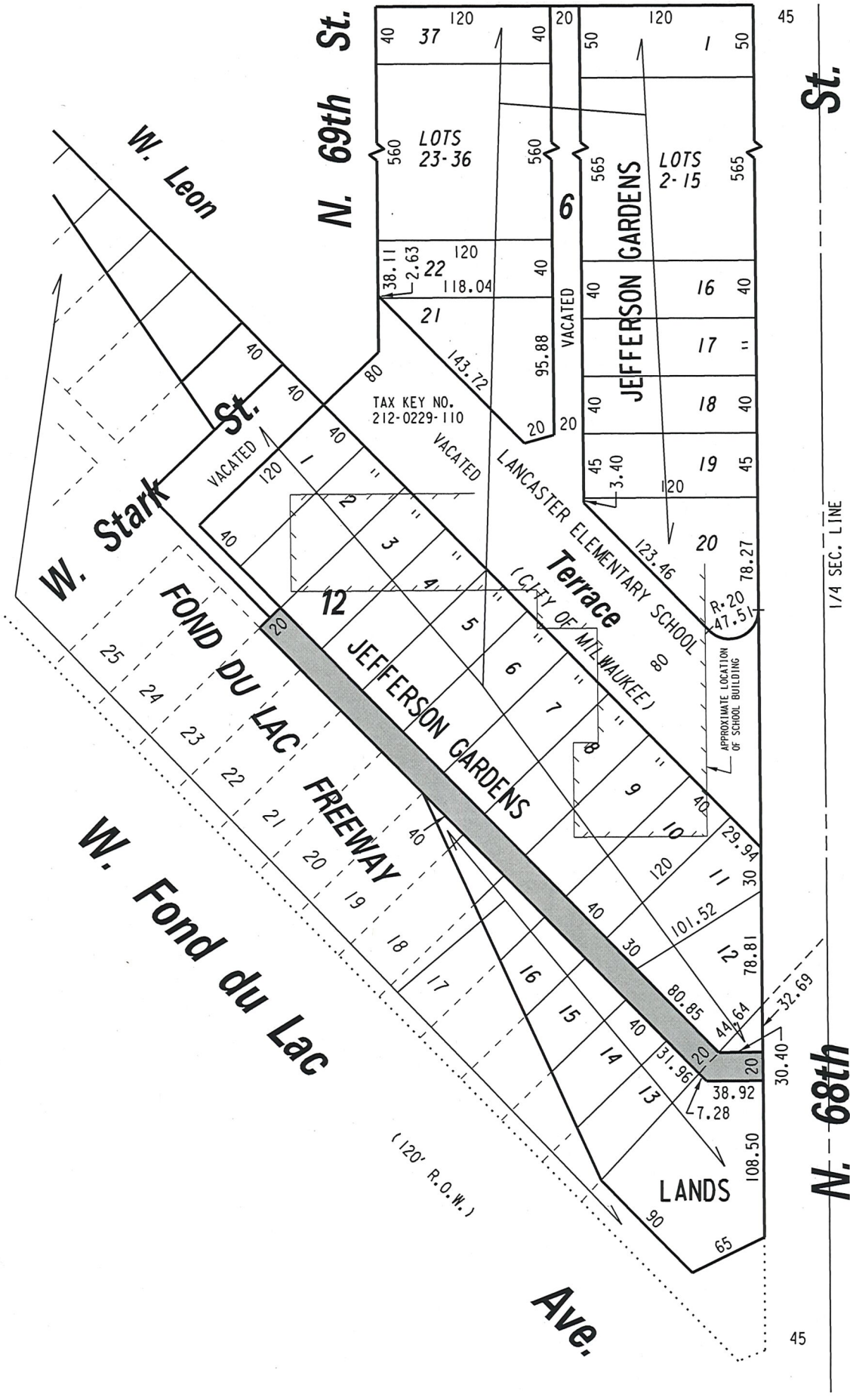
Notary Public, State of _____

Name Printed: _____

My commission expires: _____

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W. Lancaster Ave.



 PUBLIC ALLEY PROPOSED TO BE VACATED

EXHIBIT "A"
FILE NO. 191561

INFRASTRUCTURE SERVICES DIVISION
MILWAUKEE, WISCONSIN

ASSIGNED TO: W. FUCHS
DRAWN BY: W.F.
PROJECT/GRANT NO.: WK52337420
APPROVED BY:

CH'K'D. BY: W. FUCHS
DATE: JANUARY 17, 2020
SCALE: 1" = 100'

W. Fuchs

[Signature]

CENTRAL DRAFTING & RECORDS MANAGER

CITY ENGINEER

EXHIBIT B

Description of the northwest-southeast alley in the block bounded by West Fond du Lac Avenue, West Lancaster Avenue, North 68th Street and North 69th Street, which is proposed to be vacated, in the 2nd Aldermanic District of the City of Milwaukee.

The 20-foot wide alley in Block 12 of Jefferson Gardens, a recorded subdivision, in the Southwest 1/4 of Section 34, Township 8 North, Range 21 East, and the 20-foot wide alley adjacent to the southeast from the west line of North 68th Street extended westerly and northwesterly to its terminus.