



**CITY OF WAUKESHA**

**Administration**

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<b>Committee:</b> Board of Public Works	<b>Date:</b> 12/6/2018
<b>Common Council Item Number:</b> ID#18-1642	<b>Date:</b> 12/18/2018
<b>Submitted By:</b> Fred Abadi, Director of Public Works	<b>City Administrator Approval:</b> Kevin Lahner, City Administrator <b>KL</b>
<b>Finance Department Review:</b> Rich Abbott, Finance Director RA	<b>City Attorney's Office Review:</b> Brian Running, City Attorney
<b>Subject:</b> Review and act on the request of Barbara Donaldson, who is the property owner of 627 E. Newhall Avenue, to release a 10-foot-wide City of Waukesha public alley reservation on her parcel with Tax Key Number WAKC 1338-982.	

**Details:**

A 10-foot-wide reservation for a potential future City public alley exists on parcel with Tax Key Number WAKC 1338-982, at 627 E. Newhall Avenue. A DRAFT and attached Certified Survey Map has been submitted showing the location of the existing 10-foot-wide public alley reservation adjoining the east lot line of said parcel. This reservation is a City property interest in a private parcel of land which allows the City to potentially obtain right-of-way for construction of a future City alley. The City is not planning to install a public City alley at this location.

The property owner, Barbara Donaldson of 627 E. Newhall Avenue may propose to subdivide the existing parcel with Tax Key Number WAKC 1338-982 into 2 lots using a Certified Survey Map (CSM). The existing home will remain on the northerly lot, and a second rear flag lot is proposed on the CSM. The City is not planning to construct a new City alley at 627 E. Newhall Avenue so there is no need for the City to keep the 10-foot-wide public alley reservation for potential construction of a future alley. Removal of the reservation would remove an encumbrance on the title for Ms. Donaldson on the existing and proposed parcels.

**Options & Alternatives:**

Alternative 1: Approve release of 10-foot-wide City public alley reservation.  
 Alternative 2: Do not approve release of 10-foot-wide City public alley reservation.

**Financial Remarks:**

Alternative 1: There is no cost to the City to release the public alley reservation. If the reservation is released, the City would also eliminate its potential future costs for construction and maintenance of the alley. After the document is prepared by the City Attorney to release the reservation, the cost to record the document at the Register of Deeds should be paid by the property owner.

Alternative 2: In order to convert the area included in the 10-foot-wide reservation for City public alley to fee simple ownership by the City, the Council would need to approve a resolution and pay the property owner the market rate for 0.11 acres of land located within the reservation area, or require the area to be dedicated to the City as part of a Certified Survey Map to the City. However, the City is not planning to construct an alley in this location so the purchase or dedication is not needed.

**Executive Recommendation:** Recommend the release of the 10-foot-wide reservation for City public alley on parcel with Tax Key Number WAKC 1338-982.

