



# Customer Information

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809 N. Broadway, 2<sup>nd</sup> Floor/Milwaukee, WI 53202/414-286-5695  
[city.milwaukee.gov/PlanningPermits](http://city.milwaukee.gov/PlanningPermits)

## Vacating Streets and Alleys

When a street or alley is vacated, property that has been used or designated for public purposes is turned over to abutting property owners. Not surprisingly, there is a thoughtful, deliberate process used to decide whether public ways should be abandoned.

The process begins with a meeting between the party who seeks to vacate a street or alley (the applicant) and a staff member in the Department of City Development (DCD) Planning Division. The Department advises the applicant of the procedure, feasibility, possible costs and schedule. The applicant then submits a formal application, application fee and map depicting the proposed area to be vacated to the Planning Administration section of Department of City Development. A careful analysis of the application begins.

The Department of Public Works prepares the necessary maps, legal descriptions and coordinated report outlining costs that would be incurred for the proposed right-of-way to be vacated. The Department of Public Works also prepares a petition containing the names of all property owners abutting the street or alley proposed to be vacated. The applicant must obtain signatures from adjoining property owners indicating their approval of the vacation. If the City is involved as one of the petitioners, the Planning Administration section will obtain the signature of the appropriate City officials.

After the applicant returns the signed petitions to the Planning Administration section of, Planning Administration staff files a notice of pendency with the Milwaukee County Register of Deeds. Following this review, the Department of City Development prepares a notice to the general public pursuant to s.

840.11, Wisconsin Statutes, files it with the Register of Deeds and asks the City Clerk to introduce a vacation resolution to the Common Council. An additional money deposit to cover the actual costs of vacating the street or alley may be required from the applicant at this point.

The vacation resolution is reviewed by the City Plan Commission and the Common Council's Public Improvements Committee, which sends its recommendation to the Common Council for final action.

If the Council adopts the vacation resolution, a certified copy of the resolution and map of the vacation are recorded with the Register of Deeds. The property then belongs to the owner or owners of adjoining lands. If it is located between the lands of different owners, it is annexed to the lots to which it originally belonged if that can be determined. If the original ownership pattern cannot be ascertained, the property is equally divided between the owners of the land on either side.

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### Quick Facts

Approvals by: Common Council (at least 3 months prior to approval)  
Fees: Variable  
More information: (414) 286-5695

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