

PETITION FOR A SPECIAL PRIVILEGE AMENDMENT

SP 2444

\$250.00 Publication Fee
Must Accompany This Petition
SUBMIT PETITION IN DUPLICATE
SP: 2128 CC: 040447

October 20, 2008
OCT 22 2008

To the Honorable, The Common Council of the City of Milwaukee:

The Licensee: Garden-Fresh Foods, Inc.
(Name of Individual, Partners, Corporation or LLC)

being the owners of the following property known by street address as 726 S 12th St (04)
(Street Address and Zip Code)

in the 12th Aldermanic District respectfully petition the Common Council of the City of Milwaukee according to the provisions of Section 66.0425 of the Wisconsin Statutes, that the following privilege be granted:

Amendment for addition of a backup driveway
(Here describe the privilege)

Of which a plan or sketch is herewith submitted. Petitioner agrees to comply with all laws and all ordinances of the City of Milwaukee, to abide by any order or resolution of the Common Council affecting this privilege, to be primarily liable for damages to person or property by reason of the granting of such privilege, to furnish a bond and pay annual compensation as provided by law in the sum to be fixed by the proper city officers, and to file and keep current throughout the existence of the privilege, a certificate of insurance indicating applicant holds a public liability policy in at least the sums of \$25,000.00/\$50,000.00 bodily injury, and \$10,000.00 property damage, insuring the city against any liability that might arise by reason of the privilege.

Petitioner further agrees to remove said privilege whenever public necessity so requires when so ordered upon resolution adopted by the Common Council or other legislative body.

Should this special privilege be discontinued for any reason whatsoever, petitioner agrees to remove all construction work executed pursuant to this special privilege, to restore to its former condition and to the approval of the Commissioner of Public Works, any curb, pavement, or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Petitioner further agrees not to contest the validity of Section 66.0425 of the Wisconsin Statutes, or the legality of this special privilege in any way.

Name (Please Print): Richard D. Riebel, General Counsel
(Individual, Partner, or Agent if corporation or LLC as shown above)

Signature: [Handwritten Signature]
(Individual, Partner, or Agent if corporation or LLC as shown above)

Corporation or LLC Name: Garden-Fresh Foods, Inc.
(If applicable as shown above)

Mailing Address (If different than Property address above):

City: State: Zip:

Telephone: 414-645-1000 E-Mail: tom@garden-freshfoods.com

Architect/Engineer/Contractor (If Applicable)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ E-Mail: \_\_\_\_\_

**FILE WITH CITY CLERK LICENSE DIVISION ROOM 105, CITY HALL, 200 EAST WELLS STREET, 414-286-2238.  
Make Check Payable to "City of Milwaukee".**

CITY OF MILWAUKEE  
2008 OCT 24 AM 10:55  
RONALD D. LEONHARDT  
CITY CLERK

GODFREY, BRAUN & FRAZIER, LLP  
ATTORNEYS AT LAW

THOMAS W. GODFREY  
HUGH R. BRAUN  
WILLIAM H. FRAZIER  
RICHARD D. RIEBEL  
JOHN W. HEIN  
ALLEN M. SALOMON

SIXTEENTH FLOOR  
735 NORTH WATER STREET  
MILWAUKEE, WISCONSIN 53202-4188  
(414) 278-8500  
FACSIMILE: (414) 278-0421  
www.gbf-law.com

MARJORIE M. GREENE  
MELINDA A. HEIN  
OF COUNSEL  
ARTHUR L. EBERT  
RICHARD R. ROBINSON

Reply to: Richard D. Riebel  
Direct: (414) 727-2662  
Main: (414) 278-8500 ext. 130  
Secretary: ext. 131

October 20, 2008

Ms. Dawn Schmidt  
Department of Neighborhood Services  
841 North Broadway, Room 105  
Milwaukee, WI 53202

Re: Special Privilege Bond  
Garden-Fresh Foods, Inc.  
Address: 726 South 12<sup>th</sup> Street  
Our File No. 30483

Dear Dawn


You may not be aware of the plans for Garden-Fresh's use of its various driveways. We have been working with the City to demolish (completed) a series of buildings on National Avenue just west of 11<sup>th</sup> Street to put in loading docks that will eventually use 731 South 11<sup>th</sup> Street. At that time, all National Avenue loading docks, which are the docks that interfere with traffic from time-to-time on National Avenue, will be closed.

731 South 11<sup>th</sup> Street has always been an access alley that crosses the sidewalk at that location. Garden-Fresh acquired 731 South 11<sup>th</sup> Street from the Orozco family in late 2007. Therefore, this request for adding 731 South 11<sup>th</sup> Street does not expand the area's use of driveways, and is preliminary to a contraction of my client's need for a Special Privilege Bond.

If you believe the Common Council needs to have a complete explanation of the sequence leading up to adding 11<sup>th</sup> Street to the Special Privilege Permit and ultimately removing National Avenue from the Special Privileges, please let me know.

Very truly yours,

GODFREY, BRAUN & FRAZIER, LLP



Richard D. Riebel  
RDR:dmr

Enclosure

cc: City Clerk, License Division (with check and original Petition)  
Tom Hughes  
Claire Schuppner, R&R Insurance Services, Inc.