



# PETITION FOR A SPECIAL PRIVILEGE

ccl-246 (7/15)

SP 2766

CCF 161375

- New application \$250.00 Fee**
- Amendment to add items to Special Privilege # \_\_\_\_\_ (\$125.00 Fee)**
- Amendment to remove items from Special Privilege # \_\_\_\_\_ (No fee)**
- Amendment for change of ownership for Special Privilege # \_\_\_\_\_ (No fee)**

- File petition with the Department of Public Works, Attention: Special Privileges, 841 North Broadway, Room 919, Milwaukee, WI 53202.
- Fee must be submitted with petition. Checks should be made payable to the City of Milwaukee.
- Questions? Call 414-286-2454

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

The Licensee **Riverworks Development Corporation**  
(Name of Individual, Partners, Corporation or LLC)

being the owners of the following property known by street address as 3334 North Holton Street, 53212  
(Street Address and Zip Code)

in the 6<sup>th</sup> 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:

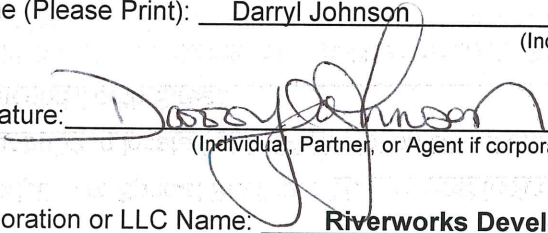
Description of Special Privilege: This request includes both the exclusive usage of the "alley" adjacent to the new Family Dollar building located at 3334 N. Holton Street and for a stage area to be located along the Beerline Trail between Holton Street and Booth Street.

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, 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): Darryl Johnson  
(Individual, Partner, or Agent if corporation or LLC as shown above)

Signature:  Date: December 22, 2016  
(Individual, Partner, or Agent if corporation or LLC)

Corporation or LLC Name: **Riverworks Development Corporation**  
(If applicable, as shown above)

Mailing Address (If different than property address above): 526 E. Concordia Avenue

(OVER)

City: Milwaukee State: WI Zip: 53212

Telephone: 414.906.9650 E-Mail: darrylj@riverworksmke.org

Architect/Engineer/Contractor (If Applicable)

Name: N/A

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

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

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

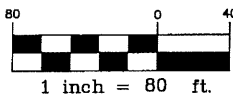
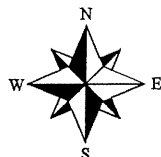
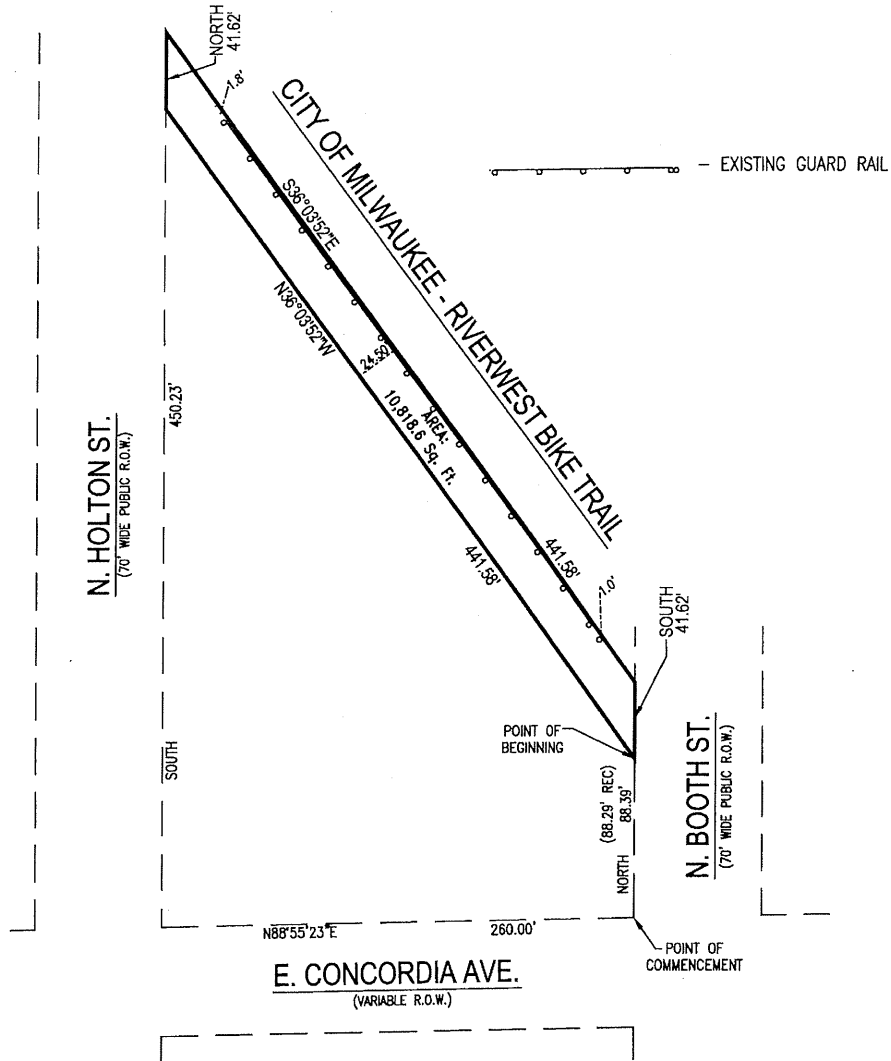
**IMPORTANT NOTICE FOR CUSTOMERS PAYING BY CHECK**

When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction.

# CITY OF MILWAUKEE - RIVERWEST BIKE TRAIL

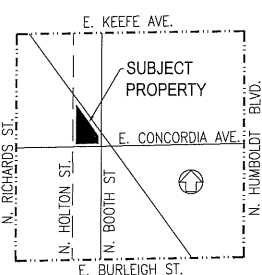
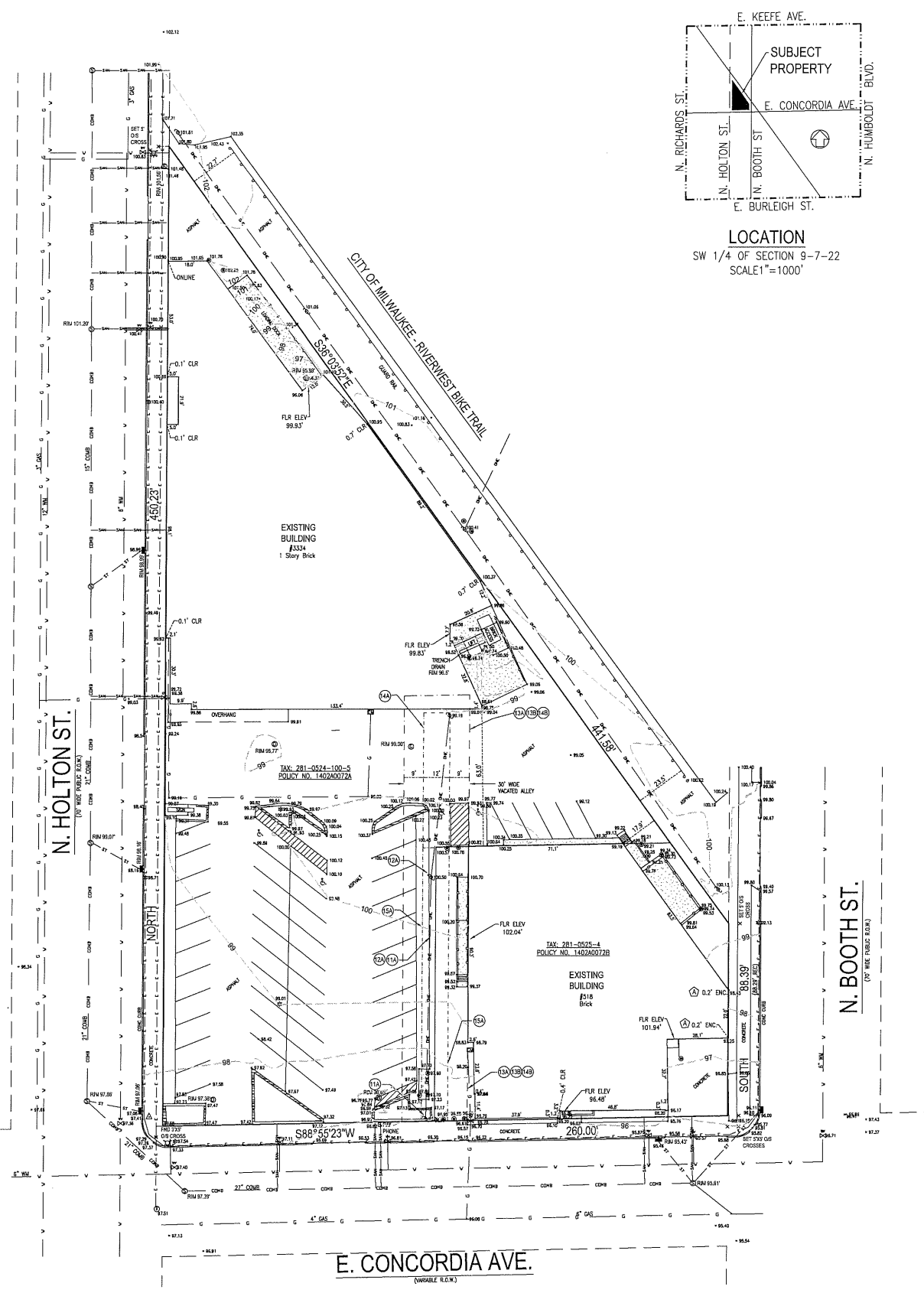
**Legal description for an area between the Northeasterly property line and a line lying Northeasterly of an existing guard rail between N. Holton St. and N. Booth St.**

A parcel of land located in the Northwest ¼ of the Southwest ¼ of Section 9, Town 7 North, Range 22 East in the City of Milwaukee, Milwaukee County, Wisconsin, bounded and described as follows: Commencing at the Southeast corner of Block 3, Bannen's Subdivision No. 1; thence Due North along the West right-of-way of N. Booth St., 88.39 feet to the intersection of the Southwesterly line of the City of Milwaukee - Riverwest Bike Trail and the West right-of-way of N. Booth St. and the point of beginning of the land to be described; thence North 36°03' 52" West, 441.58 feet to a point on the East right-of-way line of N. Holton St.; thence Due North along said line, 41.62 feet; thence South 36°03' 52" East, 441.58 feet to a point on the West right-of-way line of N. Booth St.; thence Due South along said West line, 41.62 feet to the point of beginning. Containing 10,818.6 square feet of land.



	Scale: 1" = 80'	Date: 2/5/2014	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">Reviewed</td> </tr> </table>	Reviewed
	Reviewed			
	Project Number: 34260EXB	Field Work: MFS	Drafted By: JTY	
Project Completed For: RIVERWORKS DEVELOPMENT CORPORATION				

Feb 05, 2016 - 12:31pm - D:\Drawings\34260\dwg\34260EXB.dwg



**LOCATION**  
SW 1/4 OF SECTION 9-7-22  
SCALE 1"=1000'

**NOTES**

- ALL BEARINGS REFERENCED TO
- BENCHMARK FOR ELEVATIONS IS THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF SECTION 9-7-22-22 ELEVATION 97.37 CITY OF MILWAUKEE DATA
- PREMISES IS INTERNALLY CONTIGUOUS AND CONTAINS NO GAPS OR CORERS.
- NO EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS.
- NO PROPOSED CHANGES IN STREET RIGHT OF WAY LINES.
- NO OBSERVABLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.
- NO OBSERVABLE EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SLUMP OR SANITARY LANDFILL.
- THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
- FLOOD NOTE: BASED ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) AVAILABLE ONLINE AT WWW.FEMA.GOV AND BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS LOCATED IN ZONE "X" ON FLOOD INSURANCE RATE MAP NUMBER 500700024E, WHICH BEARS AN EFFECTIVE DATE OF 9/24/2009 AND IS SET IN A SPECIAL FLOOD HAZARD AREA BY REVENUE FLOOD MAPS PROVIDED BY THE NATIONAL FLOOD INSURANCE PROGRAM. WE HAVE LEARNED THIS COMMUNITY DOES PARTICIPATE IN THE PROGRAM. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS ZONE AND AN ELEVATION CERTIFICATE MAY BE NEEDED TO VERIFY THE ACCURACY OF THE MAPS AND/OR TO APPLY FOR A VARIANCE FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

**AREA**  
98,908 SQ. FT.  
2.2706 ACRES

**PARKING**  
44 REGULAR SPACES  
4 HANDICAP SPACES

**LEGEND**

- DENOTES SET IRON STAKE
- DENOTES FOUND IRON STAKE
- P/L DENOTES PROPERTY LINE
- DENOTES UTILITY POLE
- DENOTES SEWER MANHOLE
- DENOTES HYDRANT
- DENOTES CURVE TABLE ITEM
- △ DENOTES TRAFFIC SIGNAL
- DENOTES UTILITY BOX
- DENOTES COMMUNICATION MANHOLE
- DENOTES CATCH BASIN
- DENOTES ELECTRIC MANHOLE
- DENOTES TRANSFORMER
- DENOTES WATER VALVE
- DENOTES GAS VALVE
- DENOTES GAS METER
- DENOTES ELECTRIC METER
- DENOTES BLOCK WALL
- DENOTES LIGHT POLE
- DENOTES EXISTING SPOT ELEVATION
- DENOTES ENCROACHMENT
- DENOTES CLEAR
- DENOTES BOLLARD
- DENOTES SCHEDULE "B" ITEM FROM POLICY "A"
- DENOTES SCHEDULE "B" ITEM FROM POLICY "B"
- DENOTES ENCROACHMENT ITEM
- DENOTES UNDERGROUND WATER
- DENOTES UNDERGROUND ELECTRIC
- DENOTES UNDERGROUND TELECOMMUNICATIONS
- DENOTES OVERHEAD ELECTRIC
- DENOTES UNDERGROUND GAS
- DENOTES SANITARY SEWER
- DENOTES STORM SEWER
- DENOTES CHAIN LINK FENCE
- DENOTES WOOD FENCE

**ENCROACHMENTS**

○ EAST WALL OF 518 N. BOOTH ST. INTO PUBLIC R.O.W. AS SHOWN

**LEGAL DESCRIPTION**

**PARCEL A:**  
Lots Four (4), Five (5), Six (6) and Seven (7), and all except the North 14 feet of Lot Three (3), in Block Three (3) in BANNEN'S SUBDIVISION NO. 1 of a part of the West One-half of the Southwest One-quarter (1/4) of Section Nine (9), in Township Seven (7) North, Range Twenty-two (22) East in the City of Milwaukee, Milwaukee County, Wisconsin, together with the West One-half (1/2) of vacated alley adjoining the said premises on the East.  
Tax Key No.: 281-0524-100-5  
Address: 3304 North Holton Street

**PARCEL B:**  
Parcel I  
Lots One (1) and Two (2) and the North 14 feet of Lot Three (3) in Block Three (3) in BANNEN'S SUBDIVISION NO. 1 of a part of the West One-half (1/2) of the Southwest One-quarter (1/4) of Section Nine (9), in Township Seven (7) North, Range Twenty-two (22) East, in the City of Milwaukee, together with the West One-half (1/2) of the vacated alley adjoining said Lots on the East, ALSO Lots Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7) and Eight (8), in Block One (1), in H.J. MATHEWS AND BROS. SUBDIVISION NO. 2, in the Southwest One-quarter of Section Nine (9), in Township Seven (7) North, Range Twenty-two (22) East, in the City of Milwaukee, together with the West One-half (1/2) of the vacated alley adjoining Lots Six (6), Seven (7) and Eight (8) on the East, ALSO Block Five (5) in CREAM CITY HEIGHTS being a Subdivision of a part of the West One-half (1/2) of the South One-quarter (1/4) of Section Nine (9), in Township Seven (7) North, Range Twenty-two (22) East, in the City of Milwaukee, Wisconsin County, Wisconsin.

Parcel II  
Lot One (1) in Block One (1) in H.J. MATHEWS AND BROS. SUBDIVISION NO. 2, in the Southwest One-quarter (1/4) of Section Nine (9), in Township Seven (7) North, Range Twenty-two (22) East, in the City of Milwaukee, also the East One-half (1/2) of the vacated alley abutting premises on the West, ALSO Lot Thirteen (13) except the South 5.78 feet and Lot Fourteen (14) in Block Three (3) in BANNEN'S SUBDIVISION NO. 1 of a part of the West One-half (1/2) of the Southwest One-quarter (1/4) of Section Nine (9), in Township Seven (7) North, Range Twenty-two (22) East, in the City of Milwaukee, together with the East One-half (1/2) of the vacated alley adjoining said Lots on the West.  
Tax Key No.: 281-0523-110-7  
Address: 3334 North Holton Street

Note 1: The property hereon described is the same as the pertinent property as described in Wisconsin Title Service Company, Inc., Commitment No.: 1402A0072A, Effective Date: February 5, 2014.

All of Lots Eight (8), Nine (9), Ten (10), Eleven (11), Twelve (12) and that part of Lot Thirteen (13), which is bounded as follows: Commencing at the Southwest corner of said Lot 13; thence East along the South line of Lot 13 aforesaid 97.08 feet to the Southeast corner of said Lot 13; thence Northwesterly along the Northwesterly line of Lot 13 aforesaid 7.11 feet to a point which point is 5.78 feet North of the South line of said Lot 13; thence Westerly to a point in the West line of said Lot 13 said point being 5.93 feet North of the Southwest corner of said Lot 13; thence South along the West line of Lot 13 aforesaid 5.93 feet to the point of commencement; all being in Block Three (3) in Bannens' Subdivision No. 1, being a Subdivision of a part of the West One-half (1/2) of the Southwest One-quarter (1/4) of Section Nine (9), in Township Seven (7) North, Range Twenty-two (22) East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin, together with the East One-half (1/2) of that portion of the vacated alley abutting said lots on the West.  
Tax Key No.: 281-0525-4  
Address: 518-528-East Concordia Avenue

Note 2: The property hereon described is the same as the pertinent property as described in Wisconsin Title Service Company, Inc., Commitment No.: 1402A0072B, Effective Date: May 7, 2014.

Note 3: Survey traverse closure exceeds 1:15,000.

Note 4: The underground utilities shown have been located from field survey information and existing drawings. The surveyor makes no guarantee that the underground utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated although he does certify that they are located as accurately as possible from information available. The surveyor has not physically located the underground utilities.

**SURVEYOR CERTIFICATION**

To: Riverworks Development Corp., First Place Bank, L Max-4 Group, LLC, a Wisconsin Limited Liability Company, First American Title Insurance Company, Wisconsin Title Service Company, Inc., and any other person or entity that purchases, mortgages or guarantees the title thereto within one year of the date of this survey.

This is to certify that this map or plat of survey and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS, and the rules Items 1, 2, 3, 4, 5, 6 (a), 6 (b), 7(a), 8, 9, 11(a), 16, 17, 18, 19 and 21 of Table A thereof. The field work was completed on May 28, 2014.

Dated June 13, 2014.

Frederick W. Sholski  
Registered Land Surveyor S-1154  
State of Wisconsin

**SCHEDULE B ITEMS**

- Commitment No.: 1402A0072A:
- Parking, service and access rights set forth in an unrecorded lease dated December 8, 2003 and evidenced by a Short Form Lease recorded on January 28, 2004 in Reel 5761, Image 2191, as Document No. 8723608. (Affects Parcel A)
  - Notice of Contamination to Property recorded on December 10, 2004 as Document No. 8913656. (Affects Parcel A)
  - Utility Easement recorded on September 6, 1957 in Volume 3738 of Deeds, at Page 30, as Document No. 3055005. (Affects Parcel A)
  - Utility Easement recorded on December 17, 1958 in Volume 3883 of Deeds, at Page 429, as Document No. 3705193. (Affects Parcel A)
  - Easements, if any, of the public or any utility, municipality or person, as provided in Section 66.1005(2)(a) of the Wisconsin Statutes, for the continued use and right of entrance, maintenance, construction and repair of underground or overground structures, improvements or services in that portion of the premise described in Schedule A hereof, which were formerly a part of an alley now vacated (Affects Parcel B)
  - Utility Easement recorded on November 4, 1976 in Reel 972, Image 56, as Document No. 5052065. (Affects Parcel B)
  - Utility Easement recorded on November 4, 1976 in Reel 972, Image 56, as Document No. 5052066. (Affects Parcel B)
  - Easement set forth in an indenture recorded on June 10, 1955 in Volume 3444 of Deeds, at Page 177, as Document No. 3400791. (Affects Parcel B)
  - Rights of Family Dollar Stores of Wisconsin, Inc., as tenants, and the terms, provisions, covenants, obligations and easements set forth in an unrecorded lease dated December 8, 2003 and evidenced by a Short Form Lease recorded on January 28, 2004 in Reel 5761, Image 2191, as Document No. 8723608. (Affects Parcel B)
  - Public or private rights, if any, in such portion of the premises described in Schedule A hereof as may be laid out, used or dedicated for street, highway or alley purposes. (Affects Parcels A and B)
- Commitment No.: 1402A0072B:
- Agreement for Easement on November 21, 1963 in Volume 3228 of Deeds, at page 306, as Document No. 3253754.
  - Easements, if any, of the public or any utility, municipality or person, as provided in Section 66.1005(2)(a) of the Wisconsin Statutes, for the continued use and right of entrance, maintenance, construction and repair of underground or overground structures, improvements or services in that portion of the premise described in Schedule A hereof, which were formerly a part of an alley now vacated.
  - Restrictions and easements granted and evidenced by a Short Form Lease recorded on January 28, 2004 in Reel 5761, Image 2191, as Document No. 8723608.

**ZONING**

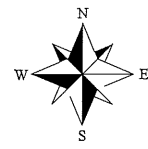
**IM, Industrial Mixed**

Setbacks:  
Front - none  
Side Street - none  
Side - none  
Rear - none

Height:  
Maximum - 85 feet for new construction only  
Minimum - 30 feet

Residential buffer standards apply, see s.295-805-4-d  
Also see s.295-805-4-e

Source: city.milwaukee.gov



GRAPHIC SCALE  
( IN FEET )  
1 inch = 30 ft.

	Scale: 1" = 30'	Date: 6/13/2014	Revised:
	Project Number: 34260	Field Work: GBMTK	Drafted By: JTY
	Project Completed For: RIVERWORKS DEVELOPMENT CORPORATION		