



August 28, 2009

City Clerk Ronald D. Leonardt
Attn: James Owczarski
Office of the City Clerk

Commissioner Art Dahlberg
Dept. of Neighborhood Services

Commissioner Richard Marcoux
Attn: Elaine Miller
Department of City Development

City Attorney Grant F. Langley
Attn: Tom Miller
Office of the City Attorney

Commissioner Jeffrey J Mantes
Attn: Ghassan Korban
Department of Public Works

City Engineer Jeffrey S. Polenske
Attn: Michael Loughran

Re: Subterranean space lease petition from MillerCoors, LLC

Dear Committee Members:

In accordance with Section 245-14 of the Milwaukee Code of Ordinances, I am forwarding to you materials relating to an application for an air space lease filed by Miller Coors, LLC. The lease is being requested for existing underground tunnel between 3.80 and 4.55' wide by approximately 6' high, said tunnel beginning 6.68' east of the E/L of N 41st St and extending across W State St in a slightly northwesterly direction.

I am asking that the City Clerk prepare the appropriate file for introduction at the next Council meeting.

I am asking that all of you review the enclosed materials in preparation for a meeting in September to discuss these submittals and the committee's recommendation regarding this lease.

Should you require additional information from the applicant, please give me a call at ext. 8480.

Thank you.

Sincerely,

Linda Eichhorst
Development Center

Attachments

Cc: Ald. Willie Hines
Brian Randall

City of
Milwaukee
Development Center

Customer Information

809 N. Broadway/PO Box 324/Milwaukee, WI 53201-0324/414-286-8211

Air or Subterranean Space Lease Petition

Submit this application with \$150 application fee to:
Milwaukee Development Center
Make check payable to City of Milwaukee.
Application fee is non-refundable.

Date August 27, 2009

TO THE HONORABLE, THE COMMON COUNCIL OF THE CITY OF MILWAUKEE:

The undersigned MillerCoors, LLC, a Delaware limited liability company,

(state whether petitioner is an individual, co-partnership, Wisconsin or foreign corporation)

respectfully petitions the Common Council of the City of Milwaukee, according to the provisions of Section 66.048(3) and (4) of the Wisconsin Statutes, that the following space lease be granted:

Subterranean Space Lease for existing underground tunnel between 3.80 and 4.55 feet wide by approximately
6 feet high, said tunnel beginning 6.68 feet east of the east line of North 41st Street and extending across
West State Street in a slightly northeasterly direction
of which building plans, plot plans and descriptive data showing the elevations, locations, height and size of the proposed structure and its relationship to adjoining buildings are herewith submitted.

The petitioners are the owners in fee of the following described real property:

MillerCoors, LLC owns the property on the north and south sides of West State Street including
Lot 8, Block 2 and Lot 3, Block 1 in Assessor's Plat No. 124 being a part of the NW one-quarter
of Section 25, Township Number 7 North, Range 21 East

also known by street and number as 4001 West Street Street (Bldg. 15) and 3930 West State Street (Bldg. 26) which property is located on both sides of that portion of the (street, 214767XXXXXXXXXX) to be so leased.

This petition is subject to such terms and conditions as may be agreed up on between the City of Milwaukee and the petitioner, which terms and conditions shall be set forth in a written lease pursuant to Section 66.048(3) and (4), Wisconsin Statutes. The leasing of such space shall be subject to a determination by the Common Council of the City of Milwaukee that such space is not needed for street, alley or other public purpose and that the public interest will be served by such leasing, and upon such determination as shall be authorized by ordinance duly passed by the City of Milwaukee.

Signature

Brian C. Randall Brian C. Randall, Agent

Address 330 East Kilbourn Avenue, Suite 1250 (53202)

Phone (414) 271-0130

Corporation, firm or society MillerCoors, LLC

Address 3939 West Highland Boulevard (53208)

Title or office held in same Authorized Agent and Attorney-in-Fact

SUBSURFACE EASEMENT EXHIBIT

TUNNEL BELOW WEST STATE STREET

Situated in West State street, in the City of Milwaukee, Milwaukee County, Wisconsin.

A subsurface easement across West State street, being 1/4 of the Southwest 1/4 of the Northwest 1/4 of Section 25, Town 7 North, Range 21 East, in the City of Milwaukee, Milwaukee County, Wisconsin, bounded and described as follows.

Commencing at the intersection of the present East line of North 41st street and the present South line of West State street; thence North 82°30'27" East along the Southerly right of way line of West State street 6.68 feet to the point of beginning of lands to be described; thence North 03°34'37" East 67.25 feet to a point on the Northerly line of West State street; thence North 82°30'27" East along said Northerly line 8.73 feet to a point; thence South 04°14'08" West 67.41 feet to a point on the Southerly line of West State street; thence South 82°30'27" West along said Southerly line 7.94 feet to the point of beginning.

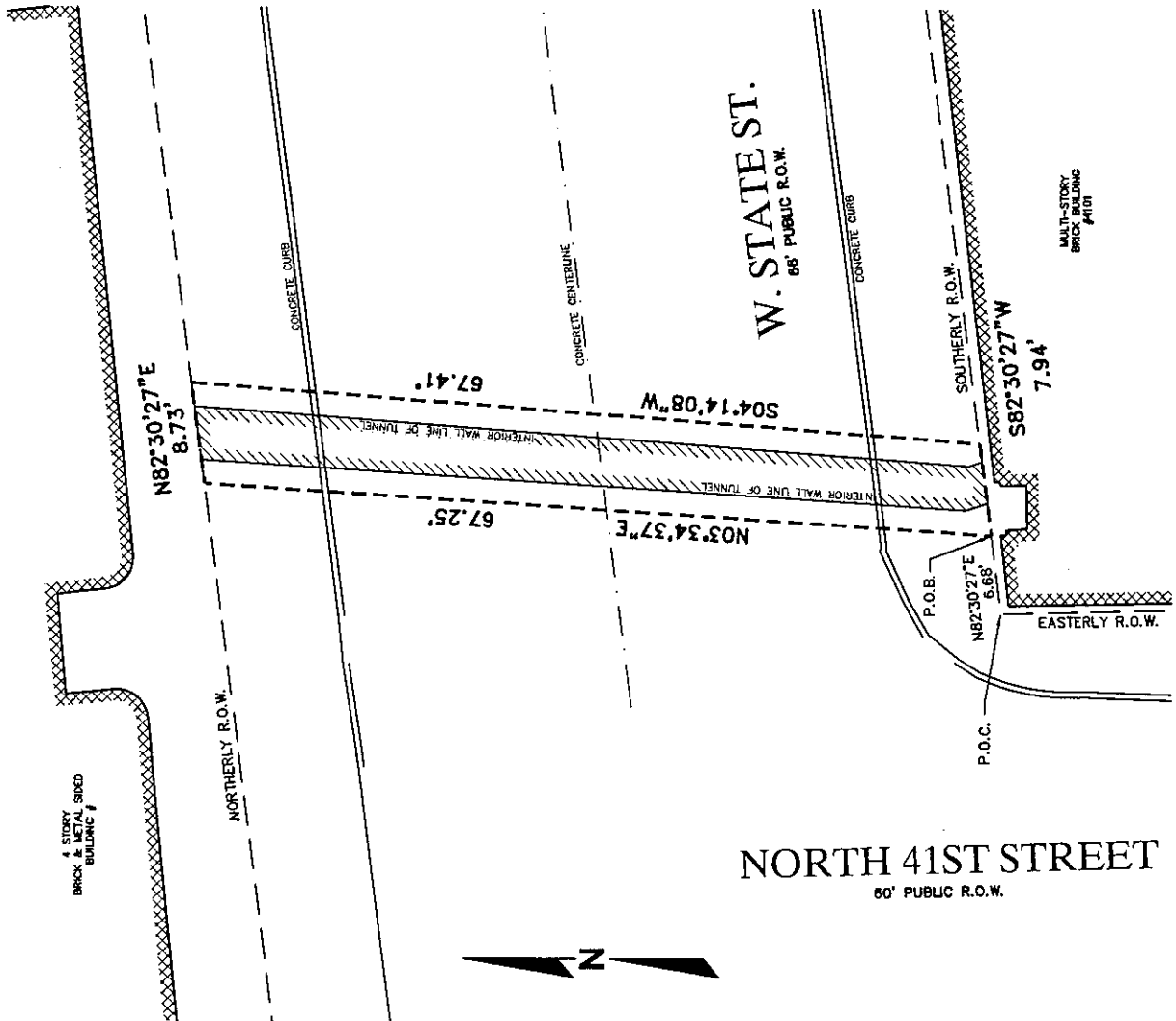
Containing 550 sq.ft. (0.013 acres).

February 19, 2009

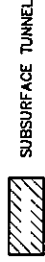
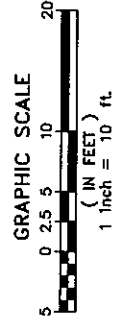
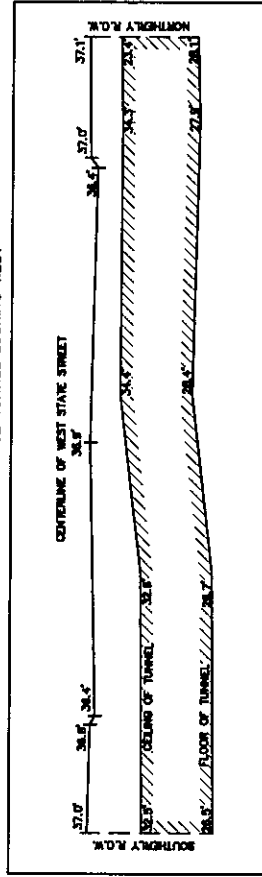
Miller Coors

Survey no. 163897-ojn

Note:
Elevations are based on the City of Milwaukee datum



PROFILE OF SUBSURFACE TUNNEL LOOKING WEST



SUBSURFACE TUNNEL

R.A. Smith National, Inc.

*Beyond Surveying
and Engineering*

16745 W. Bluemound Road, Brookfield WI 53005
262-781-1000 Fax 262-797-7373
www.rasmithnational.com

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SHEET 1 OF 1

(Tunnel X)



FRIEBERT, FINERTY & ST. JOHN, S.C.
ATTORNEYS AT LAW

Two Plaza East - Suite 1250 • 330 East Kilbourn Ave. • Milwaukee, Wisconsin 53202
Phone 414-271-0130 • Fax 414-272-8191 • www.ffsj.com

ROBERT H. FRIEBERT
JOHN D. FINERTY
THOMAS W. ST. JOHN
WILLIAM B. GUIB
BRADDEN C. BACKER
S. TODD FARRIS
TED A. WARPINSKI
MATTHEW W. O'NEILL
SHANNON A. ALLEN
JEREMY P. LEVINSON
LAWRENCE J. GLUSMAN
BRIAN C. RANDALL
CHRISTOPHER M. MEULER
SARA E. DILL*
M. ANDREW SKWIERAWSKI
JOSEPH M. PELTZ

*ALSO ADMITTED IN FLORIDA & ILLINOIS

**ATTACHMENT TO
PETITION FOR SUBTERRANEAN SPACE LEASE**

for the underground tunnel in the Vicinity of 4100 West State Street

for

MillerCoors LLC

in the 15th Aldermanic District in the City of Milwaukee

TO THE HONORABLE CITY OF MILWAUKEE COMMON COUNCIL:

The petitioner, MillerCoors LLC, by Friebert, Finerty & St. John, S.C., its attorneys, pursuant to § 245-14, Milwaukee Code of Ordinances and § 66.0915(3), Wis. Stats., in connection with its Petition for Subterranean Space Lease for an underground tunnel beginning 6.68 feet east of the east line of North 41st Street and extending below West State Street in a northeasterly direction ("Tunnel X"), hereby states as follows:

1. Tunnel X is below West State Street in the approximate location identified on the MillerCoors LLC Milwaukee Brewery Facility Layout attached hereto.
2. Tunnel X is below West State Street in the approximate location identified on the aerial photograph attached hereto.
3. Tunnel X contains the following utilities and process piping:

(Steam) Condensate Return line
Electrical Service lines for process equipment power and lighting
Anhydrous Ammonia piping for process cooling
Beer Feed lines.

Dated at Milwaukee, Wisconsin this 27th day of August, 2009.

FRIEBERT, FINERTY & ST. JOHN, SC.

John D. Finerty

Wisconsin State Bar No. 1009840

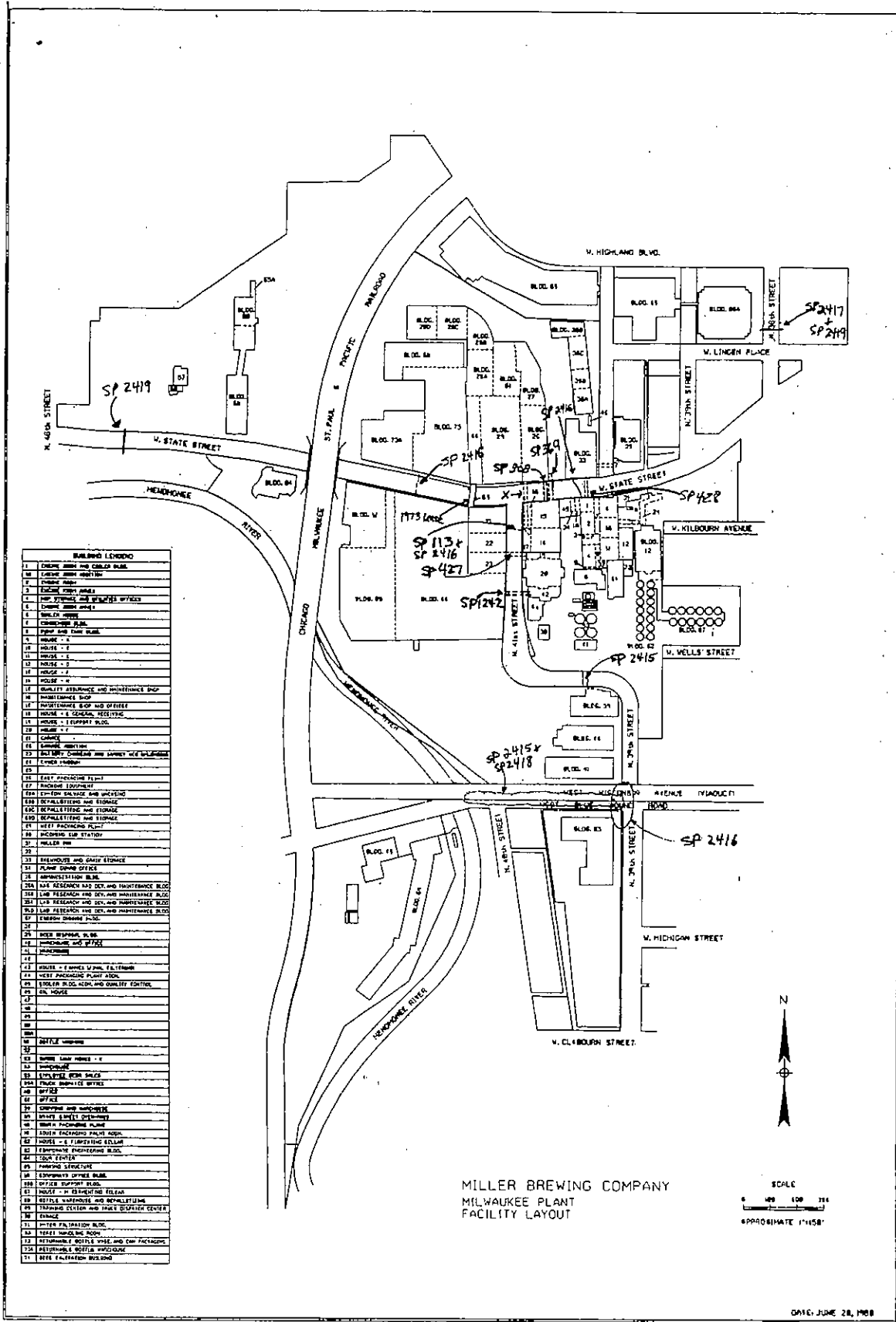
Brian C. Randall

Wisconsin State Bar No. 1029064

By:

Brian C. Randall

Attorneys for Petitioner MillerCoors LLC



MILWAUKEE LEGEND	
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MILLER BREWING COMPANY
MILWAUKEE PLANT
FACILITY LAYOUT



DATE: JUNE 28, 1988

KEY: SP 2415 (CC File 080272)
SP 2416 (CC File 080273)
SP 2417 (CC File 080274)
SP 2418 (CC File 080275)
SP 2419 (CC File 080291)

SP 113 (n/k/a Lease per CC File 090234)
SP 308 (n/k/a Lease per CC File 090479)
SP 369 (n/k/a Lease per CC File 090464)
SP 427 (n/k/a Lease per CC File 090463)
SP 428 (n/k/a Lease per CC File 090466)
SP 1242 (n/k/a Lease per CC File 030896)
Tunnel X (n/k/a Lease per CC File 09)
1973 Lease (Assigned to MillerCoors LLC per CC File 090480)

