

Miller Brewing Co

Certified Copy of Resolution

FILE NUMBER 48-1496

Resolution granting a special privilege to the Miller Brewing Company, a Wisconsin Corporation, to construct and maintain an underground tunnel across West State Street in the vicinity of 4002 West State Street in the 15th Ward of the City of Milwaukee.

*Resolved*, By the Common Council of the City of Milwaukee, that the Miller Brewing Company, is hereby granted the right and privilege of constructing and maintaining an underground tunnel six feet wide and eight (8) feet high, in and across West State Street. The center line of the tunnel being about sixty-one feet and four and one-half inches (61'-4 1/2") west of the west line of North 40th Street. Said tunnel will connect Lot 3 in Block 1 and Lot 8 in Block 2 in Assessor's Plat No. 124 in the N.W. 1/4 of Section 25, Township 7 North, Range 21 East. The cost of altering water mains, sewers, or any other public facilities to be borne by the applicant. The plans for said tunnel to be approved by the Commissioner of Public Works, and the Inspector of Buildings before any work is commenced.

This privilege is granted upon the condition that the said grantee shall make and file in the office of the City Clerk of the City of Milwaukee, a bond in the sum of Three Thousand and no/100 (\$3000.00) Dollars with two good sufficient sureties or a surety company, duly incorporated in the State of Wisconsin or duly licensed to do business in this state, such bond to be approved by the City Attorney of the City of Milwaukee and the aforesaid Miller Brewing Company will pay to the City Treasurer the annual fee of One hundred fifty-eight and 40/100 (\$158.40) Dollars as long as such special privilege is maintained.

That the owner, the Miller Brewing Company, waives the right to contest

- (a) In any manner, the validity of Section 66.045 Wisconsin Statutes;
- (b) The annual compensation amounting to the sum of One hundred fifty-eight and 40/100 (\$158.40) Dollars per annum payable on or before July 1st of each year.

That the Miller Brewing Company, its successors or assignees

- (1) shall become primarily liable for damages to persons or property by reason of the granting of this special privilege;
- (2) shall remove this special privilege whenever public necessity so requires when so ordered upon resolution adopted by the Common Council or other legislative body.

File registered to the Department, Sept. 10/48  
From *J. C. Koppke*

*Miller*

Communication from the Department of:

COMMON COUNCIL

FILE NUMBER 48-1496

Petition, Remonstrance, Etc.

Relative to:



Petition of Miller Brewing Co.  
for special privilege to construct  
underground tunnel in W. State St.  
in vicinity of N. 40th St.

By { The Chair \_\_\_\_\_  
Ald. KOPPKE (By request)

CITY OF MILWAUKEE

Milwaukee, \_\_\_\_\_

To the Honorable, the Common Council:

Gentlemen:

Form AA 11-12442

**CITY OF MILWAUKEE**  
**DEPARTMENT OF PUBLIC WORKS**

CITY HALL  
MILWAUKEE 2, WIS.

IN REPLY REFER TO:

September 29, 1948

To the Honorable, the Common Council  
Committee on Streets-Alleys-Sewers

Gentlemen:

I am returning herewith Common Council File No. 48-1496 which is a petition of the Miller Brewing Co. for a special privilege to construct an underground tunnel across W. State Street in the vicinity of N. 40th Street.

The special privilege provides that the Miller Brewing Co. shall pay the cost of altering any public underground structures. The plan as submitted by the Miller Brewing Co. indicates, however, that this tunnel will be below or above any of the existing underground structures in this street.

I therefore recommend that the petition be granted.

Very truly yours,



Walter M. Swietlik  
Commissioner of Public Works

ELK/mz  
Att.

150

112  
11/10/48  
**PETITION**

Milwaukee, Wis. September 10, 1948

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

Gentlemen:

The undersigned, Miller Brewing Co., a Wisconsin Corporation  
Here state whether the petitioner is an individual, co-partnership, Wisconsin corporation or foreign corporation

being the owners of the following described real estate: Lot 3, Block 1 & Lot 8, Block 2  
(Here describe property adjacent to special privilege by lot and block)

in Assessor's Plat No. 124 in the N.W. 1/4 of Sec. 25 T. 7 N., R 21 E.

respectfully petition the Common Council of the City of Milwaukee according to the provisions of Section  
66.05(1) Wisconsin Statutes, that the following privilege be granted: To construct and  
Here describe the privilege

maintain an underground tunnel in and across West State Street.

Said tunnel to be about 6 feet wide and 8 feet high and the center

line being about 61 feet 4 1/2 inches west of the west line of N.

40th St.

of which a plan is hereto annexed and made a part of this petition. Petitioner... agree... to comply with  
all laws and all the 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 remove said privilege upon 10 days notice, and to furnish a bond and to pay  
compensation as provided by law in the sum to be fixed by the proper city officers, and not to contest the  
above named statute or the legality of this special privilege in any way.

(Signed) [Signature]

Referred to the Committee on  
Streets-Alleys-Sewers

SEP 13 1948

[Signature]  
Sec. Treas

Resolution granting a special privilege to the Miller Brewing Company, a Wisconsin Corporation, to construct and maintain an underground tunnel across West State Street in the vicinity of 4002 West State Street in the 15th ward of the City of Milwaukee.

RESOLVED, by the Common Council of the City of Milwaukee, that the Miller Brewing Company, is hereby granted the right and privilege of constructing and maintaining an underground tunnel six (6) feet wide and eight (8) feet high, in and across West State Street. The center line of the tunnel being about sixty-one feet and four and one-half inches (61' - 4 1/2") west of the west line of North 40th Street. Said tunnel will connect Lot 3 in Block 1 and Lot 8 in Block 2 in Assessor's Plat No. 124 in the N.W. 1/4 of Section 25, Township 7 North, Range 21 East. The cost of altering water mains, sewers, or any other public facilities to be borne by the applicant. The plans for said tunnel to be approved by the Commissioner of Public Works, and the Inspector of Buildings before any work is commenced.

This privilege is granted upon the condition that the said grantee shall make and file in the office of the City Clerk of the City of Milwaukee, a bond in the sum of Three Thousand and no/100 (\$3000.00) Dollars with two good sufficient sureties or a surety company, duly incorporated in the State of Wisconsin or duly licensed to do business in this state, such bond to be approved by the City Attorney of the City of Milwaukee and the aforesaid Miller Brewing Company will pay to the City Treasurer the annual fee of One hundred fifty-eight and 40/100 (\$158.40) Dollars as long as such special privilege is maintained.

That the owner, the Miller Brewing Company, waives the right to contest

- (a) In any manner, the validity of Section 66.045 Wisconsin Statutes;
- (b) The annual compensation amounting to the sum of One hundred fifty-eight and 40/100 (\$158.40) Dollars per annum payable on or before July 1st of each year.

That the Miller Brewing Company, its successors or assignees

- (1) shall become primarily liable for damages to persons or property by reason of the granting of this special privilege;
- (2) shall remove this special privilege whenever public necessity so requires when so ordered upon resolution adopted by the Common Council or other legislative body.

ALD. MICHALSKI

presented the following: SEP 27 1948

Milwaukee

To the Honorable, the Common Council:  
Your Committee on <sup>GRANT</sup> STULLIS ALLEYS, <sup>GRANT</sup> to which was referred a petition  
of Miller Brewing Co. for special privilege to construct underground tunnel in  
W. State street

FILE NUMBER 48-1496

reports thereon by the following resolution, viz:

and recommends that it be adopted.

SEP 27 1948

Countersigned:

*[Signature]*  
Deputy Comptroller

*[Signature]*

*[Signature]*  
*[Signature]*

### ACTION OF THE COMMON COUNCIL

Date.....	Adopted under suspension of rules.....	Submitted to His Honor the Mayor
Action Deferred.....	Ayes.....Noes.....	Date.....
Re-referred to Committee.....	Committee report adopted.....	City Clerk.....
Recalled from Committee.....	Ayes.....Noes.....	Approved:.....
Referred to other Committee, via Committee on.....	Substitute accepted and Substitute Resolution adopted.	Date.....
	Ayes.....Noes.....	<i>[Signature]</i> Mayor

Tally Sheet Numbers 368

Common Public Works

OFFICE OF THE CITY CLERK

File Number 48-1496

Date 9/22/48

Subject: Miller Breang Co petition for underground tunnel in W State

Dear Sir:

Herewith I am referring to you the above file for the following purpose:

**For a report**

At the request of Alb. Michalski, Chairman,  
Committee on Streets-Alleys

Very truly yours,

*Stanley J. Witkowski*  
City Clerk.

Received Wm J. Sewell