



DEPARTMENT OF
**NEIGHBORHOOD
SERVICES**

**Air or Subterranean Space
Lease Petition**

Permit & Development Center

809 N. Broadway, Milwaukee, WI 53202 | (414) 286-8211 | milwaukee.gov/permits | DevelopmentCenterInfo@milwaukee.gov

Submit this application with \$200 application fee to **Milwaukee Development Center**.

Make check payable to **City of Milwaukee**.

Application fee is non-refundable.

Date: 10.04.2024

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

The undersigned David P. Misky

(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:

See Attachments.

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:

5920 W. Center Street

also known by street and number as 5920 W. Center Street and 5920 W. Center Street
which property is located on both sides of that portion of the (street, alley or Alley) 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

David P. Misky

Address

809 N. Broadway, Milw. WI
53202

Phone

414-286-8682

Corporation, firm or society City of Milwaukee

Address

809 N. Broadway, Milw. WI
53202

Title or office held in same Special Deputy Commissioner-DCD

2007 JUN 29 AM 10:21

City of Milwaukee

Office of the City Clerk

200 E. Wells Street
Milwaukee, Wisconsin 53202

Certified Copy of Resolution

FROM CITY ENGINEER				
	ORIG	COPY	REVIEW	
JP			REPLY	
CW	X		COMMENT	
DM			DISTRIB	
MA			INFO	X
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			SEE ME	
			ACTION	
			ATH	

FILE NO: 070113

Title:

Substitute resolution amending a special privilege for change of ownership to Anjan Investments, LLC for encroachment into the public right-of-way of a tunnel under an alley for the premises at 5920 West Center Street, in the 10th Aldermanic District.

Body:

Whereas, Kenwood Television Studio, Inc. requested permission to construct and maintain a tunnel under an alley to connect its two properties; and

Whereas, Permission for said tunnel was granted in 1968 under Common Council File Number 67-3933; and

Whereas, Anjan Investments, LLC now owns the property; and

Whereas, For the liability to be formally transferred to the current property owner, the Common Council needs to adopt an amending resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that Common Council File Number 67-3933 is hereby rescinded; and, be it

Further Resolved, That Anjan Investments, LLC, 1823 North Palmer Street, Milwaukee, Wisconsin 53212, is hereby granted the following special privilege:

To keep and maintain a tunnel under 18-foot wide, east-west alley between North 59th Street and North 60th Street. The tunnel, centered approximately 67 feet 4 inches east of the eastline of North 60th Street, is 10 feet wide and between 7 feet 8 inches and 10 feet 6 inches tall. Said tunnel, constructed of reinforced concrete, has 12-inch thick walls, a 4-inch thick floor and an 8-inch thick ceiling.

Said above-mentioned tunnel shall be used, kept and maintained to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

Said tunnel shall be maintained or removed from the public right-of-way, at such future time as they are no longer needed, to the satisfaction of the Commissioners of Public Works and Department of

Neighborhood Services.

; and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Anjan Investments, LLC shall:

1. Become primarily liable for damages to persons or property by reason of the granting of this special privilege.
2. File with the City Clerk a bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$10,000 such bond to be approved by the City Attorney. This applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$50,000 covering bodily injury to any one person and \$100,000 covering bodily injury to more than one person in any one accident and \$20,000 covering property damage to any own owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be cancelled until after at least thirty days' notice in writing to the City Clerk.
3. Pay to the City Treasurer an annual fee, which has an initial amount of \$81.77. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.
4. Whenever this special privilege is discontinued for any reason whatsoever, including public necessity whenever so ordered by resolution adopted by the Common Council not only remove all construction work executed pursuant to this special privilege, but shall also restore to its former condition and to the approval of the Commissioner of Public Works and curb, pavement or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Such grantee shall be entitled to no damages due to the alteration and/or removal for such purposes.
5. Waive the right to contest in any manner the validity of Section 66.0425 of the Wisconsin Statutes (1999), or the amount of the annual fixed fee, payable on or before July 1st of each year.
6. Put this special privilege into use within one year after approval by the Common Council of the City of Milwaukee; failing to do so in the time specified, the Commissioner of Neighborhood Services shall have the authority to seek, by resolution, revocation of said special privilege.



I, Ronald D. Leonhardt, City Clerk, do hereby certify that the foregoing is a true and correct copy of a(n) Resolution Passed by the COMMON COUNCIL of the City of Milwaukee, Wisconsin on June 19, 2007.

Ronald D. Leonhardt

Ronald D. Leonhardt

June 28, 2007

Date Certified

TAX ID # 306-0615-100

LOT 17 BLOCK 3
LISBON CENTER SUBDIVISION

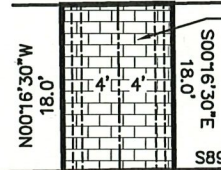
EXHIBIT "A"

CONCRETE PARKING LOT
AT GROUND LEVEL
STORAGE AREA AT LOWER LEVEL

N89°43'30"E
12.0'

18' WIDE PUBLIC ALLEY

UNDERGROUND SPACE
LEASE AREA



NORTH 60th STREET

NE CORNER
LOT 15 BLOCK 3
LISBON CENTER
SUBDIVISION

STORAGE AREA AT LOWER LEVEL

S89°43'30"W
12.0'

S89°43'30"W 21.7'

TAX ID # 306-0615-100

CONCRETE BLOCK BUILDING



SCALE: 1"=20 FEET

LOT 16 BLOCK 3
LISBON CENTER SUBDIVISION

LOT 15 BLOCK 3
LISBON CENTER SUBDIVISION

LOT 14 BLOCK 3
LISBON CENTER SUBDIVISION

WEST LISBON AVENUE

WEST CENTER STREET



CITY OF MILWAUKEE
DEPARTMENT OF PUBLIC WORKS
841 NORTH BROADWAY
MILWAUKEE, WI 53202

UNDERGROUND SPACE LEASE AREA
18 FOOT WIDE PUBLIC ALLEY
BLOCK 3 LISBON CENTER SUBDIVISION

SCALE 1" = 20 FEET	REVISIONS		QUARTER SECTION: 306 SW-NW SEC 14 T7N R21E	
	NO.	DATE	REMARKS	JOB NO. 491AWK52338210
DRAFTER JLB				SHEET
CHECKED				DWG. NO.
DATE				1 OF 2

EXHIBIT "B"

**UNDERGROUND SPACE LEASE AREA
18-FOOT-WIDE PUBLIC ALLEY
BLOCK 3 LISBON CENTER SUBDIVISION**

A parcel located in the 18-foot-wide public alley of Block 3, Lisbon Center Subdivision, as located in the Southwest Quarter of the Northwest Quarter of Section 14, Township 7 North, Range 21 East, City of Milwaukee, Milwaukee County, Wisconsin, described as follows:

Commencing at the Northeast Corner of Lot 15, Block 3, Lisbon Center Subdivision;
Thence S89°43'30"W, along the north line of said Lot 15, a distance of 21.7 feet to the Point of Beginning;
Thence continuing S89°43'30"W, along the north line of said Lot 15, a distance of 12.0 feet;
Thence N00°16'30"W, 18.0 feet to the south line of Lot 17, Block 3, Lisbon Center Subdivision;
Thence N89°43'30"E, along the south line of said Lot 17, Block 3, a distance of 12.0 feet;
Thence S00°16'30"E, 18.0 feet to the Point of Beginning. Containing 216 square feet, more or less.

Haessly, Matt

From: Schmidt, Dawn
Sent: Thursday, October 3, 2024 4:33 PM
To: Haessly, Matt
Cc: Washington, James; Hansen, Matthew; Ziegler, Jessica
Subject: Re: 5920 W Center-Alley-Basement?
Attachments: eAppAirSubLease.pdf; 20191104135300042.pdf; 5920 West Center Underground Space Lease Exhibit A.pdf; 5920 West Center Underground Space Lease Exhibit B.pdf

Matt,

I'm happy to report that DPW Mapping and Drafting has prepared a legal description and exhibit for the tunnel at 5920 West Center Street. Now we need an application to start the formal review process for the Subterranean Space Lease. I've attached the current Air & Subterranean Space Lease Application form to this email. As the City of Milwaukee owns the property, the applicant will need to be the City of Milwaukee.

I'm including Matthew and Jessica on this email because there is still the matter of the application fee, which is under the jurisdiction of the Department of Neighborhood Services and not the Department of Public Works. The city-owned property at 5920 West Center Street has a tunnel under the east-west alley north of the building fronting onto Center Street. At present there is a special privilege for the tunnel; however, I'm requesting that the special privilege be converted into a space lease. The main difference is that space leases are recorded against the property. Additionally, the space lease document is more thorough in delineating rights and responsibilities for the structure than a special privilege ever would be. Given that this property is owned by the City of Milwaukee, is it possible to waive the application fee for the space lease?

Thanks,

Dawn Schmidt, P.E.
Civil Engineer III
City of Milwaukee Department of Public Works
Planning & Development Section
841 North Broadway, Room 919
Milwaukee, WI 53202

414-286-2454
414-708-1423 (cell)
414-286-0663 (Fax)

For DPW Permit related questions, please use our new group email address dpwpermits@milwaukee.gov

From: Haessly, Matt <Matt.Haessly@milwaukee.gov>
Sent: Thursday, September 19, 2024 9:57 AM
To: Schmidt, Dawn <dmschmi@milwaukee.gov>
Subject: FW: 5920 W Center-Alley-Basement?

Hello Dawn,
DCD intends to market and sell this property. I am trying to coordinate the most efficient way to implement the subterranean lease you referenced below. For example, once a buyer is identified, my thought would be introduce the

sale file along with a subterranean lease file to the Common Council (same cycle). I always list the owner in my real estate sale files and believe I would list the same buyer/owner in the subterranean lease file-right?

Do you have a word document that I could use?

Once DCD has drafted this subterranean lease, would I share it with you or DPW? Please advise.

Thank you,
-Matt

From: Schmidt, Dawn <dmschmi@milwaukee.gov>
Sent: Monday, November 4, 2019 2:01 PM
To: Haessly, Matt <Matt.Haessly@milwaukee.gov>
Subject: Re: 5920 W Center-Alley-Basement?

Matt,

Here's the Special Privilege for the tunnel under the alley. I would appreciate it if we could get rid of the Special Privilege and process a Subterranean Space Lease for the alley, if it will remain.

Thanks,

Dawn Schmidt
Civil Engineer III
City of Milwaukee Department of Public Works
Planning & Development Section
841 North Broadway, Room 919
Milwaukee, WI 53202

414-286-2454
414-286-0663 (Fax)

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From: Haessly, Matt <Matt.Haessly@milwaukee.gov>
Sent: Monday, November 4, 2019 12:55 PM
To: Schmidt, Dawn <dmschmi@milwaukee.gov>
Subject: 5920 W Center-Alley-Basement?

Dawn,
The City recently foreclosed on 5920 W. Center Street. See attached map and aerial photo. The red dashes illustrate the basement area of this parcel that coincidentally fully extends under the east-west alley. Do you have any history, easements, or other important documents regarding the alley and basement below the alley?

Thanks,
-Matt

Matthew F. Haessly | Real Estate Specialist | mhaess@milwaukee.gov
Department of City Development - Real Estate
809 N. Broadway, 2nd floor, Milwaukee, WI 53202
P (414) 286-5736 | F (414) 286-0395
Milwaukee.gov/CRE



Read the latest news on City-owned properties and programs.

Plans & Survey

Haessly, Matt

From: Schmidt, Dawn
Sent: Tuesday, September 24, 2024 3:26 PM
To: Marti, Yance
Cc: Washington, James; Haessly, Matt; Brey, John
Subject: Fw: 5920 W Center
Attachments: 5920 W Center 1.pdf; 5920 W Center 2.pdf; 5920 W Center 3.pdf; 5920 W Center 4.pdf; 7-21-14-2-0026.pdf

Yance,

Attached please find several plans and a survey for the subject property. The City of Milwaukee owns the subject property and there is an existing special privilege for the tunnel to occupy the public right-of-way. The original special privilege for the tunnel was granted in 1968. Ideally, I would like the special privilege to be converted to an underground space lease, which would be recorded against the property and would follow the property for as long as the tunnel exists in the public right-of-way.

In order to convert the special privilege into a space lease, there will need to be a legal description and location exhibit showing the bounds of the legal description. Since the City of Milwaukee owns this property, would it be possible to have the legal and exhibit prepared in house?

I'm copying Matt Haessly from DCD who manages this property on this email. If access to the property is needed, he would be able to assist.

Please let me know if there are any questions or if additional information might be necessary.

Time can be charged to 491AWK52338210.

Thanks,

Dawn Schmidt, P.E.
Civil Engineer III
City of Milwaukee Department of Public Works
Planning & Development Section
841 North Broadway, Room 919
Milwaukee, WI 53202

414-286-2454
414-708-1423 (cell)
414-286-0663 (Fax)

For DPW Permit related questions, please use our new group email address dpwpermits@milwaukee.gov

From: Schmidt, Dawn <dmschmi@milwaukee.gov>
Sent: Friday, September 20, 2024 4:56 PM
To: Washington, James <jmwashi@milwaukee.gov>
Subject: Fw: 5920 W Center

James,

Plans and survey for the existing tunnel at 5920 W Center St.

Dawn Schmidt, P.E.
Civil Engineer III
City of Milwaukee Department of Public Works
Planning & Development Section
841 North Broadway, Room 919
Milwaukee, WI 53202

414-286-2454
414-708-1423 (cell)
414-286-0663 (Fax)

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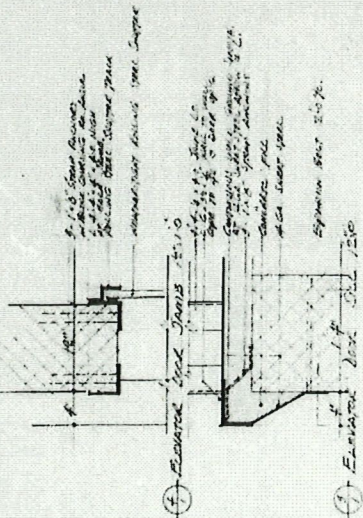
From: McLeod, Donald <Donald.McLeod@milwaukee.gov>
Sent: Thursday, September 19, 2024 1:32 PM
To: Schmidt, Dawn <dmschmi@milwaukee.gov>
Subject: 5920 W Center

Dawn –

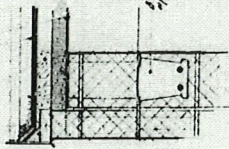
Here are the files for 5920 W Center.

Thanks for coming down, have a good one!

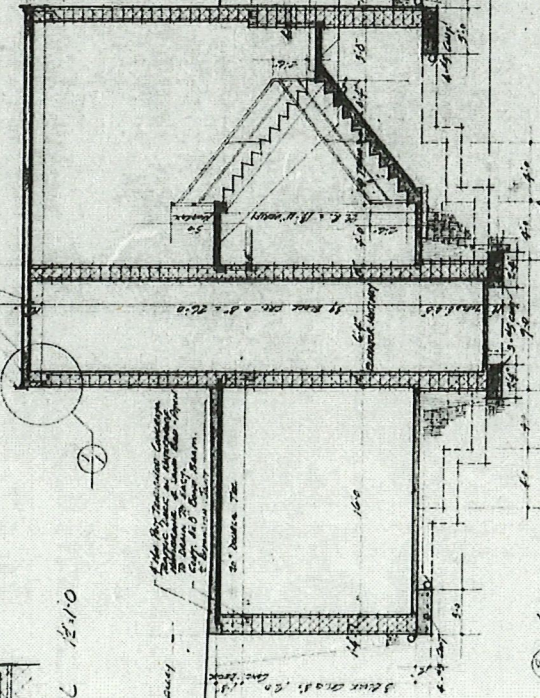
Donald McLeod (he/him)
Milwaukee City Records Center
414-286-8671
donald.mcleod@milwaukee.gov



-- 26 Co. Cnvy. 50 May. Leave. 1000 ft. drop.
 -- 27 Co. Cnvy. 50 May. Drop. 1000 ft. to Highway.
 -- 28 Co. Cnvy. 50 May. Drop. 1000 ft. to Highway.
 -- 29 Co. Cnvy. 50 May. Drop. 1000 ft. to Highway.
 -- 30 Co. Cnvy. 50 May. Drop. 1000 ft. to Highway.



① CORNICE DETAIL 12-10



SECTION THIRD ELEVATOR & STAIRWAY 4'-4'-0"

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88. Chrysolite delaware Blanc
 89.

Known as 5020 West Center Street, in the
Lots 15, 16, and 17 in Block 3 in LINCOLN CENTER, being a Subdivision of
in the City of Milwaukee, Milwaukee County, Wisconsin

known as 5020 West Center Street, in the City of Milwaukee, Wisconsin
Lots 15, 16, and 17 in Block 3 in LEBON COTTON, being a subdivision of a part of the West 1/2 of Section 14, T 7 N, R 21 E
in the City of Milwaukee, Milwaukee County, Wisconsin

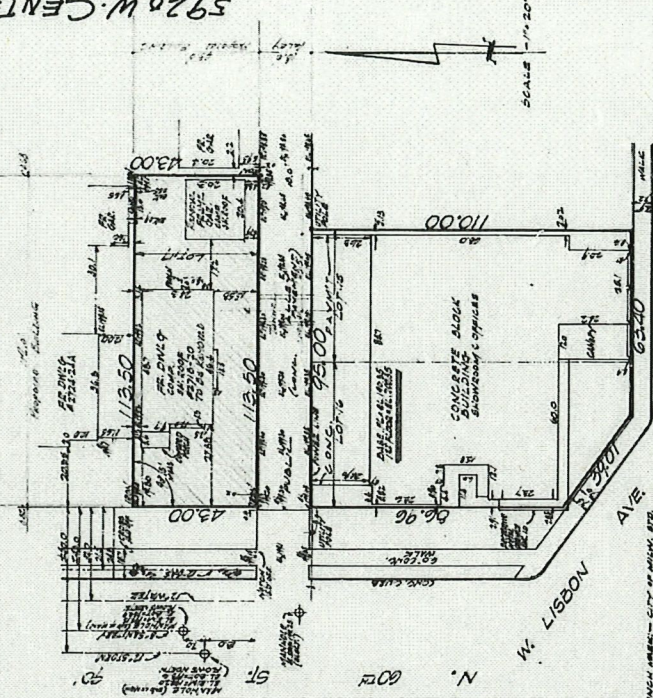
June 28, 1967

Survey No. 1187

June 20, 1967

5920 W. CENTER
KENWOOD TELEVISION
TYPE 4 NON-COMB
5/2/68

Survey No. 116735-5



BENCH MARK: - CITY OF ANCHORAGE, ALASKA
AT THE S.E. COR. OF N. 5TH ST. & M.
CENTER ST. SEC. 17E-03-1
ELEVATIONS AS SHOWN ARE AT 20.0'
INTERVALS W/IN 1/2 MILE ALONG THE ALLEY.

STILLWATER 100 15
CITY COMPANY RECORDS THE YOURS
NORTH 40 AGENCY THE YOURS
MILWAUKEE CITY RECORDS THE YOURS
NATIONS 10 MILWAUKEE RECORDS THE YOURS

The Certainty that we have surveyed the above described property and that the above plat is an accurate survey and a true representation thereof and correctly shows the exterior boundary lines and location of buildings and other improvements on said property and the correct measurements thereof.

NATIONAL SURVEY SERVICE
CITY ENGINEERS AND SURVEYORS
8725 W. VUE ST. 215-2620



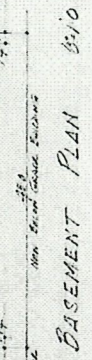
Lincoln C

DONALD ALLEN DAVIS
V R C H I H C W A

MATTHIAS F. SCHMEINZ
DIRECTOR OF BUILDINGS
MILWAUKEE, WIS.

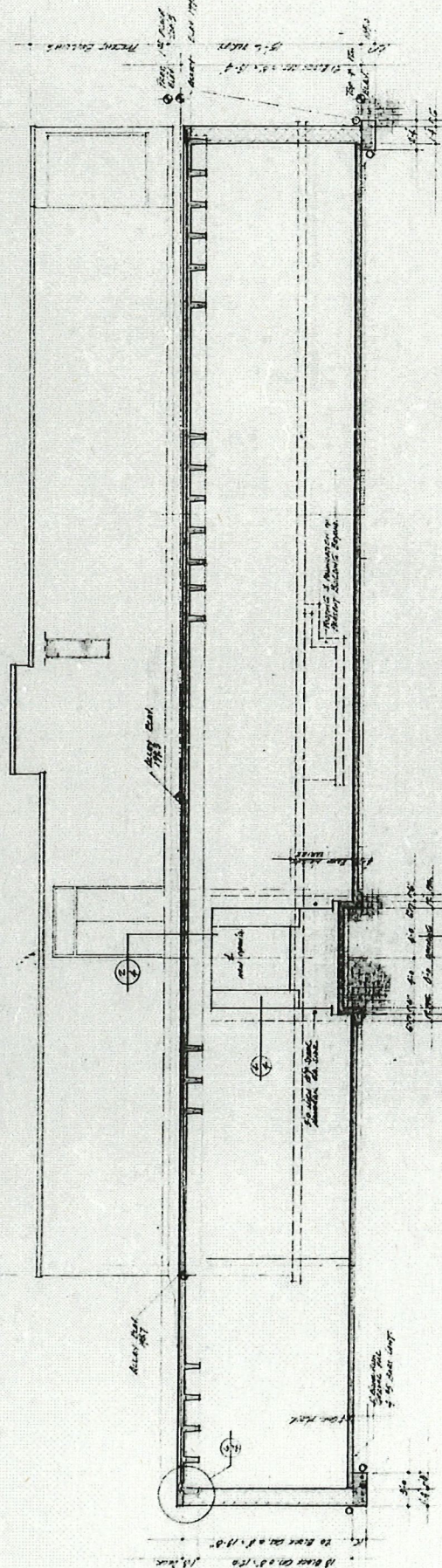
44
1896

5420 w. Center

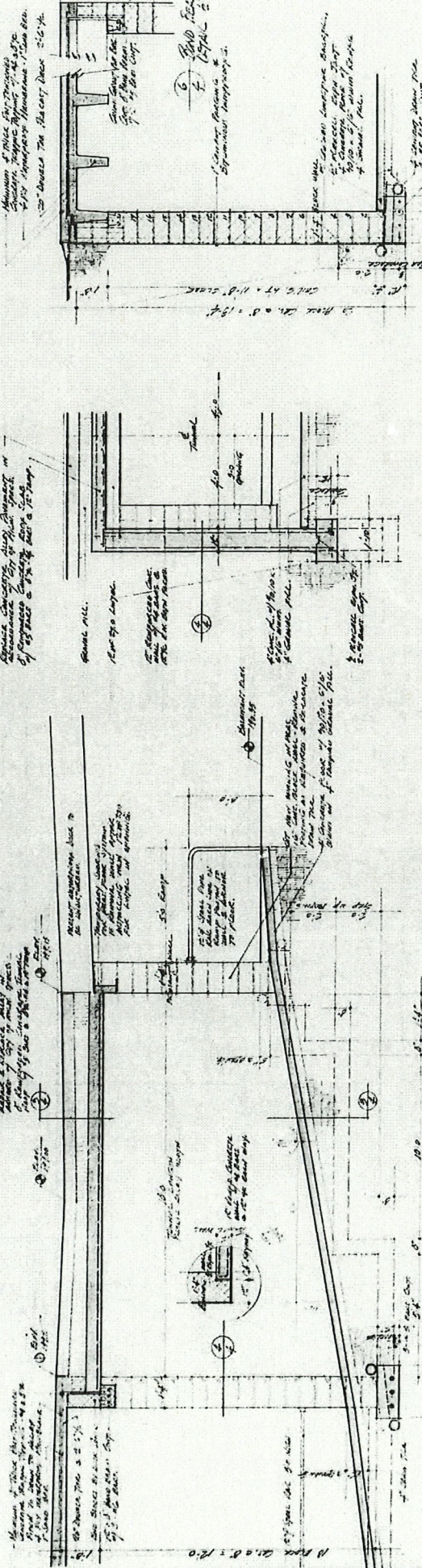


NORTH ELEVATION OF PRESENT ONE STORY BUILDING BAYOU

RONALD ALLEN DAVIS



SECTION THREE BUILDING LOOKING SOUTH E:10



SECTION THREE TUNNEL & RAMP E:10

TUNNEL WALL SECTION E:10

WALL SECTION E:10

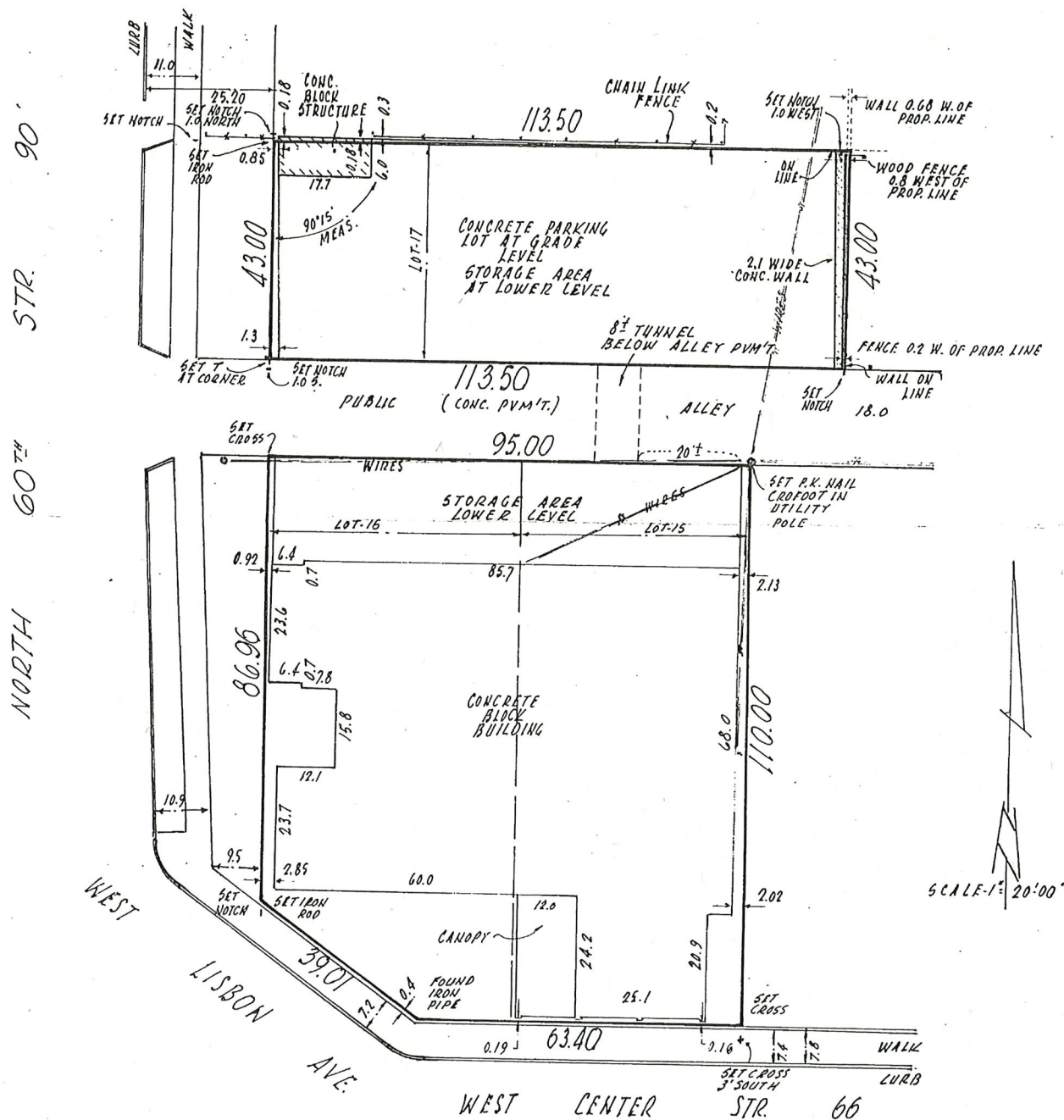
Plat of Survey
FOR
FIRST SERVICE CORPORATION OF WISCONSIN

KNOWN AS 5920 WEST CENTER STREET, IN THE CITY OF MILWAUKEE, WISCONSIN.
LOTS 15, 16 AND 17 IN BLOCK 3 IN LISBON CENTER, BEING A SUBDIVISION OF A PART OF THE WEST 1/2 OF SECTION 14, T 7 N, R 21 E,
IN THE CITY OF MILWAUKEE, MILWAUKEE COUNTY, WISCONSIN.

JANUARY 31, 1989

FIRST FINANCIAL SAVINGS-BANK

SURVEY NO. 118735-S



I Certify that I have surveyed the above described property (Property), and the above map is a true representation thereof and shows the size and location of the Property, its exterior boundaries, the location and dimensions of all visible structures thereon, boundary fences, apparent easements and roadways and visible encroachments, if any. This survey is made for the exclusive use of the present owners of the Property, and also those who purchase, mortgage, or guarantee the title thereto, within one (1) year from date hereof.



national survey & engineering

3470 north 127th street • p.o. box 444 • brookfield, wisconsin, 53005 • phone 414 / 781-1000

Kenneth E. Berke

**THIS IS ORIGINAL
PRINT ONLY IF
SEAL IS IMPRINTED
IN RED**



Haessly, Matt

From: Hansen, Matthew
Sent: Friday, October 4, 2024 9:31 AM
To: Schmidt, Dawn; Haessly, Matt
Cc: Washington, James; Ziegler, Jessica
Subject: RE: 5920 W Center-Alley-Basement?

MCO 200-32-3 dictates that we do not charge the City, MPS, or the redevelopment authority fees under MCO 200-32.

4. **GOVERNMENTAL UNITS.** Where the effect of requiring any fee provided in s. 200-33 would be to cause a charge to the city of Milwaukee, the Milwaukee board of school directors, or the redevelopment authority, the fee shall not be charged.

As long as the applicant is the City, then the fee for subterranean space leases, or any other fee in MCO 200-33, would not be applied.

Matthew Hansen, P.E., CFM

Permit and Development Center Manager

Development Center
809 N. Broadway, 1st floor, Milwaukee, WI 53202

mahans@milwaukee.gov
(414) 286-8542 (Direct)
(414) 708-3213 (Cell)

[LMS Land Management System](#) | [QLess Online Check-In](#)



Your opinion is important to us. Please complete our brief [Permit & Development Center survey](#) regarding your recent customer service experience.

From: Schmidt, Dawn <dmschmi@milwaukee.gov>
Sent: Thursday, October 3, 2024 4:33 PM
To: Haessly, Matt <Matt.Haessly@milwaukee.gov>
Cc: Washington, James <jmwashi@milwaukee.gov>; Hansen, Matthew <mahans@milwaukee.gov>; Ziegler, Jessica <jziegl@milwaukee.gov>
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Dawn Schmidt, P.E.

Civil Engineer III
City of Milwaukee Department of Public Works

Planning & Development Section

841 North Broadway, Room 919
Milwaukee, WI 53202

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Sent: Thursday, September 19, 2024 9:57 AM
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Subject: FW: 5920 W Center-Alley-Basement?

Hello Dawn,

DCD intends to market and sell this property. I am trying to coordinate the most efficient way to implement the subterranean lease you referenced below. For example, once a buyer is identified, my thought would be introduce the sale file along with a subterranean lease file to the Common Council (same cycle). I always list the owner in my real estate sale files and believe I would list the same buyer/owner in the subterranean lease file-right?

Do you have a word document that I could use?

Once DCD has drafted this subterranean lease, would I share it with you or DPW? Please advise.

Thank you,

-Matt

From: Schmidt, Dawn <dmschmi@milwaukee.gov>

Sent: Monday, November 4, 2019 2:01 PM

To: Haessly, Matt <Matt.Haessly@milwaukee.gov>

Subject: Re: 5920 W Center-Alley-Basement?

Matt,

Here's the Special Privilege for the tunnel under the alley. I would appreciate it if we could get rid of the Special Privilege and process a Subterranean Space Lease for the alley, if it will remain.

Thanks,

Dawn Schmidt

Civil Engineer III
City of Milwaukee Department of Public Works

Planning & Development Section

841 North Broadway, Room 919
Milwaukee, WI 53202

414-286-2454
414-286-0663 (Fax)

For DPW Permit related questions, please use our new group email address dpwpermits@milwaukee.gov

From: Haessly, Matt <Matt.Haessly@milwaukee.gov>
Sent: Monday, November 4, 2019 12:55 PM
To: Schmidt, Dawn <dmschmi@milwaukee.gov>
Subject: 5920 W Center-Alley-Basement?

Dawn,

The City recently foreclosed on 5920 W. Center Street. See attached map and aerial photo. The red dashes illustrate the basement area of this parcel that coincidentally fully extends under the east-west alley. Do you have any history, easements, or other important documents regarding the alley and basement below the alley?

Thanks,

-Matt

Matthew F. Haessly | Real Estate Specialist | mhaess@milwaukee.gov



Department of City Development - Real Estate
809 N. Broadway, 2nd floor, Milwaukee, WI 53202

P (414) 286-5736 | F (414) 286-0395

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