



DEPARTMENT OF
**NEIGHBORHOOD
SERVICES**

Air or Subterranean Space Lease

Permit & Development Center

809 N. Broadway, Milwaukee, WI 53202 | (414) 286-8207 | milwaukee.gov/permits | DevelopmentCenterInfo@milwaukee.gov

December, 21st 2020

City Clerk James Owczarski

Commissioner Erica Roberts
Attn: Richard Paur
Department of Neighborhood Services

Commissioner Rocky Marcoux
Attn: Amy Turim
Department of City Development

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

Commissioner Jeffery S. Polenske
Attn: Jerrel Kruschke
Department of Public Works

City Engineer Samir Amin

City Planning Manager Sam Leichtling

RE: Air Space Lease for RITE HITE Global Headquarters Project, 360 W Freshwater Way/425 W Freshwater Way

Dear Committee Members:

In accordance with 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 Eppstein Uhen Architects. The lease is being requested for a building overhang over W. Freshwater Way, 28 ft above ground level.

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 the next meeting.

Should you require any further information from the applicant, please give me a call at (414) 286-8316.

Thank you,

Sincerely,

Edwin J. Schacherer

Permit Desk Supervisor – Permit & Development Center
809 N. Broadway, 1st floor, Milwaukee, WI 53202
P: (414) 286-8316 F: (414) 286-0232



Air or Subterranean Space Lease Petition

809 N. Broadway, 1st Floor / Milwaukee, WI 53202-3617 / 414-286-8208

Submit this application with \$200 application fee to:
Milwaukee Development Center
Make check payable to City of Milwaukee.
Application fee is non-refundable.

Date 12-7-2020

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

The undersigned Peter Kucha (Eppstein Uhen Architects)
(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:

over a portion of the R/W of W. Freshwater Way from the ground (appx. elev. 8.0) up to an elevation of 28.04 feet (City of Milwaukee datum), within a diagonal 14 foot wide corridor, the northerly end being 146 feet southwesterly of the southeast corner of Lot 1, CSM 8699 and the southerly end being 395 feet northeasterly of the northwest corner of Lot 1 CSM 8712.


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:

Lots 1 and 2 of Certified Survey Map No. 8699 recorded as Document No. 10468462, in the NW 1/4 of the NE 1/4 of Section 32, Town 7 North, Range 22 East, City of Milwaukee, Milwaukee County, Wisconsin, and Lot 1 of Certified Survey Map No. 8712 recorded as Document No. 10486796, Lot 2 of Certified Survey Map No. 9046 recorded as Document No. 10787135, Lots 1 and 2 and part of Lots 3, 10, 11 and 12 including parts of vacated South 3rd Street, vacated W. Oregon Street and vacated alley adjacent, in Block 15, in Walker's Point, all in the NW 1/4 of the NE 1/4 of Section 32, Town 7 North, Range 22 East, City of Milwaukee, Milwaukee County, Wisconsin

also known by street and number as 360 and 425 and W. Freshwater W
which property is located on both sides of that portion of the (street, alley or _____) 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 

Address 333 E Chicago

Phone 414 291 8190

Corporation, firm or society EUA

Address 333 E Chicago

Title or office held in same Principal



eppstein uhen : architects

milwaukee : 333 E Chicago St	414.271.5350
madison : 309 W Johnson St, Ste 202	608.442.5350
denver : 1899 Wynkoop St, Ste 300	303.595.4500
des moines : 699 Walnut St, Ste 400	515.724.5840

eua.com

December 7, 2020

Ms. Dawn Schmidt P.E.
Civil Engineer III
City of Milwaukee Department of Public Works
841 N. Broadway Room 919
Milwaukee WI 53202

Re: Rite-Hite Global Headquarters

Dear Ms. Schmidt:

An Air Space Lease is being requested for the Rite-Hite Global Headquarters Project which will be located at 360 W. Freshwater Way (North Parcel) and 425 W. Freshwater Way (South Parcel). The project includes a new 158,000 sf 4 Story Office Building to be located on the North Parcel. A four-story parking structure and a two-story Tech Building (with space for offices, product development and customer and employee training) are being proposed for the South Parcel. Rite-Hite would like the second floors of the buildings on the North and South Parcels to be connected via a skywalk that will cross W. Freshwater Way.

This submittal includes the following information:

Air Space Lease Application

A Site Plan indicating the proposed skywalk and the proposed buildings to be connected by the skywalk
2nd floor plans of the building being connected by the skywalk

An elevation drawing of the skywalk

A rendering of the skywalk

Plat of Survey of 360 W. Freshwater Way (North Parcel)

Plat of Survey of 425 W. Freshwater Way (South Parcel)

Air Lease Exhibit/ Survey

Recorded Deed for Proof of Ownership

Primary contacts for this project are as follows

Architect

Peter Kucha

Eppstein Uhen Architects

Ph: 414-291-8190

peterk@eua.com



Phase 1: +/-
137,347 SF
FFE = 8.5

LOT 1
C. S. M.
9 2 7 1

N72° 43' 10"E
18.86'

S72° 43' 09"W 442.79'

N72° 43' 09"E
143.33'
TO SE COR. LOT 1

P.O.B.

W. FRESHWATER WAY
(66' PUBLIC R/W)

N0° 06' 49"E
69.16'

18.00'

S0° 06' 49"W
69.16'

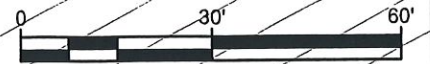
S72° 43' 09"W 574.42'

S72° 43' 09"W
18.86'

LOT 3
C. S. M.
9 2 7 1

Phase 1:
+/- 103,239 SF
FFE = 12.5 Loading Dock
Entrance = 8.5

GRAPHIC SCALE



THE SIGMA GROUP
Single Source. Sound Solutions.

www.thesigmagroup.com
1300 West Canal Street
Milwaukee, WI 53233
Phone: 414-643-4200
Fax: 414-643-4210

AIR LEASE EXHIBIT
W. FRESHWATER WAY

DATE:

DR.#

FIGURE#

Special Warranty Deed

THIS DEED, made between BUILDING 41 LLC, a Wisconsin limited liability company ("Grantor") and SIXSIBS LLC, a Wisconsin limited liability company ("Grantee"). Grantor, for a valuable consideration, conveys to Grantee the following described real estate, together with the rents, profits, fixtures and other appurtenant interests, in Milwaukee County, State of Wisconsin ("Property"):

SEE EXHIBIT A ATTACHED HERETO.

DOC # 11004838
RECORDED
08/03/2020 06:02 AM
ISRAEL RAMON
REGISTER OF DEEDS
Milwaukee County, WI
AMOUNT: 30.00
TRANSFER FEE: 36,000.00
FEE EXEMPT #:
***This document has been
electronically recorded and
returned to the submitter.***

Name and Return Address:

Joshua P. Roling
Foley & Lardner LLP
777 E. Wisconsin Ave.
Milwaukee, WI 53202

Parcel Identification Number:

428-105-1000; 428-105-2000; 428-106-1000;
428-032-2113; and 428-110-2000

This is not homestead property.

WITNESSETH:

Grantor warrants that the title to the Property is good, indefeasible, in fee simple and free and clear of encumbrances arising by, through, or under Grantor only, except the Permitted Exceptions shown on EXHIBIT B attached hereto.

[Signature page follows]

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

PARCEL 1:

LOT 1 OF CERTIFIED SURVEY MAP NO. 8712 RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR MILWAUKEE COUNTY, WISCONSIN, AS DOCUMENT NO. 10486796, BEING A RESUBDIVISION OF CERTIFIED SURVEY MAP NO. 8533, BEING LOCATED IN THE CITY OF MILWAUKEE, MILWAUKEE COUNTY, WISCONSIN.

PARCEL 2:

LOTS 1 AND 2 OF CERTIFIED SURVEY MAP NO. 8699 RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR MILWAUKEE COUNTY, WISCONSIN, AS DOCUMENT NO. 10468462, BEING A RESUBDIVISION OF CERTIFIED SURVEY MAP NO. 8533, BEING LOCATED IN THE CITY OF MILWAUKEE, MILWAUKEE COUNTY, WISCONSIN.

PARCEL 3:

LOT 2 OF CERTIFIED SURVEY MAP NO. 9046 RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR MILWAUKEE COUNTY, WISCONSIN, AS DOCUMENT NO. 10787135 IN THE CITY OF MILWAUKEE, MILWAUKEE COUNTY, WISCONSIN.

PARCEL 4:

LOT 2 AND THAT PART OF LOTS 1, 3, 10, 11 AND 12 INCLUDING THAT PART OF VACATED SOUTH 4TH STREET AND THAT PART OF THE VACATED ALLEY ALL IN BLOCK 15 AND THAT PART OF LOT 6 IN BLOCK 12 INCLUDING THAT PART OF VACATED WEST OREGON STREET IN WALKER'S POINT, A SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 32, TOWN 7 NORTH, RANGE 22 EAST, IN THE CITY OF MILWAUKEE, COUNTY OF MILWAUKEE, STATE OF WISCONSIN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF SOUTH THIRD STREET, DISTANT 16.00 FEET NORTH OF AND MEASURED PERPENDICULARLY FROM THE CENTER LINE OF CHICAGO, MILWAUKEE, ST. PAUL & PACIFIC RAILROAD COMPANY SO CALLED WEST BOUND FREIGHT MAIN TRACK AS NOW THERE ESTABLISHED; THENCE NORTH ALONG SAID WEST STREET LINE 210.00 FEET TO A POINT; THENCE NORTH 89 DEGREES 53 MINUTES 39 SECONDS WEST 65.00 FEET TO A POINT; THENCE SOUTH 60 DEGREES 07 MINUTES 53 SECONDS WEST 308.23 FEET TO A POINT; THENCE SOUTH AND PARALLEL TO SAID WEST LINE OF SOUTH THIRD STREET 56.00 FEET MORE OR LESS TO THE POINT DISTANT 16.00 FEET NORTH OF AS MEASURED PERPENDICULARLY FROM THE CENTER LINE OF SAID TRACK AND REFERRED HEREIN AS POINT "A"; THENCE EAST PARALLEL TO AND 16.00 FEET NORTH OF THE CENTER LINE OF SAID TRACK ON A LINE BEARING 89 DEGREES 53 MINUTES 39 SECONDS EAST 332.00 FEET; MORE OR LESS TO THE POINT OF BEGINNING.

EXHIBIT B

PERMITTED EXCEPTIONS

1. Taxes, general and special for the year 2020, not now due and payable.
2. Restriction as contained on Certified Survey Map No. 8699, Certified Survey Map No. 8712, Certified Survey Map No. 8533 and Certified Survey Map No. 9046 reciting as follows:

In consideration of the approval of this map by the Common Council and in accordance with Chapter 119 of the Milwaukee Code of Ordinances, the undersigned agrees: a. That all utility lines to provide electric power and telephone services and cable television or communications systems lines or cables to all parcels in the certified survey map shall be installed underground in easements provided therefore, where feasible.

3. Covenants, Conditions, Restrictions, Utility and Drainage Easements and Setback Lines and any amendments thereto as disclosed on the recorded Certified Survey Map No. 8533 recorded as document 10257583, Certified Survey Map No. 8699 recorded as document 10468462, Certified Survey Map No. 8712 recorded as document 10486796 and Certified Survey map No. 9046 recorded as document 10787135.
4. Terms, conditions, provisions and restrictions as contained in an Utility Easement in favor of Wisconsin Electric Power Company and Wisconsin Telephone Company recorded as document 4071699.
(Affects Parcels 1 and 2)
5. Terms, conditions, provisions and restrictions as contained in an Easement in favor of the City of Milwaukee recorded as document 4225501.
(Affects Parcels 1 and 2)
6. Terms, conditions, provisions and restrictions as contained in an Easement in favor of Pfister & Vogel Leather Company recorded as document 1661447.
(Affects Parcels 1 and 2)
7. Terms, conditions, provisions and restrictions as contained in a Permanent Sewer and Access Easements and Temporary Construction Easement recorded as documents 7791796.

Partial release recorded August 3, 2015 as document 10486139.
(Affects Parcels 1 and 2)
8. Terms, conditions, provisions and restrictions as contained in a Sewer Easement recorded as document 4000147.
(Affects Parcels 1 and 2)
9. Terms, conditions, provisions and restrictions as contained in a Bill of Sale in favor of the Milwaukee Metropolitan Sewerage District recorded as document 7432577.

As amended by Release of Existing Easements and Grant of Permanent Access & Infrastructure Easement recorded April 9, 2020 as document 10967639.
(Affects Parcels 1 and 2)

20. Terms, conditions, provisions and restrictions as contained in a River Path Easement by and between the City of Milwaukee, the State of Wisconsin, the Department of Natural Resources, Building 41 LLC and Tannery Remnants LLC recorded February 26, 2013 as document 10220198.
(Affects Parcels 1 and 2)
21. Current and future obligations arising from the inclusion of the subject parcels in Business Improvement District No. 26 - Menomonee Valley (Affects Parcels 1-3) and Business Improvement District No. 49 - Reed Street Yards.
22. Any facts, rights, interests or claims that may exist or arise by reason of the following matters disclosed by an ALTA/NSPS survey made by The Sigma Group on September 23, 2019, last revised July 22, 2020, designated Project No. 18828: A. Utilities located on the land without the apparent benefit of an easement.
23. Terms, conditions, provisions and restrictions as contained in a Release of Existing Easements and Grant of Permanent Access & Infrastructure Easement in favor of the Milwaukee Metropolitan Sewerage District recorded April 9, 2020 as document 10967639.