



September 25, 2008

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

Acting Commissioner Tom Mishefske  
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: Air space lease petition from Terrace Row, 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 Terrace Row, LLC. The lease is being requested for bedroom bays and roof terraces at 755, 765, 775 and 785 E Kilbourn Ave.

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 October or November 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. Robert Bauman



# 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 Friday, June 13, 2008

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

The undersigned, Terrace Row, LLC

*(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 attached legal description

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:

See attached legal description

also known by street and number as 755, 765, 775 and 785 E. Kilbourn Ave, Milwaukee, WI 53202  
which property is located on both sides of that portion of the (street) 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: 1840 N. Farwell Ave, #203, Milwaukee, WI 53202

Phone: 414-271-5263

Corporation, firm or society: Terrace Row, LLC

Address: Same as above

Title or office held in same: *Director of Development*  
0900

=====  
CITY OF MILWAUKEE  
DEVELOPMENT CENTER  
REG-RECEIPT:02-0090665  
CASHIER ID: leichh  
C:09/25/2008 11:47 AM A:09/25/2008  
=====  
0820 MISCELLANEOUS RECEIPT 150.00  
TOTAL DUE: \$ 150.00

# JAHNKE & JAHNKE ASSOCIATES INC.

CONSULTANTS IN

ENGINEERING, PLANNING, SUBDIVISIONS AND SURVEYING

711 W. Moreland Blvd.  
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Fax: 262-542-7698  
E-Mail: [jstigler@jahnkeandjahnke.com](mailto:jstigler@jahnkeandjahnke.com)

Air Space Easement for Bedroom Bay, 3<sup>rd</sup> Floor, Unit 1

## Legal Description:

All that part of E. Kilbourn Avenue as mapped and dedicated being part of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section 28, Town 7 North, Range 22 East, City of Milwaukee, Milwaukee County, Wisconsin bounded and described as follows: Commencing at the northeast corner of Lot 1 of Certified Survey Map No. 8042, recorded April 17, 2008 as Document No. 09587485 in the Milwaukee County Registry; thence South 89°59'05" West along the north line of said Lot 1, 0.27 feet to the place of beginning of said Air Space Easement hereinafter described (Ground Elevation 66.00 feet, bottom of Air Space Elevation 86.66 feet, top of Air Space Elevation 100.04 feet, City of Milwaukee Datum); thence North 00°00'55" West 5.00 feet; thence South 89°59'05" West 23.42 feet; thence South 00°00'55" East 5.00 feet to above said north line of Lot 1; thence North 89°59'05" East along said north line 23.42 feet to the place of beginning. Said Air Space Easement containing 1566 cubic feet more or less.

Prepared by: John R. Stigler  
Wis. Reg. No. S-1820  
Dated: June 10, 2008

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## Air Space Easement for Roof Terrace, 4th Floor, Unit 1

### Legal Description:

All that part of E. Kilbourn Avenue as mapped and dedicated being part of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section 28, Town 7 North, Range 22 East, City of Milwaukee, Milwaukee County, Wisconsin bounded and described as follows: Commencing at the northeast corner of Lot 1 of Certified Survey Map No. 8042, recorded April 17, 2008 as Document No. 09587485 in the Milwaukee County Registry; thence South 89°59'05" West along the north line of said Lot 1, 0.27 feet to the place of beginning of said Air Space Easement hereinafter described (Ground Elevation 66.00 feet, bottom of Air Space Elevation 100.04 feet, top of Air Space Elevation 111.00 feet, City of Milwaukee Datum); thence North 00°00'55" West 5.00 feet; thence South 89°59'05" West 23.42 feet; thence South 00°00'55" East 5.00 feet to above said north line of Lot 1; thence North 89°59'05" East along said north line 23.42 feet to the place of beginning. Said Air Space Easement containing 1283 cubic feet more or less.

Prepared by: John R. Stigler  
Wis. Reg. No. S-1820  
Dated: June 10, 2008

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## Air Space Easement for Bedroom Bay, 3rd Floor, Unit 2

### Legal Description:

All that part of E. Kilbourn Avenue as mapped and dedicated being part of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section 28, Town 7 North, Range 22 East, City of Milwaukee, Milwaukee County, Wisconsin bounded and described as follows: Commencing at the northeast corner of Lot 1 of Certified Survey Map No. 8042, recorded April 17, 2008 as Document No. 09587485 in the Milwaukee County Registry; thence South 89°59'05" West along the north line of said Lot 1, 33.85 feet to the place of beginning of said Air Space Easement hereinafter described (Ground Elevation 66.00 feet, bottom of Air Space Elevation 86.66 feet, top of Air Space Elevation 100.04 feet, City of Milwaukee Datum); thence North 00°00'55" West 5.00 feet; thence South 89°59'05" West 23.00 feet; thence South 00°00'55" East 5.00 feet to above said north line of Lot 1; thence North 89°55'05" East along said north line 23.00 feet to the place of beginning. Said Air Space Easement containing 1539 cubic feet more or less.

Prepared by: John R. Stigler  
Wis. Reg. No. S-1820  
Dated: June 10, 2008

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## Air Space Easement for Roof Terrace, 4th Floor, Unit 2

### Legal Description:

All that part of E. Kilbourn Avenue as mapped and dedicated being part of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section 28, Town 7 North, Range 22 East, City of Milwaukee, Milwaukee County, Wisconsin bounded and described as follows: Commencing at the northeast corner of Lot 1 of Certified Survey Map No. 8042, recorded April 17, 2008 as Document No. 09587485 in the Milwaukee County Registry; thence South  $89^{\circ}59'05''$  West along the north line of said Lot 1, 33.85 feet to the place of beginning of said Air Space Easement hereinafter described (Ground Elevation 66.00 feet, bottom of Air Space Elevation 100.04 feet, top of Air Space Elevation 111.00 feet, City of Milwaukee Datum); thence North  $00^{\circ}00'55''$  West 5.00 feet; thence South  $89^{\circ}59'05''$  West 23.00 feet; thence South  $00^{\circ}00'55''$  East 5.00 feet to above said north line of Lot 1; thence North  $89^{\circ}55'05''$  East along said north line 23.00 feet to the place of beginning. Said Air Space Easement containing 1260 cubic feet more or less.

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Dated: June 10, 2008

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## Air Space Easement for Bedroom Bay, 3<sup>rd</sup> Floor, Unit 3

### Legal Description:

All that part of E. Kilbourn Avenue as mapped and dedicated being part of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section 28, Town 7 North, Range 22 East, City of Milwaukee, Milwaukee County, Wisconsin bounded and described as follows: Commencing at the northeast corner of Lot 1 of Certified Survey Map No. 8042, recorded April 17, 2008 as Document No. 09587485 in the Milwaukee County Registry; thence South 89°59'05" West along the north line of said Lot 1, 61.85 feet to the place of beginning of said Air Space Easement hereinafter described (Ground Elevation 66.00 feet, bottom of Air Space Elevation 86.66 feet, top of Air Space Elevation 100.04 feet, City of Milwaukee Datum); thence North 00°00'55" West 5.00 feet; thence South 89°59'05" West 23.00 feet; thence South 00°00'55" East 5.00 feet to above said north line of Lot 1; thence North 89°59'05" East along said north line 23.00 feet to the place of beginning. Said Air Space Easement containing 1539 cubic feet more or less.

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## Air Space Easement for Roof Terrace, 4th Floor, Unit 3

### Legal Description:

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Air Space Easement for Bedroom Bay, 3<sup>rd</sup> Floor, Unit 4

## Legal Description:

All that part of E. Kilbourn Avenue as mapped and dedicated being part of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section 28, Town 7 North, Range 22 East, City of Milwaukee, Milwaukee County, Wisconsin bounded and described as follows: Commencing at the northeast corner of Lot 1 of Certified Survey Map No. 8042, recorded April 17, 2008 as Document No. 09587485 in the Milwaukee County Registry; thence South 89°59'05" West along the north line of said Lot 1, 89.85 feet to the place of beginning of said Air Space Easement hereinafter described (Ground Elevation 66.00 feet, bottom of Air Space Elevation 86.66 feet, top of Air Space Elevation 100.04 feet, City of Milwaukee Datum); thence North 00°00'55" West 5.00 feet; thence South 89°59'05" West 23.00 feet; thence South 00°00'55" East 5.00 feet to above said north line of Lot 1; thence North 89°59'05" East along said north line 23.00 feet to the place of beginning. Said Air Space Easement containing 1567 cubic feet more or less.

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## Air Space Easement for Roof Terrace, 4th Floor, Unit 4

### Legal Description:

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