

PETITION FOR A SPECIAL PRIVILEGE

SP ~~950352~~

AMENDMENT

\$208.00 Publication Fee
Must Accompany This Petition
SUBMIT PETITION IN DUPLICATE

CC

July 27, 20 01

950352

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

Council Members:

The undersigned Milwaukee City Center, LLC, a Wisconsin limited liability company, d/b/a The Hilton Milwaukee City Center (State whether petitioner is an individual, co-partnership, Wisconsin or foreign corporation)

being the owners of the following described real estate:

See Exhibit A attached hereto

(Legal description)

_____ in the 4th Aldermanic District also known by street and number as 509 West Wisconsin Avenue respectfully petition the Common Council of the City of Milwaukee according to the provisions of Section 66.045 of the Wisconsin Statutes, that the following privilege be granted:

Amend Special Privilege Resolution File No. 950352 (attached hereto) to additionally permit:
(Here describe the privilege)
the 20 planters, 2 benches, 2 ash cans, and 3 doors in the North 5th Street right-of-way;
the 2 cast iron tree grates in the North 6th Street right-of-way; and the 2 planting beds
with concrete curbs, 13 planters and 2 doors in the West Wisconsin Avenue right-of-way

of which a plan or sketch is herewith submitted. Petitioner agrees to comply with all laws and all 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 furnish a bond and pay annual compensation as provided by law in the sum to be fixed by the proper city officers, and to file and keep current throughout the existence of the privilege, a certificate of insurance indicating applicant holds a public liability policy in at least the sums of \$25,000.00/\$50,000.00 bodily injury, and \$10,000.00 property damage, insuring the city against any liability that might arise by reason of the privilege.

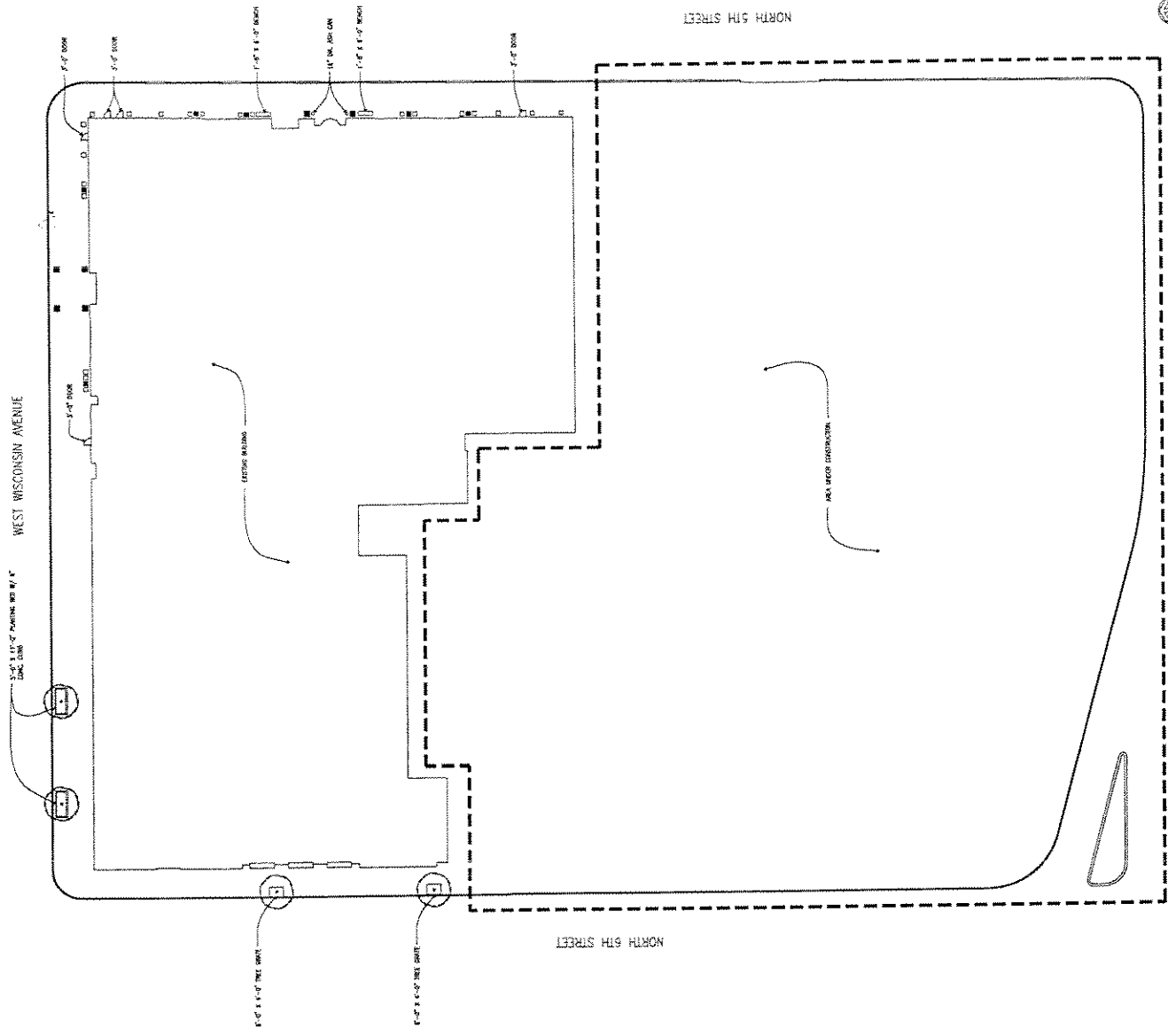
Petitioner further agrees to remove said privilege whenever public necessity so requires when so ordered upon resolution adopted by the Common Council or other legislative body.

Should this special privilege be discontinued for any reason whatsoever, petitioner agrees to remove all construction work executed pursuant to this special privilege, to restore to its former condition and to the approval of the Commissioner of Public Works, any curb, pavement, or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Petitioner further agrees not to contest the validity of Section 66.045 of the Wisconsin Statutes, or the legality of this special privilege in any way.

FILE WITH CITY CLERK LICENSE DIVISION
ROOM 105 CITY HALL, 200 EAST WELLS STREET

Milwaukee City Center, LLC
By: Marcus Hotels, Inc. its Managing Member
Signed [Signature]
Thomas F. Kissinger, Secretary
Address 250 East Wisconsin Avenue, Suite 1700
Milwaukee, Wisconsin 53202

Contractor: Mortenson
(if firm, society or corporation, give its full name)
600 North 6th Street, Milwaukee, Wisconsin 53202
Address
Downen Virgo, Project Manager (414) 272-6888
(Title or office held in name) (Local Phone Number of Engineer/Contractor)



KEY:
 ■ 2'-0" x 2'-0" PARKING
 ○ 1'-0" x 1'-0" PARKING
 △ 1'-0" x 1'-0" PARKING

Drawing Date: 24 JULY 2021
 PROJECT: MILWAUKEE HILTON ADDITION AND REMODELLING
 502 WEST WISCONSIN AVENUE MILWAUKEE, WISCONSIN 53201
 Project No.: 20025.00
 Sheet No.: SITE PLAN
 Scale: 1/8" = 1'-0"



NORTH

WEST MICHIGAN STREET

NORTH 5TH STREET

WEST WISCONSIN AVENUE

SITE PLAN

I. - Real Property Owned in Fee

EXHIBIT A

Lots One (1), Two (2), Three (3), Five (5), and Six (6), including the vacated alley lying between Lots Five (5) and Six (6), all in Block Sixty-seven (67), in the Plat of the Town of Milwaukee on the West Side of the River, in the South East Fractional One-quarter (1/4) and the North East One-quarter (1/4) of Section Twenty-nine (29), in Township Seven (7) North, Range Twenty-two (22) East, in the City of Milwaukee.

(Tax Key No. 361-0719)

The South One Hundred Thirty (130) feet of Lots Eight (8), Nine (9), and Ten (10) in Block Sixty-seven (67), in the Plat of the Town of Milwaukee on the West Side of the River in the South West One-quarter (1/4) of Section Twenty-nine (29), in Township Seven (7) North, Range Twenty-two (22) East, in the City of Milwaukee, except that part of said Lots described as follows: Commencing at a point in the Southwest corner of Lot 8 in Block 67 aforesaid; running thence East along the South line of Lots 8, 9 and 10 in Block 67 aforesaid, 150.00 feet to a point in the Southeast corner of said Lot 10; thence Northwestwardly 140.38 feet to a point, said point lying 35.49 feet North of the South line and 13.46 feet East of the West line of said Lot 8; thence Northwestwardly 22.02 feet to a point in the West line of said Lot 8, said point lying 52.91 feet North of the Southwest corner of said Lot 8; thence South along the West line of Lot 8 aforesaid, 52.91 feet to the point of commencement.

(Tax Key No. 361-0723-100)

✓ The West One Hundred Ten (110) feet Seven and One-half (7 1/2) inches of Lot One (1), Block One Hundred Seventy-eight (178), in the Plat of Partition of the East One-half (1/2) of the North West One-quarter (1/4) of Section Twenty-nine (29), in Township Seven (7) North, Range Twenty-two (22) East, in the City of Milwaukee,

✓ Also all of Lot Four (4) except the East Thirty-nine (39) feet Four and One-half (4 1/2) inches of the North Fifty (50) feet thereof, in Block Sixty-seven (67) in the Town of Milwaukee, on the West Side of the Milwaukee River, in the East One-half (1/2) of the South West One-quarter (1/4) of Section Twenty-nine (29), in Township Seven (7) North, Range Twenty-two (22) East, in the City of Milwaukee. (Tax Key No. 361-0720)

✓ The North One-half (1/2) of the vacated West One-half (1/2) of the East-West alley in the Block bounded by West Michigan Street, West Wisconsin Avenue, North 5th and North 6th Streets, in the 4th Ward of the City of Milwaukee more particularly described as follows: The North One-half (1/2) of that part of Block Sixty-seven (67) in the Partition of the East One-half (1/2) of the South West One-quarter (1/4) of Section Twenty-nine (29), in Township Seven (7) North, Range Twenty-two (22) East, in the City of Milwaukee, a recorded Subdivision in said 1/4 Section described as follows: Commencing at the Southeast corner of Lot 4 in Block 67 of said Subdivision running thence West along the South line of Lot 4 aforesaid, 150 feet to the Southwest corner of said Lot 4; thence South along the West line of said Lot 4 extended South, 20.00 feet to the Northwest corner of Lot 7, in Block 67 of said Subdivision; thence East along the North line of Lot 7 aforesaid, 150.00 feet to the Northeast corner of said Lot 7; thence North along the East line of said Lot 7 extended North, 20.00 feet to the point of commencement. (Tax Key No. 361-0720) ✓

The East 39 feet and 4-1/2 inches of Lot 1, Block 178, in the Plat of the Partition of the East 1/2 of the Northwest 1/4 of Section 29, Town 7 North, Range 22 East, and the East 39 feet and 4-1/2 inches of the North 50 feet of Lot 4, Block 67, in the Plat of Partition of the East 1/2 of the Southwest 1/4 of Section 29, Town 7 North, Range 22 East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin.

Tax Key No. 361-0721-100-9

II - Leased Land:

Lot number Seven (7) and the North Twenty (20) feet of Lots numbered Eight (8), Nine (9) and Ten (10) in Block numbered Sixty-seven (67) in the Town of Milwaukee on the West side of the Milwaukee River in the East One-half (1/2) of the Southwest One-quarter (1/4) of Section numbered Twenty-nine (29), in Township Seven (7) North, Range Twenty-two (22) East, in the Fourth Ward of the City of Milwaukee.

(Tax Key No. 361-0725)

Eng.

City of Milwaukee

Office Of The City Clerk

RAS

RECEIVED
Certified Copy of Resolution
95 AUG 15 PM 1:29

FILE NUMBER: 950352

DIV. OF ENGINEERS
ADMIN.

FROM CITY ENGINEER		
ORIG.	COPIY	INVEST.
M.S.	M.S.	REPLY
W.P.	W.P.	COMMENT
R.G.	R.G.	NOTIFY
O.J.	O.J.	INFO. <input checked="" type="checkbox"/>
L.K.	L.K.	FILE
		COORD.
		SEE ME
		ACTION

Substitute resolution amending a special privilege to Marc Plaza Corporation, d/b/a Marc Plaza Hotel, which granted permission for several commodities to be located in the public rights-of-way, to now add permission for two flag poles and eliminate some of the items which are now permissible by the City Code of Ordinances or are removed from the public rights-of-way adjacent to the building at 509 West Wisconsin Avenue, in the 4th Aldermanic District in the City of Milwaukee.

CK

Whereas, Common Council Resolution File Numbers 740535 and 841292 granted special privileges to the Marc Plaza Corporation for several items to be located within the public rights-of-way; and

Whereas, The applicant wishes to add permission for two flag poles, which are not permissible by Section 245-4-27 of the Code of Ordinances; and

Whereas, The applicant also requested to eliminate some of the items, which are now permissible by the City Code of Ordinances but previously allowed by special privilege or have been removed from the public rights-of-way; and

Whereas, The items which the applicant wishes to keep and maintain may only legally occupy the public rights-of-way by the adoption of a special privilege by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Common Council Resolution File Numbers 740535 and 841292 granted to Marc Plaza Corporation, d/b/a Marc Plaza Hotel, are hereby rescinded;

and, be it

Further Resolved, By the Common Council of the City of Milwaukee that Marc Plaza Corporation, 509 West Wisconsin Avenue, Milwaukee, WI 53203 is hereby granted the following special privileges:

1. To keep and maintain a marquee on the west side of North 5th Street. Said 70-foot wide marquee is centered at a point approximately 102 feet south of the southline of West Wisconsin Avenue and encroaches 14.8 feet into the 15-foot wide fully concrete paved sidewalk area. Section 245-10 of the Code of Ordinances limits the encroachment to be no closer than 1 foot of the curbline. Said marquee has approximately 11.7 feet of vertical clearance and is supported by the building from each end and has no vertical supports in the public right-of-way. Said marquee may also be fitted with 1 line of direct track, steady burn lighting attached to the outer perimeter.
2. To keep and maintain a 2-foot high canvas valance attached to the perimeter of the marquee projecting over the sidewalk area on the west side of North 5th Street. The minimum vertical clearance between any portion of the skirt and the sidewalk below shall be 9.7 feet.
3. To keep and maintain several multi-country flags attached along the perimeter on top of the marquee. Said flags stand approximately 2.5 feet high and are spaced approximately 2 feet apart.

City of Milwaukee

FILE NUMBER: 950352 -- Certified Copy Continued

4. To keep and maintain carpeting at the main entrance to the hotel on the west side of North 5th Street. Said carpeting shall be approximately 14 feet in width and extend 5 feet into the right-of-way and shall abut the building doorway.
5. To keep and maintain 4 hardwood moveable planters on the west side of North 5th Street in front of the main entrance to the building located approximately 91.5 and 111.2 feet south of the southline of West Wisconsin Avenue and approximately 2 feet and 13 feet east of the westline of North 5th Street. The easterly planters are 2-foot square and 2 feet high and the westerly planters are 2.5-foot square and 2 feet high.
6. To keep and maintain 2 building-mounted flag poles with Corporate logo flags located on the west side of North 5th Street and the south side of West Wisconsin Avenue. These flags do not comply with the requirements of Section 245-4-27 of the Code of Ordinances, which restricts the flags to be Federal, State, County or Municipal. The flag pole on North 5th Street is located approximately 187 feet south of the southline of West Wisconsin Avenue with 13 feet of vertical clearance from the sidewalk below. The flag pole on West Wisconsin Avenue is located approximately 40 feet west of the westline of North 5th Street with 13 feet of vertical clearance from the sidewalk below.

The above items shall be kept, operated and maintained to the approval of the Commissioners of Public Works and Building Inspection. The grantee shall procure the necessary permits from the Commissioner of Building Inspection and Public Works;

and, be it

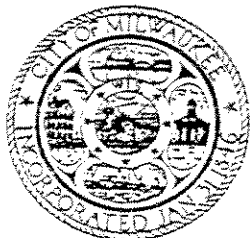
Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Marc Plaza Corporation shall:

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 \$2,000 such bond to be approved by the City Attorney. The 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 \$25,000 covering bodily injury to any one person and \$50,000 covering bodily injury to more than one person in any one accident and \$10,000 covering property damage to any one 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 canceled 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 \$133.76. 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 any 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.

City of Milwaukee

FILE NUMBER: 950352 -- Certified Copy Continued

5. Waive the right to contest in any manner the validity of Section 66.045 of the Wisconsin Statutes (1979), 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 Building Inspection shall have the authority to seek, by resolution, revocation of said special privilege.



I, Ronald D. Leonhardt, City Clerk, certify that the foregoing is a copy of a Resolution passed by the Common Council of the City Of Milwaukee on July 28, 1995.

Ronald D. Leonhardt