



# Air or Subterranean Space Lease Petition

809 N. Broadway, 1<sup>st</sup> 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.

~~9/15/21~~ Revision #2  
11.08.21

Date 11/27/2021

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

The undersigned Wisconsin Center District  
*(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:

Reference attached legal description for air rights at W. Wells St.  
**Air Space Lease for existing structure**

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:

400 W. Wisconsin Ave  
Milwaukee, WI 53203

also known by street and number as 400 and W Wisconsin Ave  
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 [Handwritten Signature]  
Address 400 W Wisconsin  
Phone (414) 908-6000

Corporation, firm or society WCD  
Address \_\_\_\_\_  
Title or office held in same \_\_\_\_\_

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**ATTACHMENT OF THE APPLICATION**

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**TO:** TECH TEAM, 809 N. BROADWAY, MILWAUKEE, WI 53202  
**FROM:** DAN WEISS, CAA ICON  
**SUBJECT:** WISCONSIN CENTER EXPANSION AIR RIGHTS - CONTACTS  
**DATE:** ~~7/27/2021~~ **Revision #2 to City on 11.08.21**  
**CC:** MIKE ABRAMS, CAA ICON; DAWN SCHMIDT, CITY OF MILWAUKEE

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Contacts for the Wisconsin Center Expansion Air Rights:

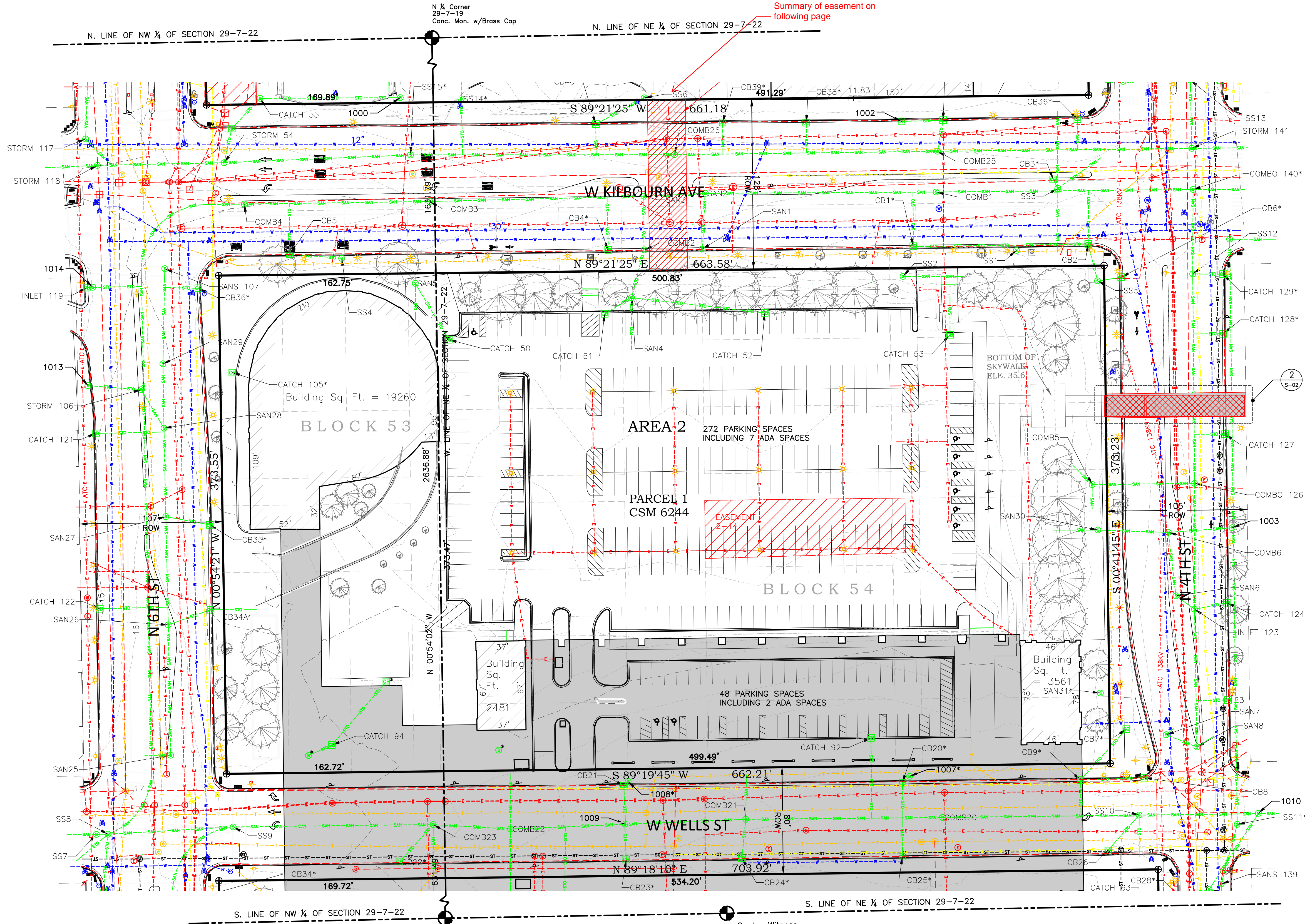
Dan Weiss  
CAA ICON (Owner's Representative)  
414.345.0110  
[daniel.weiss@caaicon.com](mailto:daniel.weiss@caaicon.com)

Mike Abrams  
CAA ICON (Owner's Representative)  
303.210.7860  
[mike.abrams@caaicon.com](mailto:mike.abrams@caaicon.com)

# ALTA/ACSM LAND TITLE SURVEY

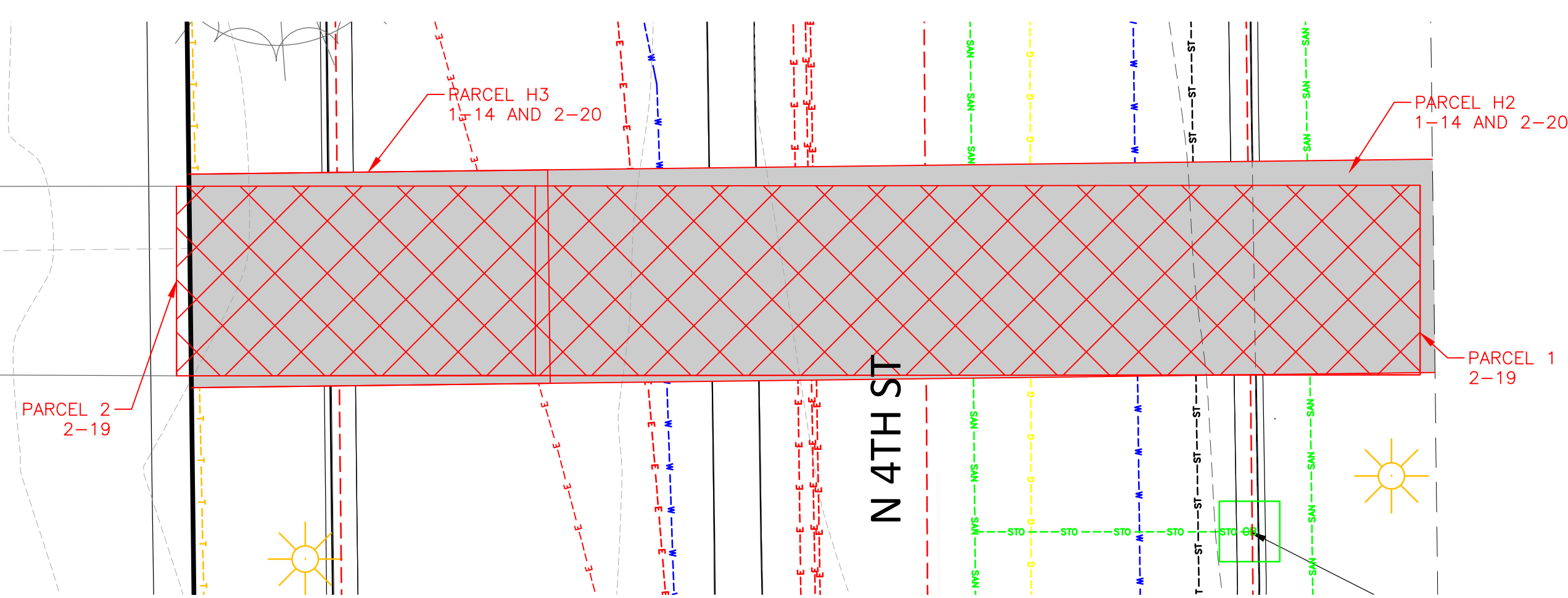
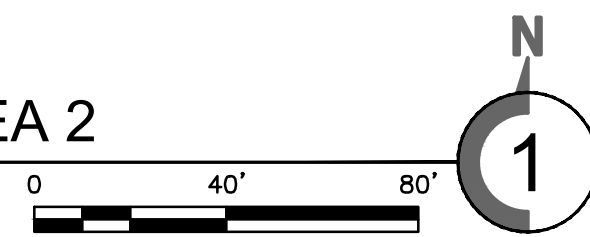
BEING IN THE SOUTHEAST ¼ OF THE NORTHWEST ¼ AND THE SOUTHWEST ¼ OF THE NORTHEAST ¼ OF SECTION 29,  
TOWNSHIP 7 NORTH, RANGE 20 EAST, IN THE CITY OF MILWAUKEE, MILWAUKEE COUNTY, WISCONSIN.

Summary of easement on  
following page



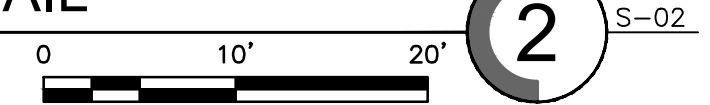
ALTA/ACSM AREA 2

SCALE: 1" = 40'



EASEMENT DETAIL

SCALE: 1" = 10'



## DIGGERS HOTLINE:

DIGGERS HOTLINE PLANNING-LOCATE REQUESTS WERE PLACED ON 11/12/2019. MARKS AND FIELD EVIDENCE OF UTILITIES WERE LOCATED AND MAPPED 11/25/2019. FIELD LOCATIONS WERE COMPARED TO AS BUILT PLANS AND UNMARKED UTILITIES WERE ADDED WHEREVER POSSIBLE.

TICKET NUMBERS:  
20194603779 - W. WISCONSIN AVE.  
20194603820 - W. WELLS ST.  
20194603850 - W. KILBOURN AVE.  
20194603870 - W. STATE ST.  
20194603905 - N. 6TH ST.  
20194603925 - N. 4TH ST.

## UTILITY DISCLAIMER:

THE LOCATION OF EXISTING UTILITIES AS SHOWN ON THE PLANS ARE APPROXIMATE. THERE MAY BE OTHER UTILITY INSTALLATIONS WITHIN THE PROJECT AREA THAT ARE NOT SHOWN. THE ENGINEER AND THE OWNER EXPRESSLY DISCLAIM ANY RESPONSIBILITY FOR THE ACCURACY OR COMPLETENESS OF THE INFORMATION GIVEN ON THE DRAWINGS WITH REGARD TO EXISTING UTILITIES.

## BENCH MARK INFORMATION:

BM #1  
HYDRANT AT THE SE CORNER OF 4TH ST. AND KILBOURN ST.  
N. BOLT TOP FLANGE, ELEV.: 12.07

BM #2  
HYDRANT AT THE SW CORNER OF 6TH ST. AND KILBOURN ST.  
N. BOLT TOP FLANGE, ELEV.: 17.23

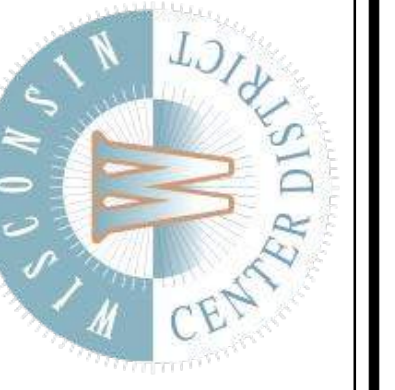
## UTILITY PROVIDERS:

American Transmission	(262) 446-9821
AT&T Transmission	(800) 241-3624
MCI	(800) 289-3427
City of Milwaukee	(414) 286-3250
Milwaukee Metropolitan Sewerage District	(414) 617-6083
Windstream	(800) 289-1901
AT&T Distribution	(262) 446-9821
Time Warner Cable	(414) 228-5179
Uniti Fiber LLC	(262) 446-9821
WE Energies	(414) 563-0051
WE Energies	(414) 221-2290
State of Wisconsin Division of Facilities	(608) 266-1485
Level 3/ Centurylink	(877) 366-8344
Wisconsin DOT Southeast Region	(603) 288-9175
US Signal	(616) 430-7327

## LEGEND:

- ⊕ - CHISELED X/T PROPERTY CORNERS SET
- - SANITARY SEWER MANHOLE
- - WATER MANHOLE
- ⊕ - WATER VALVE
- ⊕ - FIRE HYDRANT
- ⊕ - CATCH BASIN
- ⊕ - STORM SEWER MANHOLE
- ⊕ - ELECTRICAL MANHOLE
- ⊕ - BES FROM PLANS
- ⊕ - COMMUNICATIONS MANHOLE
- ⊕ - STEAM MANHOLE
- ⊕ - SIGN
- ⊕ - LIGHT
- ⊕ - POLE BOX
- ⊕ - UTILITY POLE
- ⊕ - GAS VALVE
- ⊕ - TRAFFIC LIGHT
- ⊕ - TREE (CONIFEROUS/DECIDUOUS)
- ⊕ - BES ELECTRICAL VAULT
- - SANITARY SEWER
- - WATER MAIN
- - STORM SEWER
- - STEAM UTILITY
- - ELECTRICAL UTILITY
- - TELECOMMUNICATIONS UTILITY
- - GAS UTILITY
- - WIND ELECTRICAL UTILITY
- - BES UTILITY
- - TRAFFIC LANE MARKING
- - PARKING LOT MARKING
- - BUILDING
- - OVERHEAD BUILDING

**COLLINS ENGINEERS & SURVEYORS**  
2003 West Howard Avenue  
Milwaukee, WI 53224  
Phone: 414-282-6955  
Fax: 414-282-6955



Area 2  
ALTA/ACSM Land Title Survey  
Wisconsin Center District

Milwaukee, WI

NO.	DATE	DESIGN BY	DESCRIPTION
1	2/07/2020	DLK	ALTA REVISIONS/138 KV LOCATION

CEI PROJECT: 60-12124

DESIGN BY: DLK

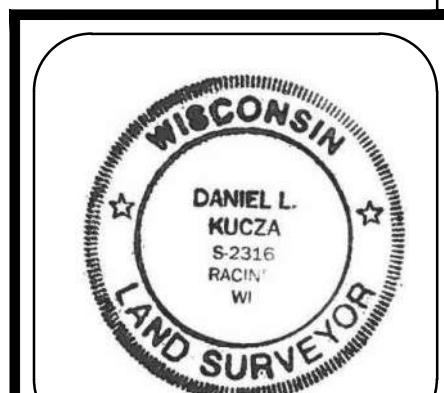
DRAWN BY: MDG

CHECKED BY: DLK

DATE: 02/03/2020

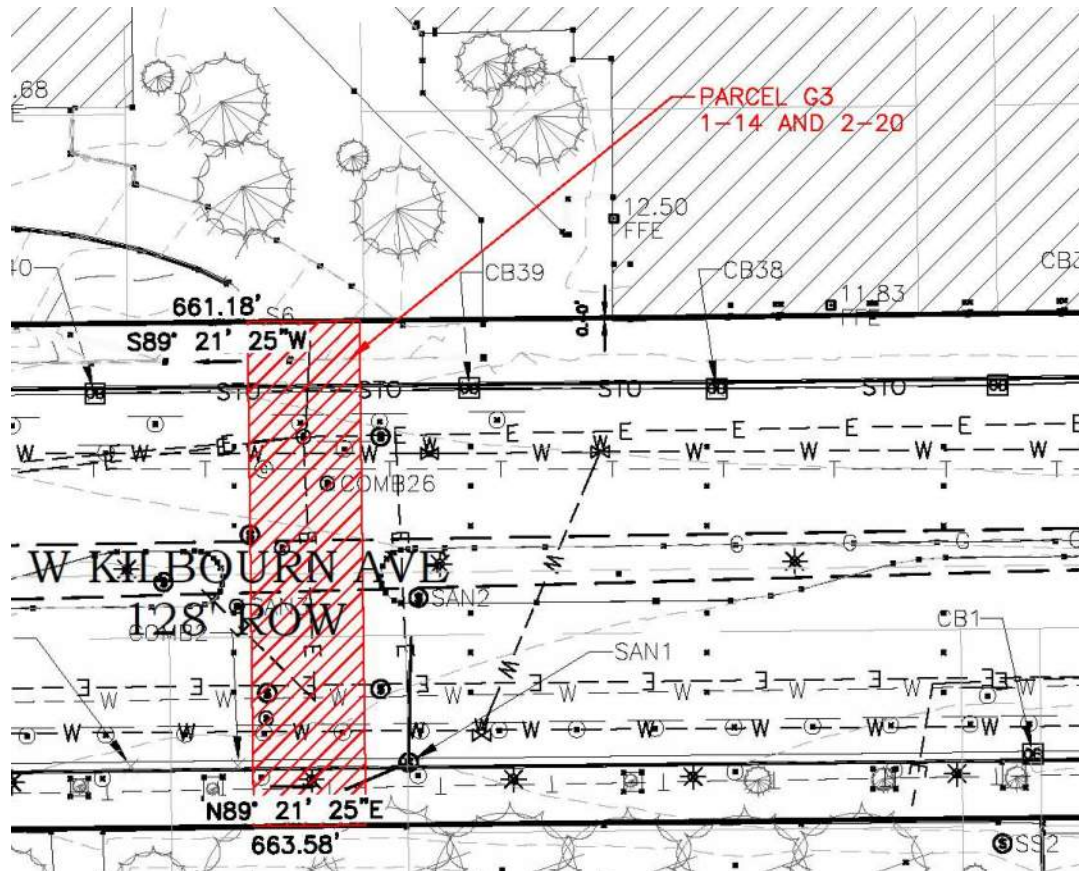
SCALE: 1" = 40'

SHEET NO: S-02



Summary of Airspace easement existing currently over Kilbourn.

See below



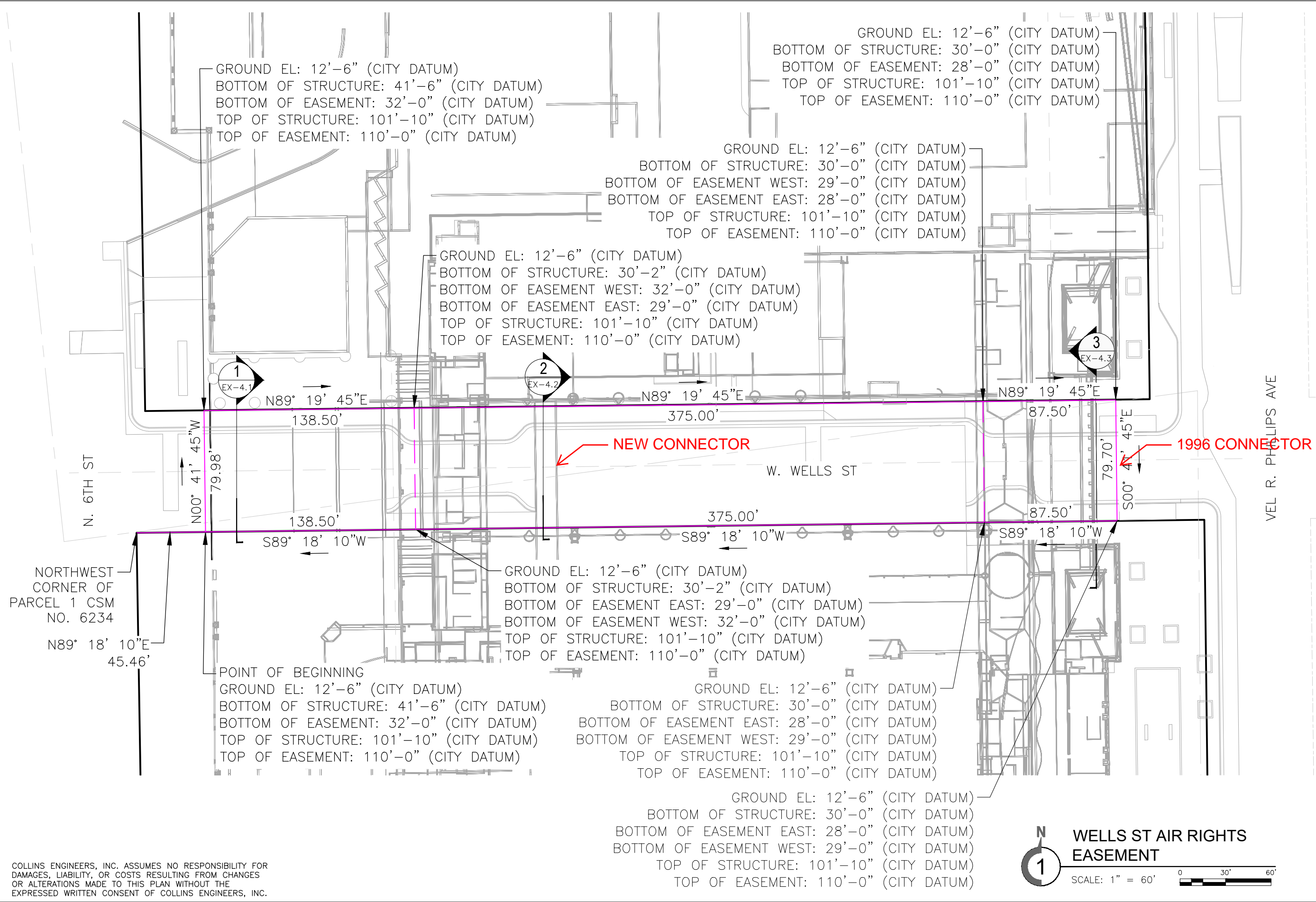
14. Covenants, air space rights, reverter clause as set forth in Quit Claim Deed recorded October 19, 1995, Reel 3653, Image 1135, as Document No. [7139672](#), including terms, conditions, restrictions and provisions relating to the use and maintenance therein.
  
20. Covenants, air space rights, reverter clause as set forth in Quit Claim Deed recorded October 19, 1995, Reel 3653, Image 1135, as Document No. [7139672](#), including terms, conditions, restrictions and provisions relating to the use and maintenance therein.

## WELLS STREET AIR RIGHTS EASEMENT

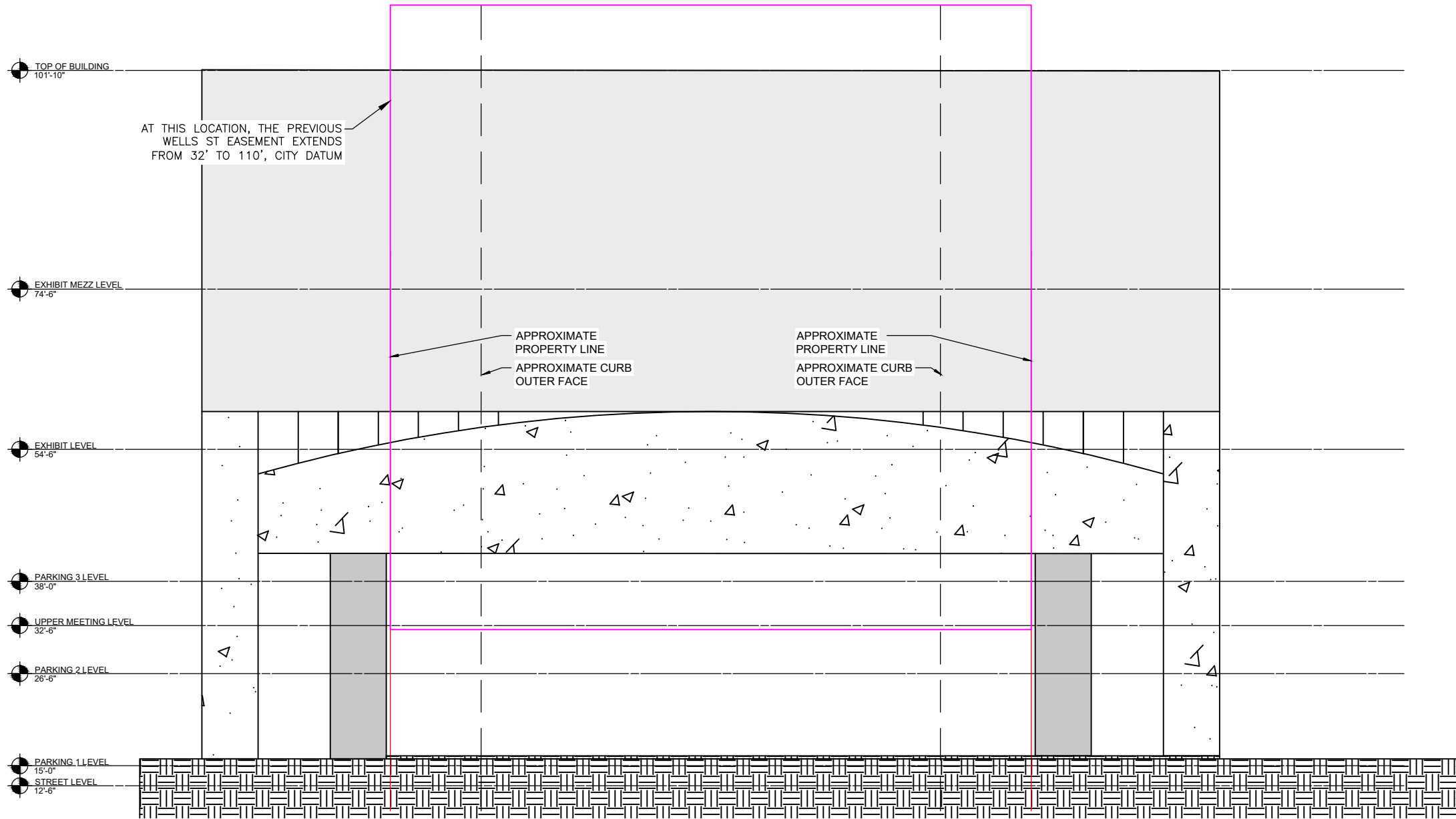
That portion of that certain elevated enclosed structure, including air rights appurtenant thereto, lying within the following described traverse and below 110.00 feet, city datum, being a part of West Wells Street as originally platted in Plat of the Town of Milwaukee on the West Side of the River in the Northeast  $\frac{1}{4}$  of Section 29, and part of West Wells Street as presently opened in Plat of the East Half in the Northwest  $\frac{1}{4}$  of section 29, Township 7 North, Range 22 East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin, bounded and described as follows:

Commencing at the Northwest corner of Parcel 1 in Certified Survey Map No. 6234; thence N.  $89^{\circ}-18'-10''$  E. along the north line of said Parcel 1, 45.46 feet to the point of beginning of the Air Rights Easement to be described, the ground elevation is 12.5' (city datum), the bottom of easement elevation is 32.0' (city datum), and the top of easement elevation is 110.0' (city datum); thence N.  $00^{\circ}-41'-45''$  W. 79.98 feet to a point on the north line of West Wells Street, the ground elevation is 12.5' (city datum), the bottom of easement elevation is 32.0' (city datum), and the top of easement elevation is 110.0' (city datum); thence N.  $89^{\circ}-19'-45''$  E. along the north line of West Wells Street 138.50 feet to a point, the ground elevation is 12.5' (city datum), the bottom of easement elevation is 32.0' (city datum), and the top of easement elevation is 110.0' (city datum); thence travel vertically downward 3.00 feet to a point, the ground elevation is 12.5' (city datum), the bottom of easement elevation is 29.0' (city datum), and the top of easement elevation is 110.0' (city datum); thence N.  $89^{\circ}-19'-45''$  E. along said north line 375.00 feet to a point, the ground elevation is 12.5' (city datum), the bottom of easement elevation is 29.0' (city datum), and the top of easement elevation is 110.0' (city datum); thence travel vertically downward 1.00 feet to a point, the ground elevation is 12.5' (city datum), the bottom of easement elevation is 28.0' (city datum), and the top of easement elevation is 110.0' (city datum); thence N.  $89^{\circ}-19'-45''$  E. along said north line 87.50 feet to a point, the ground elevation is 12.5' (city datum), the bottom of easement elevation is 28.0' (city datum), and the top of easement elevation is 110.0' (city datum); thence S.  $00^{\circ}-41'-45''$  E. 79.70 feet to a point on the south line of West Wells Street, the ground elevation is 12.5' (city datum), the bottom of easement elevation is 28.0' (city datum), and the top of easement elevation is 110.0' (city datum); thence S.  $89^{\circ}-18'-10''$  W. along said south line 87.50 feet to a point, the ground elevation is 12.5' (city datum), the bottom of easement elevation is 28.0' (city datum), and the top of easement elevation is 110.0' (city datum); thence travel vertically upward 1.00 feet to a point, the ground elevation is 12.5' (city datum), the bottom of easement elevation is 29.0' (city datum), and the top

of easement elevation is 110.0' (city datum); thence S. 89°-18'-10" W. along said south line 375.00 feet to a point, the ground elevation is 12.5' (city datum), the bottom of easement elevation is 29.0' (city datum), and the top of easement elevation is 110.0' (city datum); thence travel vertically upward 3.00 feet to a point, the ground elevation is 12.5' (city datum), the bottom of easement elevation is 32.0' (city datum), and the top of easement elevation is 110.0' (city datum); thence S. 89°-18'-10" W. along said south line 138.50 feet to the point of beginning, the ground elevation is 12.5' (city datum), the bottom of easement elevation is 32.0' (city datum), and the top of easement elevation is 110.0' (city datum), said parcel of land containing **47,983 SF**, or 1.10 Acre more or less, includes a volume of **3,806,388 Cubic Feet** of air space.



COLLINS ENGINEERS, INC. ASSUMES NO RESPONSIBILITY FOR DAMAGES, LIABILITY, OR COSTS RESULTING FROM CHANGES OR ALTERATIONS MADE TO THIS PLAN WITHOUT THE EXPRESSED WRITTEN CONSENT OF COLLINS ENGINEERS, INC.



1 WELLS ST AIR RIGHTS EASEMENT DETAIL  
NOT TO SCALE

Reference next sheet for real time photo

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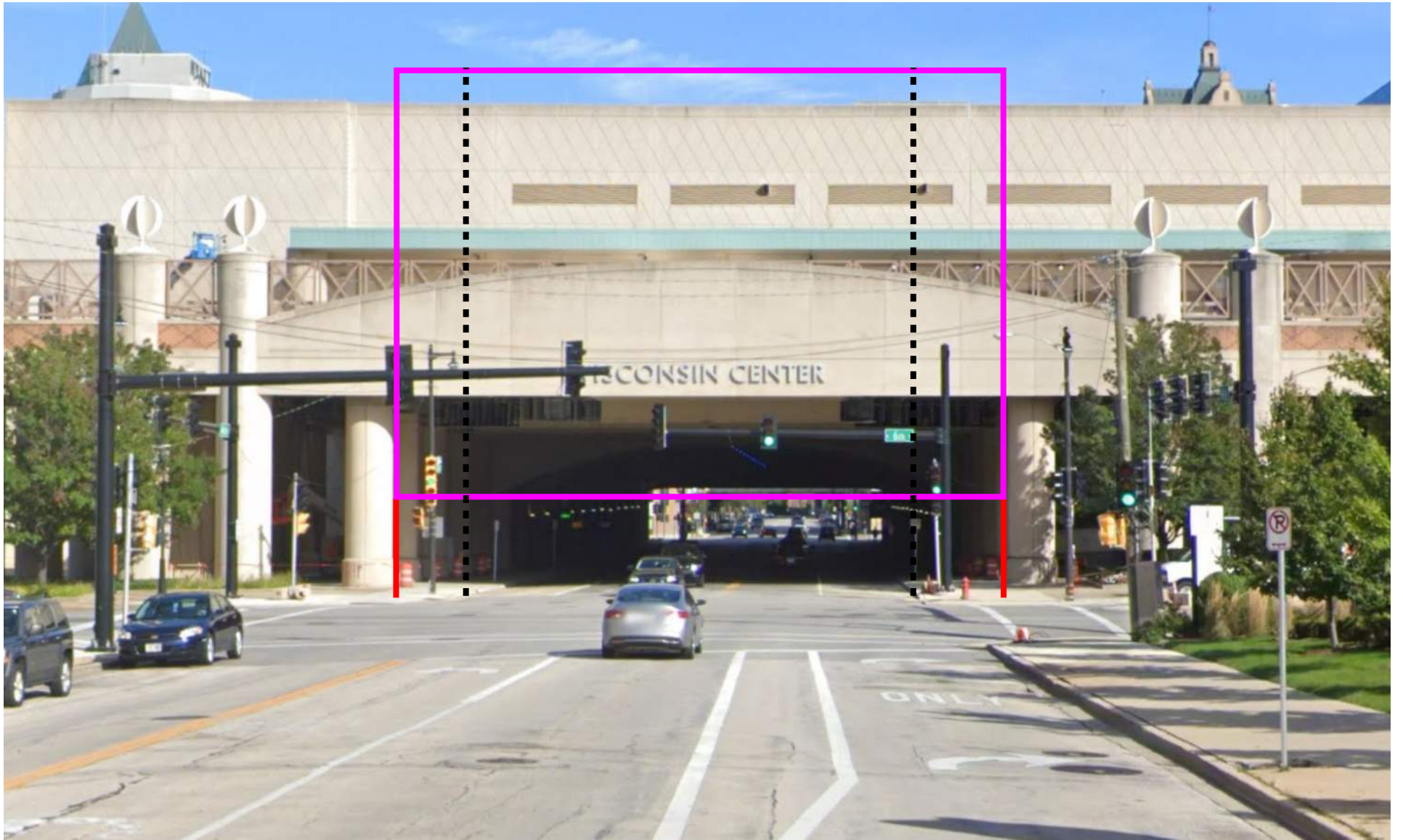
**COLLINS ENGINEERS<sup>®</sup>**  
2033 West Howard Ave.  
Milwaukee, WI 53221  
Phone: 414-282-6905  
Fax: 414-282-6955

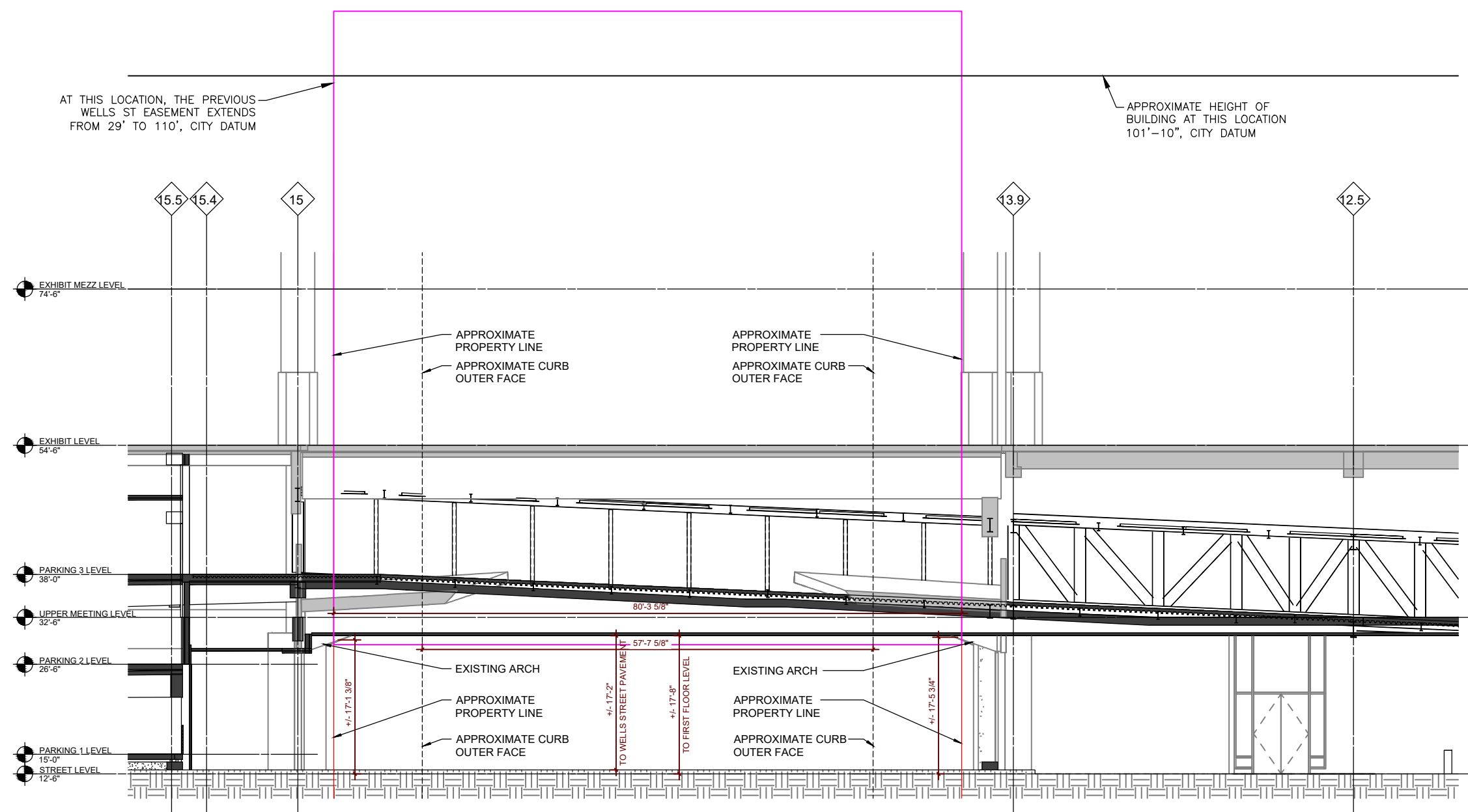
**WISCONSIN CENTER DISTRICT**  
400 W. WISCONSIN AVE  
MILWAUKEE, WI 53203

**WCD EXPANSION  
WELLS ST AIR RIGHTS EASEMENT  
DETAILS**  
Milwaukee, WI

CEI PROJECT  
60-12124  
DESIGN BY:  
DLK  
DRAWN BY:  
MDG  
CHECKED BY:  
DLK  
DATE:  
11/03/2021  
SHEET NO:  
**EX-4.1**







2
**WELLS ST AIR RIGHTS EASEMENT DETAIL**  
 NOT TO SCALE

Reference next sheets for renderings of new building connector

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**COLLINS ENGINEERS**  
 2033 West Howard Ave.  
 Milwaukee, WI 53221  
 Phone: 414-282-6905  
 Fax: 414-282-6955

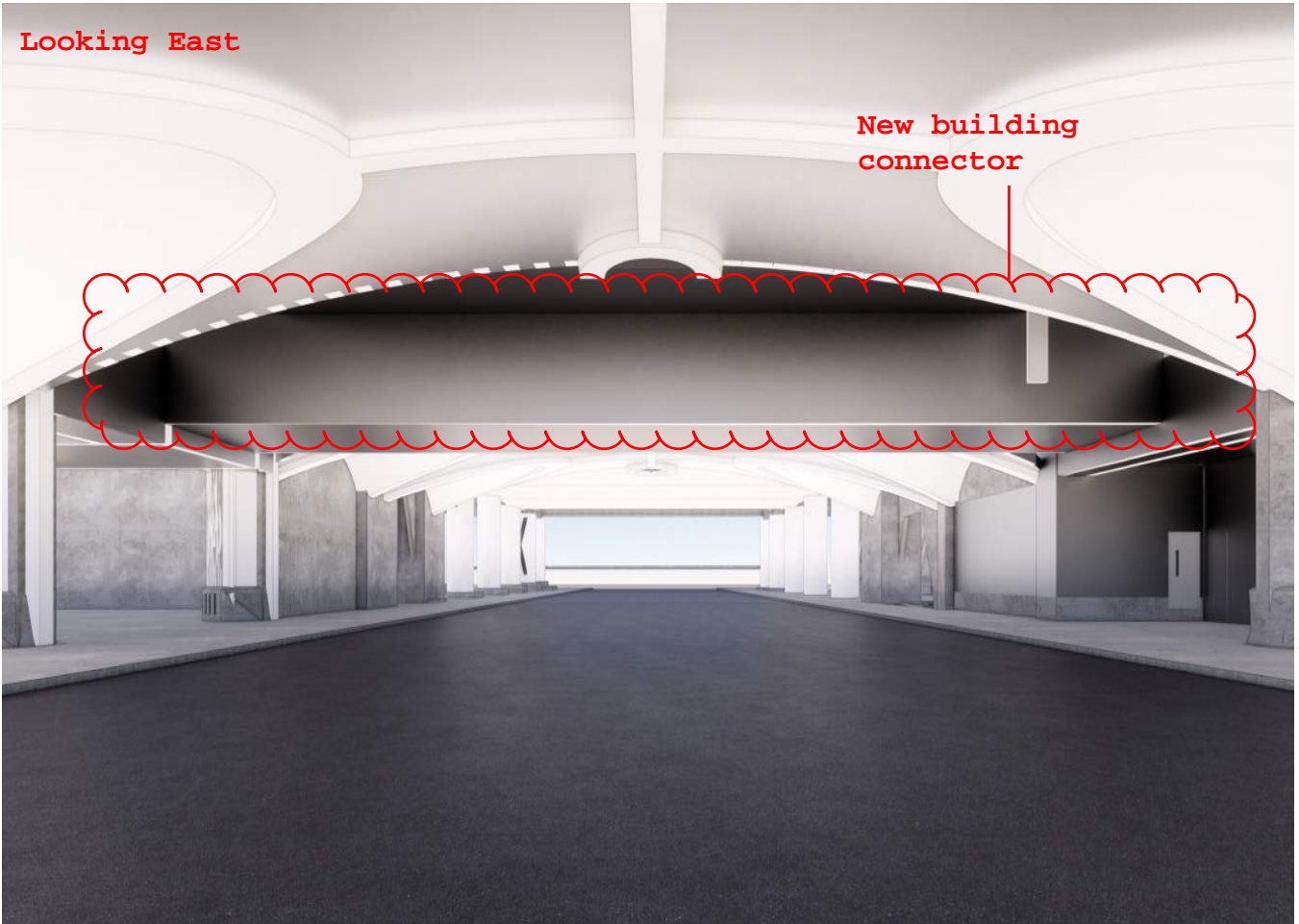
**WISCONSIN CENTER DISTRICT**  
 400 W. WISCONSIN AVE  
 MILWAUKEE, WI 53203

**WCD EXPANSION  
 WELLS ST AIR RIGHTS EASEMENT  
 DETAILS**  
 Milwaukee, WI

CEI PROJECT  
 60-12124  
 DESIGN BY:  
 DLK  
 DRAWN BY:  
 MDG  
 CHECKED BY:  
 DLK  
 DATE:  
 11/03/2021  
 SHEET NO:  
**EX-4.2**

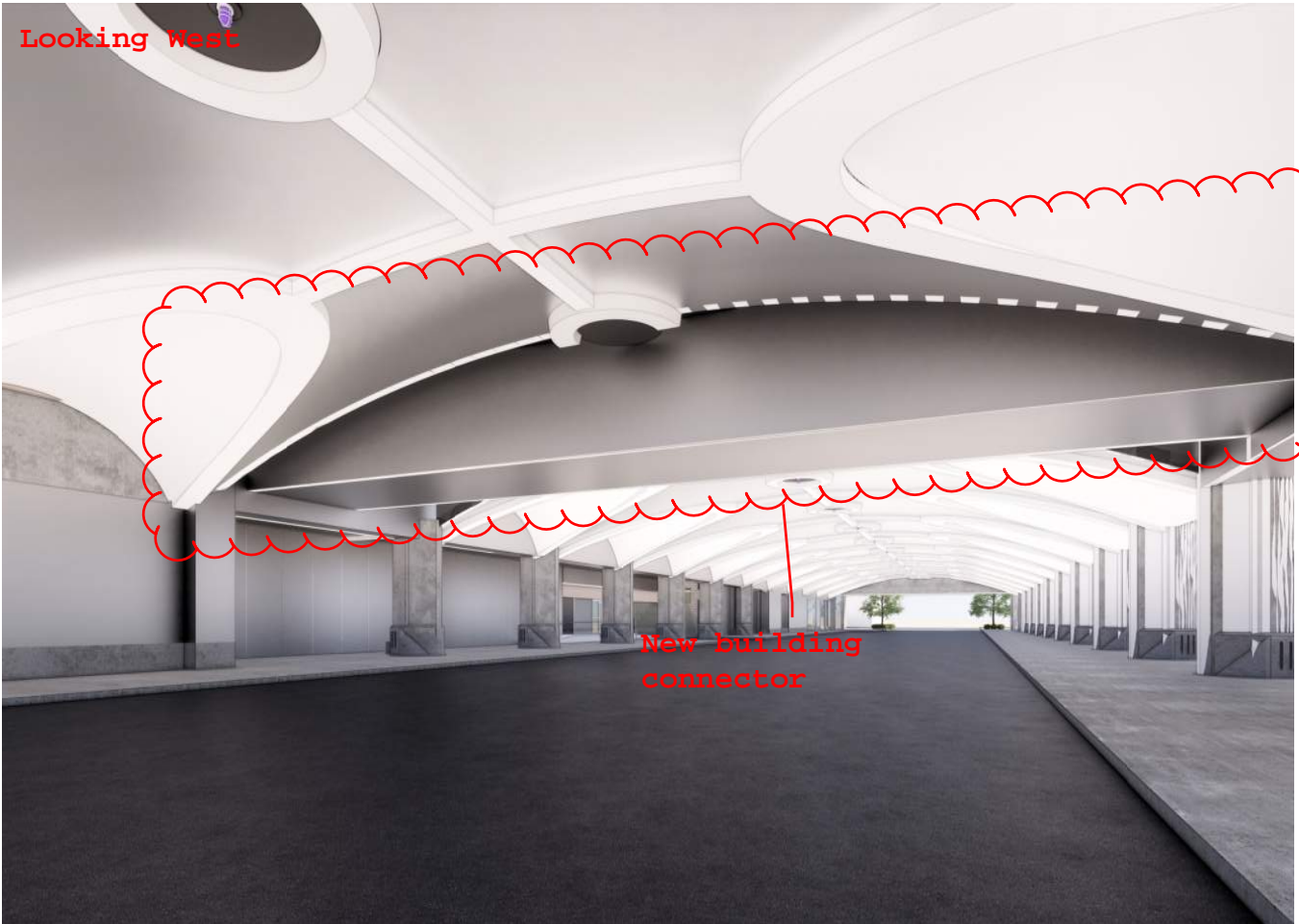
Looking East

New building connector



Looking West

New building connector



TOP OF BUILDING  
101'-10"

EXHIBIT MEZZ LEVEL  
74'-6"

EXHIBIT LEVEL  
54'-6"

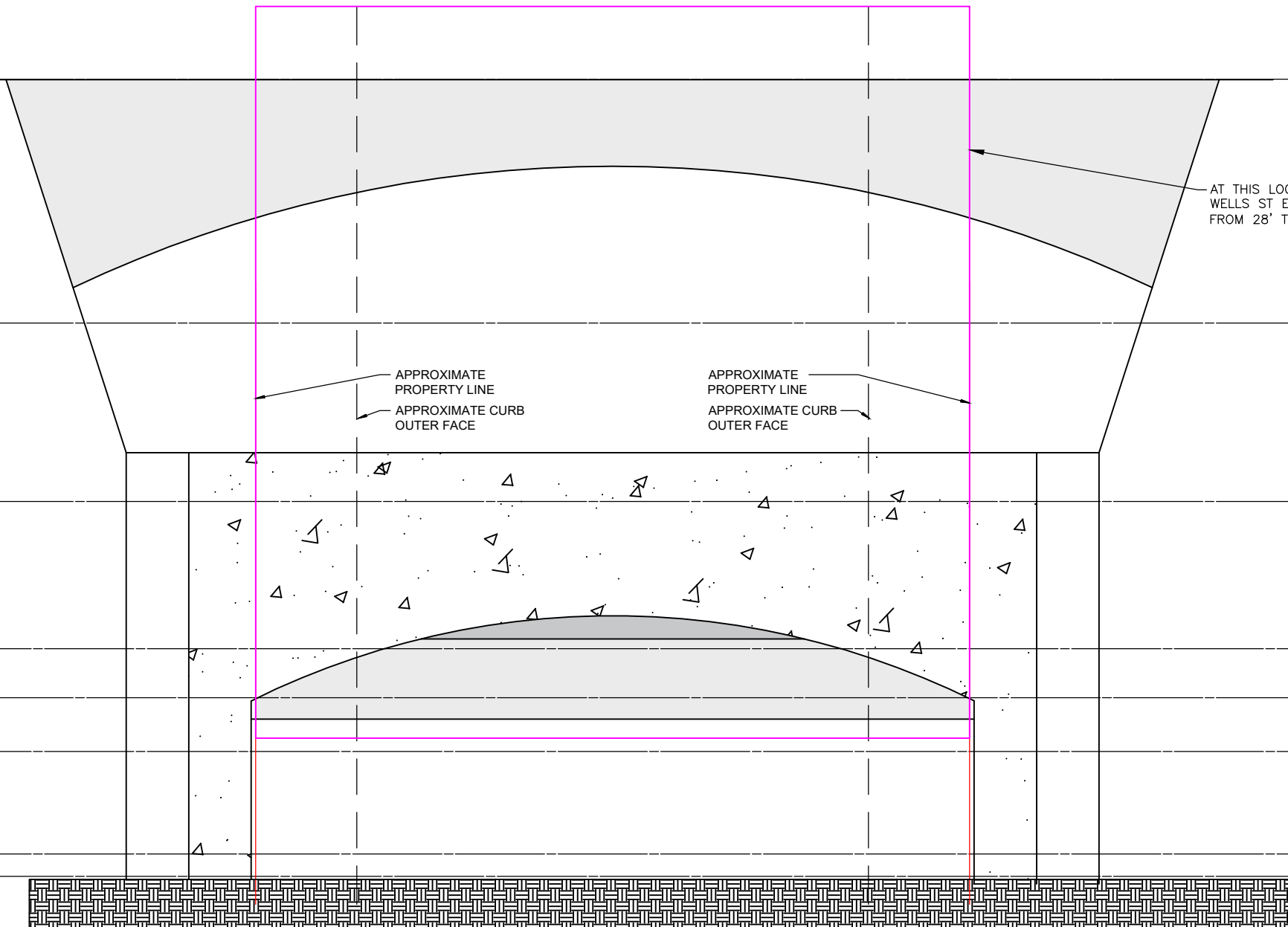
PARKING 3 LEVEL  
38'-0"

UPPER MEETING LEVEL  
32'-6"

PARKING 2 LEVEL  
26'-6"

PARKING 1 LEVEL  
15'-0"

STREET LEVEL  
12'-6"



3

### WELLS ST AIR RIGHTS EASEMENT DETAIL

NOT TO SCALE

Reference next sheet for real time photo

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**COLLINS ENGINEERS, INC.**  
2033 West Howard Ave.  
Milwaukee, WI 53221  
Phone: 414-282-6905  
Fax: 414-282-6955

**WISCONSIN CENTER DISTRICT**  
400 W. WISCONSIN AVE  
MILWAUKEE, WI 53203

**WCD EXPANSION  
WELLS ST AIR RIGHTS EASEMENT  
DETAILS**  
Milwaukee, WI

CEI PROJECT 60-12124
DESIGN BY: DLK
DRAWN BY: MDG
CHECKED BY: DLK
DATE: 11/03/2021
SHEET NO: <b>EX-4.3</b>

