



**CANADIAN
PACIFIC
RAILWAY**

Real Estate

Suite 804
501 Marquette Avenue South
Minneapolis Minnesota 55402

Fax (612) 904-6147

CITY OF MILWAUKEE

2005 FEB -3 PM 1:44

RONALD E. LEONHARDT
CITY CLERK

City of Milwaukee
City Clerk, Common Council and
Public Improvements Committee
841 N Broadway
Milwaukee WI 53202

IN THE MATTER OF THE ACTION OF THE CITY OF MILWAUKEE, IN ITS CONSIDERATION FOR PAVING PROJECT ST320041112 ON W. CANAL - N. 25TH ST TO MILLER PARK; WHICH IMPROVEMENTS ARE TO BE CONSIDERED, ALONG WITH WRITTEN PROTESTS FILED BY OWNERS OF PROPERTY WITHIN THE BOUNDARIES OF PROPOSED ASSESSMENTS, AT THE PUBLIC HEARING ON WEDNESDAY, FEBRUARY 9, 2005 AT 9:00 A.M.

NOTICE OF PROTEST

CITY OF MILWAUKEE:

You and each of you are hereby notified that the Soo Line Railroad Company DBA Canadian Pacific Railway, being aggrieved, does hereby protest the action of the City Council and does file this Notice of Protest with the City Clerk of said City, and the grounds upon which this protest is based are as follows:

I.

That it is owner of property within Milwaukee, WI described in the City's Notice of public hearing as follows:

2601 W CANAL (TAX KEY 425-9981-110-3)

II.

That the Soo Line Railroad Company's present and future use of said property is restricted entirely to railroad uses and will not benefit from the proposed improvement.

III.

That, as to the Soo Line Railroad Company property, any assessment would be arbitrary, capricious, unjust, discriminatory, inequitable and excessive.

IV.

That any assessment against the Soo Line Railroad Company's property would result in depriving the protestant of said property without due process of law in violation of Section I of the 14th Amendment to the United States Constitution and in violation of the Constitution of the State of Wisconsin.

Dated this 1st day of February, 2005.

Respectfully submitted,

SOO LINE RAILROAD COMPANY
Real Estate Department
501 Marquette Ave South – Room 804
Minneapolis, MN 55402

By 
for Director Real Estate Marketing U.S.