

PETITION FOR A SPECIAL PRIVILEGE

SP 2065

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

January 6, 20 03

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

Council Members:

The undersigned MORTGAGE GUARANTY INSURANCE CORPORATION

(State whether petitioner is an individual, co-partnership, Wisconsin or foreign corporation)

being the owners of the following described real estate:

(See Attached)

(Legal description)

_____ in the _____ Aldermanic District also known by street
and number as 250 - 270 East Kilbourn Ave. 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:

To re-use abandoned conduit between MGIC and Plaza East (330 E. Kilbourn)

(Here describe the privilege)

To run fiber optic cable between the 2 buildings. The conduit is approximately
215' North of the intersection of Kilbourn and Broadway with depth being

approximately 46". All work will be performed by CableCom, Inc.

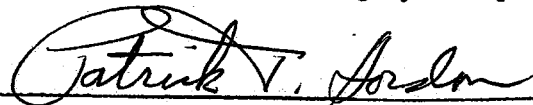
(SEE ATTACHED HISTORICAL DATA)

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**

Signed 

Address 270 E. Kilbourn Ave.

MORTGAGE GUARANTY INSURANCE CORPORATION

(if firm, society or corporation, give its full name)

270 E. Kilbourn Ave. Milwaukee, Wisc. 53202

Address

Manager of Administration

(Title or office held in same)

(Local Phone Number of Engineer/Contractor)

MGIC HEADQUARTERS
250-270 EAST KILBOURN AVENUE
MILWAUKEE, WISCONSIN

PLAT OF SURVEY

OVERALL PARCEL That part of the following described property: Lots 1 thru 5, inclusive, the North 10.00 ft of Lots 6 and 7 and Lots 8 through 12, inclusive, in Block 61, including the North and South vacated alley adjoining said Lots and including all of vacated North Market Street adjoining Lots 8 through 12, inclusive, and the North 10.00 ft of Lot 7 on the East, in Plat of Milwaukee [on the East Side of the River] in the NE 1/4 of Section 29, T 7 N, R 22 E, in the City of Milwaukee, Milwaukee County, Wisconsin.

PARCEL ONE That part of the NE 1/4 of Section 29, T 7 N, R 22 E, in the City of Milwaukee, Milwaukee County, Wisconsin, which is bounded and described as follows:

section of the East line of Block 56 in PLAT OF MILWAUKEE (ON THE EAST SIDE OF THE RIVER) and the North line of East Kilbourn Avenue; thence North along the East line of Block 56 aforesaid 161.71 ft. to a point; thence East and parallel with the North line of East Kilbourn Avenue 162.36 ft. to a point; thence South 161.71 ft. to a point in the North line of East Kilbourn Avenue said point being 161.71 ft. East of the place of beginning; thence West along the North line of East Kilbourn Avenue 161.71 ft. to the place of beginning. Said premises being a part of Lots 7, 8, 9 and 10 in Block 61 and part of vacated North Market Street in the Plat of Milwaukee [On the East Side of the River].

Commencing at the inter-

PARCEL TWO That part of the NE 1/4 of Section 29, T 7 N, R 22 E, in the City of Milwaukee, Milwaukee County, Wisconsin, which is bounded and described as follows:

westerly corner of North Broadway and East Kilbourn Avenue; thence West along the North line of East Kilbourn Avenue 134.00 ft. to a point; thence North at right angles to the North line of East Kilbourn Avenue 14.35 ft. to a point; thence East and parallel to the North line of East Kilbourn Avenue 15.45 ft. to a point; thence North at right angles to the North line of East Kilbourn Avenue 177.71 ft. to a point; thence East and parallel to the North line of East Kilbourn Avenue 23.44 ft to a point; thence North at right angles to the North line of East Kilbourn Avenue 109.44 ft. to a point; thence West and parallel to the North line of East Kilbourn Avenue 39.43 ft. to a point; thence North at right angles to the North line of East Kilbourn Avenue 11.91 ft. to a point in the South line of East State Street; thence East along said South line of East State Street 133.95 ft. to the Southwesterly corner of North Broadway and East State Street; thence South along the West line of North Broadway 312.28 ft. to the point of beginning, said premises being a part of Lots 1, 2, 3, 4, 5, 6, 7, and 8 in Block 61 and part of vacated North and South alley in Plat of Milwaukee [on the East Side of the River].

Commencing at the North-

PARCEL THREE That part of the following described property: Lots 1 thru 5, inclusive, the North 10.00 ft. of Lots 6 and 7 and Lots 8 thru 12 inclusive, in Block 61 including the North and South vacated alley adjoining said Lots and including all of vacated North Market Street and adjoining Lots 8 thru 12, inclusive, and the North 10.00 ft of Lot 7 on the East, in the Plat of Milwaukee [on the East Side of the River] in the NE 1/4 of Section 29, T 7 N, R 22 E, in the City of Milwaukee, Milwaukee County, Wisconsin, reserving therefrom two parcels of land described as follows:

PARCEL ONE: That part of the NE 1/4 of Section 29, T 7 N, R 22 E, in the City of Milwaukee, Milwaukee County, Wisconsin, which is bounded and described as follows:

tion of the East line of Block 56 in Plat of Milwaukee [on the East Side of the River] and the North line of East Kilbourn Avenue; thence North along the East line of said Block 56 aforesaid 161.71 ft. to a point; thence East and parallel with the North line of East Kilbourn Avenue 162.36 ft. to a point; thence South 161.71 ft. to a point in the North line of East Kilbourn Avenue, said point being 161.71 ft. East of the place of beginning; thence West along the North line of East Kilbourn Avenue 161.71 ft. to the place of beginning. Said premises being a part of Lots 7, 8, 9 and 10 in Block 61 and part of vacated North Market Street in the Plat of Milwaukee [on the East Side of the River].

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Commencing at the Northwest-

AUGUST 24, 1971

*(Adjusted Exterior Bldg. Measurements for Summation Purposes),
(Corrected Location of Floor Elevation Tabulation & Related Notes)*

SURVEY NO. 127004-S
Revision No. 1
Revision No. 2

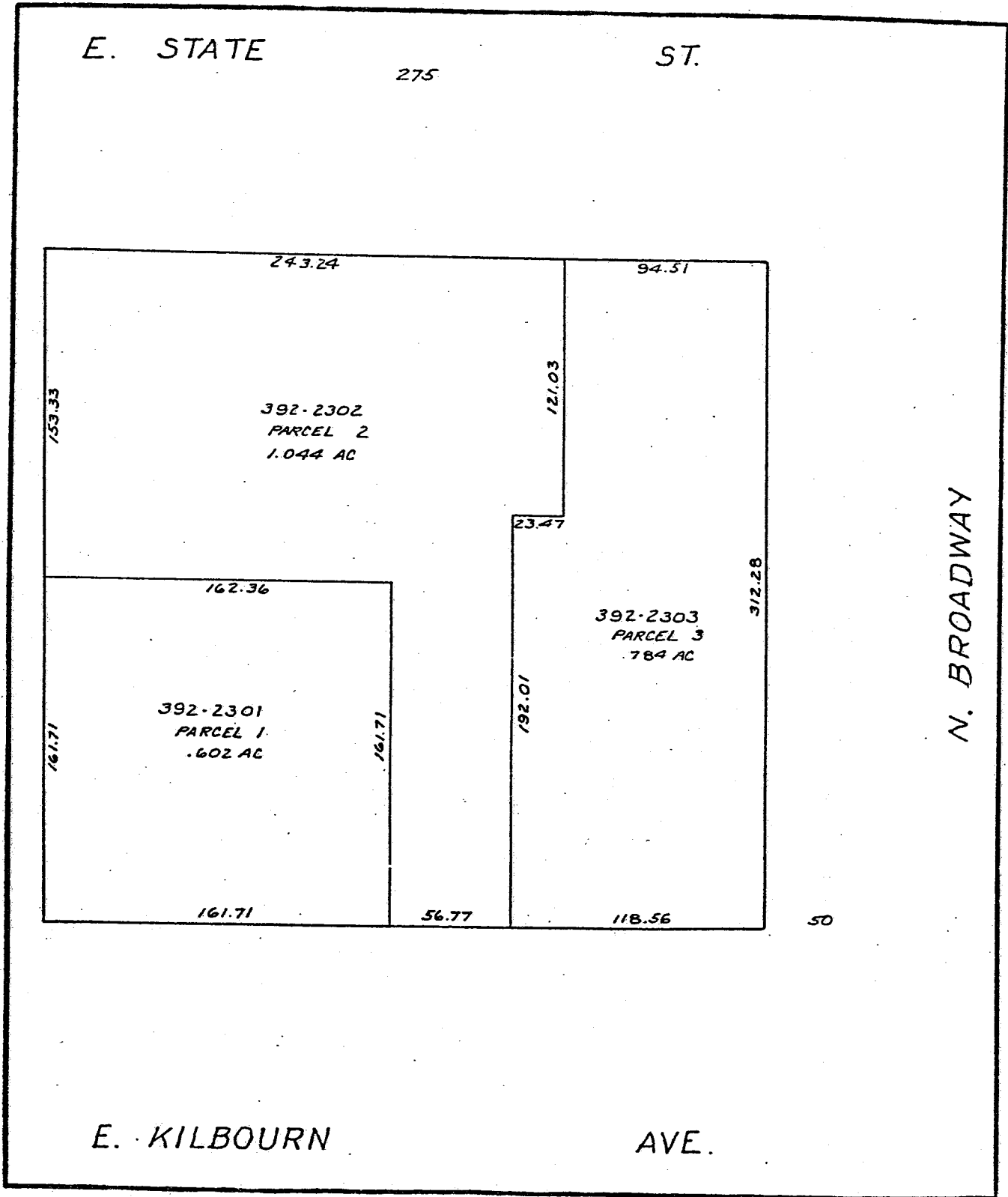
We Certify that we have surveyed the above described property and that the above plat is an accurate survey and a true representation thereof and correctly shows the exterior boundary lines and location of buildings and other improvements on said property and the correct measurements thereof.

NATIONAL SURVEY SERVICE, INC.
CIVIL ENGINEERS AND SURVEYORS
2040 NORTH 12TH STREET MILWAUKEE, WISCONSIN 53207
PHONE 442-1100



Kenneth E. Suck
SURVEYOR





CERTIFIED SURVEY MAP

MGIC HEADQUARTERS
250-270 EAST KILBOURN AVENUE
MILWAUKEE, WISCONSIN

ACORD™ CERTIFICATE OF LIABILITY INSURANCE

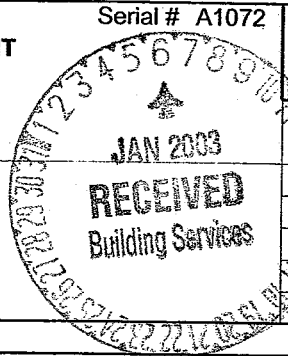
DATE (MM/DD/YY)
01/03/2003

PRODUCER
WISCONSIN INSURANCE MANAGEMENT
PO BOX 1630
WAUKESHA WI 53187-1630
PH (262) 542-8822

Serial # A1072

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURED
MGIC INVESTMENT CORP
PO BOX 488
MILWAUKEE WI 53201



INSURERS AFFORDING COVERAGE

INSURER A: FIDELITY & DEPOSIT INSURANCE CO
INSURER B: TRANSCONTINENTAL INS CO
INSURER C:
INSURER D:
INSURER E:

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY CLAIMS MADE <input checked="" type="checkbox"/> OCCUR	FSA0006091	03/01/2002	03/01/2003	EACH OCCURRENCE \$ 1,000,000
					FIRE DAMAGE (Any one fire) \$ 300,000
					MED EXP (Any one person) \$ 10,000
					PERSONAL & ADV INJURY \$ 1,000,000
					GENERAL AGGREGATE \$ 2,000,000
					PRODUCTS - COMP/OP AGG \$ 1,000,000
					GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EA ACC \$ AGG \$
A	EXCESS LIABILITY <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE DEDUCTIBLE RETENTION \$	CCL 0006877-02	03/01/2002	03/01/2003	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY				WC STATU-TORY LIMITS OTHER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
	OTHER				

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS
THE CITY OF MILWAUKEE IS NAMED AS AN ADDITIONAL INSURED AS RESPECTS CONDUIT WORK BETWEEN MGIC LOCATED AT 270 E. KILBOURN AND PLAZA EAST LOCATED AT 333 E. KILBOURN.

CERTIFICATE HOLDER

ADDITIONAL INSURED; INSURER LETTER:

CANCELLATION

THE CITY OF MILWAUKEE
CITY CLERK LICENSE DIVISION
ROOM 105 CITY HALL
200 E WELLS ST
MILWAUKEE WI 53202

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

David J. Petersen



Department of Public Works
Bureau of Engineers

David A. Kuemmel
Commissioner of Public Works

Henry J. Balconi
Deputy Commissioner of Public Works

John A. Erickson
City Engineer

Gerald J. Dew
Assistant City Engineer

October 3, 1988

Mr. Leo G. Wagner
Chief License Clerk
Office of the City Clerk
Room 105, City Hall

Attention: Ms. Karen Reid

Subject: Common Council Resolution File Number 82-226

Dear Mr. Wagner:

As requested in a letter dated August 10, 1988, an investigation was conducted regarding the subject special privilege granted to MGIC Equities Corporation for telephone conduit package to be installed beneath and across North Broadway connecting 270 and 300 East Kilbourn Avenue.

The field investigation revealed that the telephone lines are no longer located within the conduit package, however, the six 6-inch diameter conduits, encased in concrete, still occupy the public right of way. In order for this file to be closed, the conduits should be bulkheaded at each end so as to render them unusable. Upon completion of this bulkheading, I should again be contacted for a reinspection to verify compliance and to confirm that the file may be closed.

Very truly yours,

John A. Erickson, P.E.
City Engineer

JAE:DGR:RAS:1k
cc: Mr. David A. Kuemmel
Mr. Robert Fedke
bcc: Mr. Lee C. Jensen

DGR

125-422-117

Mortgage Guaranty Insurance Corporation

July 28, 1988

Mr. Jim R. Copeland
City Hall - Room 105
200 East Wells Street
Milwaukee, WI 53202

Dear Mr. Copeland:

This memo documents our recent telephone conversation regarding a Special Privilege Bond - your reference number BF 1041 and CC82-226. The Bond solicits maintenance responsibilities regarding a telephone conduit package located beneath and across North Broadway between 270 East Kilbourn Avenue and 300 East Kilbourn Avenue.

MGIC is no longer affiliated with the Plaza East Complex and, therefore, has no further use for the conduit. Any and all original telephone cable has been removed from the conduit.

Please take the appropriate measures to confirm cable removal, to cancel the Notice of Inspection fee (refer to the attached copy), and to rescind the Special Privilege Bond renewal activity.

I will inform our Insurance carrier of the activity noted above.

Yours very truly,

MORTGAGE GUARANTY INSURANCE CORPORATION



Robert F. Fedke
Property Manager

RFF/nl

Attachments

Certified Copy of Resolution

FILE NUMBER 82-2266

Resolution to grant a special privilege to MGIC Equities Corporation for a telephone conduit package to be installed beneath and across North Broadway between its two buildings located at 270 East Kilbourn Avenue and 300 East Kilbourn Avenue, in the 4th Aldermanic District in the City of Milwaukee.

Whereas, MGIC Equities Corporation desires to install and maintain a telephone conduit package beneath and across North Broadway between its buildings at 270 and 300 East Kilbourn Avenue; and

Whereas, Said conduit package may only occupy the public way by the granting of a special privilege; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that MGIC Equities Corporation is hereby granted the following special privilege:

To install a concrete encased telephone conduit package beneath and directly across North Broadway, approximately 104 feet south of East State Street. Said package shall consist of six 6-inch diameter PVC conduits within a concrete encasement. The encasement shall be approximately 2.7 feet wide, 1.8 feet deep, and shall be no less than 4.0 feet beneath the street grade.

Said conduit package shall be maintained to the approval of the Commissioner of Public Works. Prior to installation, the grantee shall submit plans and procure a permit from the Commissioner of Public Works to excavate in and obstruct the public way during installation, and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, MGIC Equities 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 surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$1,000, 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 cancelled until after at least thirty days' notice in writing to the City Clerk.

3. Pay to the City Treasurer the annual fee of \$24.30 as long as such special privilege is maintained.

4. Whenever this special privilege is discontinued for any reason whatsoever, 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.

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 amounting to the sum of \$24.30 per annum 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.

Adopted

PETITION FOR A SPECIAL PRIVILEGE

MAR 16 1983

13.
\$2.00 PUBLICATION FEE
MUST ACCOMPANY THIS
PETITION

February 15 19 83

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

Gentlemen:

The undersigned MGIC EQUITIES CORPORATION
(State whether petitioner is an individual, co-partnership, Wisconsin or foreign corporation)

being the owners of the following described real estate:

(See attached)

(Legal description)

in the 4th Aldermanic District
also known by street and number as 270 E. Kilbourn Avenue & 300 E. Kilbourn 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:

(Here describe the privilege)

To run six 6-inch concrete encased low voltage telephone conduit under Broadway
Street from the MGIC Plaza parking structure to upper level parking of Plaza East -
Phase II.

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 through-
out 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
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resolution adopted by the Common Council or other legislative body.

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Commissioner of Public Works, any curb, pavement, or other public improvement which was removed, changed or dis-
turbed 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 E. WELLS ST.

(Signed) Robert E. Cervay
Robert E. Cervay
Address 330 E. Kilbourn Avenue, Milwaukee, WI
53202

MGIC EQUITIES CORPORATION
(If firm, society or corporation, give its full name)

330 E. Kilbourn Avenue, Milwaukee, Wisconsin 53202
Address

Vice President
(Title or office held in same)

414/347-6323

(Telephone Number)