



# 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.

**Revision #3**  
**11.08.21**

Date \_\_\_\_\_

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 Kilbourn Ave.

- Building overhang

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 \_\_\_\_\_

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 #3 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:

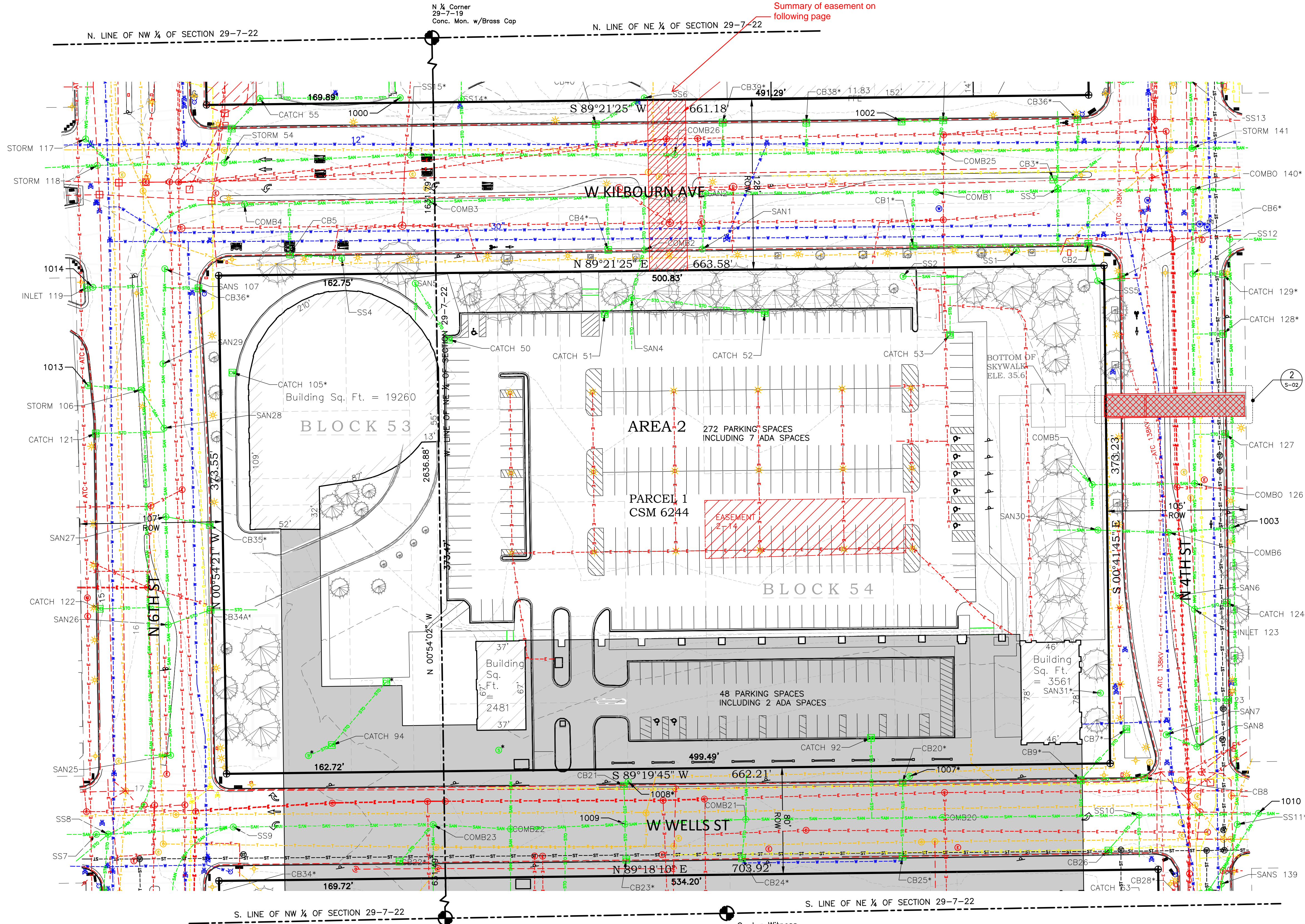
Dan Weiss  
CAA ICON (Owner's Representative)  
414.345.0110  
[daniel.weiss@caaicon.com](mailto:daniel.weiss@caaicon.com)

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

# ALTA/ACSM LAND TITLE SURVEY

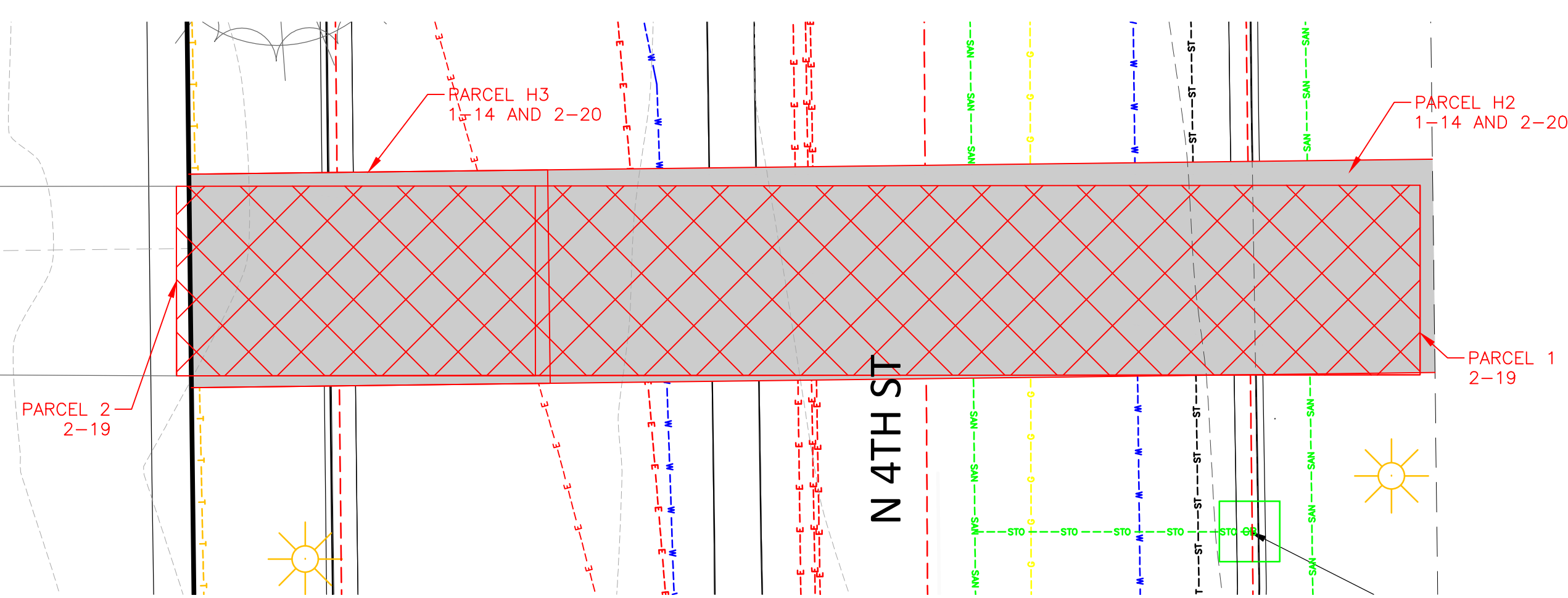
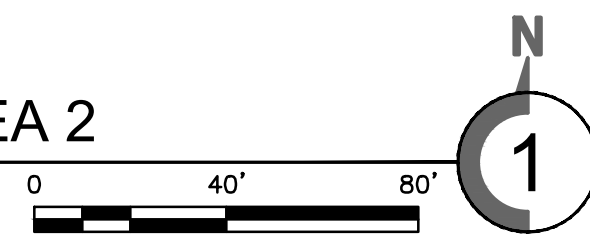
BEING IN THE SOUTHEAST ¼ OF THE NORTHWEST ¼ AND THE SOUTHWEST ¼ OF THE NORTHEAST ¼ OF SECTION 29,  
TOWNSHIP 7 NORTH, RANGE 20 EAST, IN THE CITY OF MILWAUKEE, MILWAUKEE COUNTY, WISCONSIN.

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

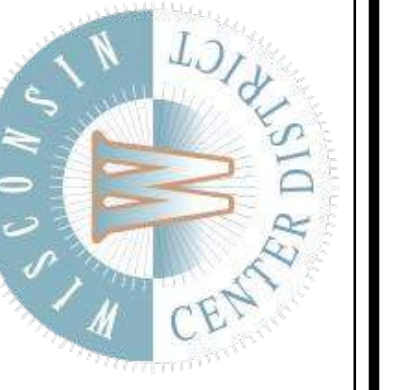
### UTILITY PROVIDERS:

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**  
203 West Howard Avenue  
Milwaukee, WI 53233  
Phone: 414-282-6955  
Fax: 414-282-6955



Area 2  
ALTA/ACSM Land Title Survey  
Wisconsin Center District

Milwaukee, WI

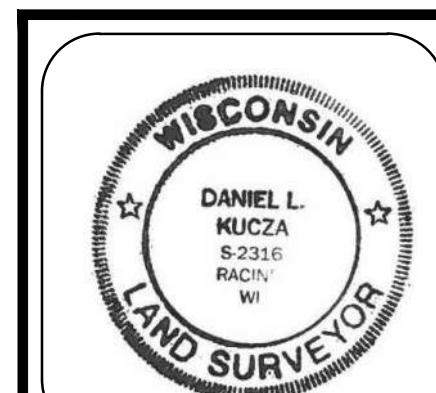
NO.	DATE	DESIGN BY	DESCRIPTION
1	2/07/2020	DLK	ALTA REVISIONS/138 KV LOCATION

CEI PROJECT: 60-12124  
DESIGN BY: DLK  
DRAWN BY: MDG  
CHECKED BY: DLK

DATE: 02/03/2020

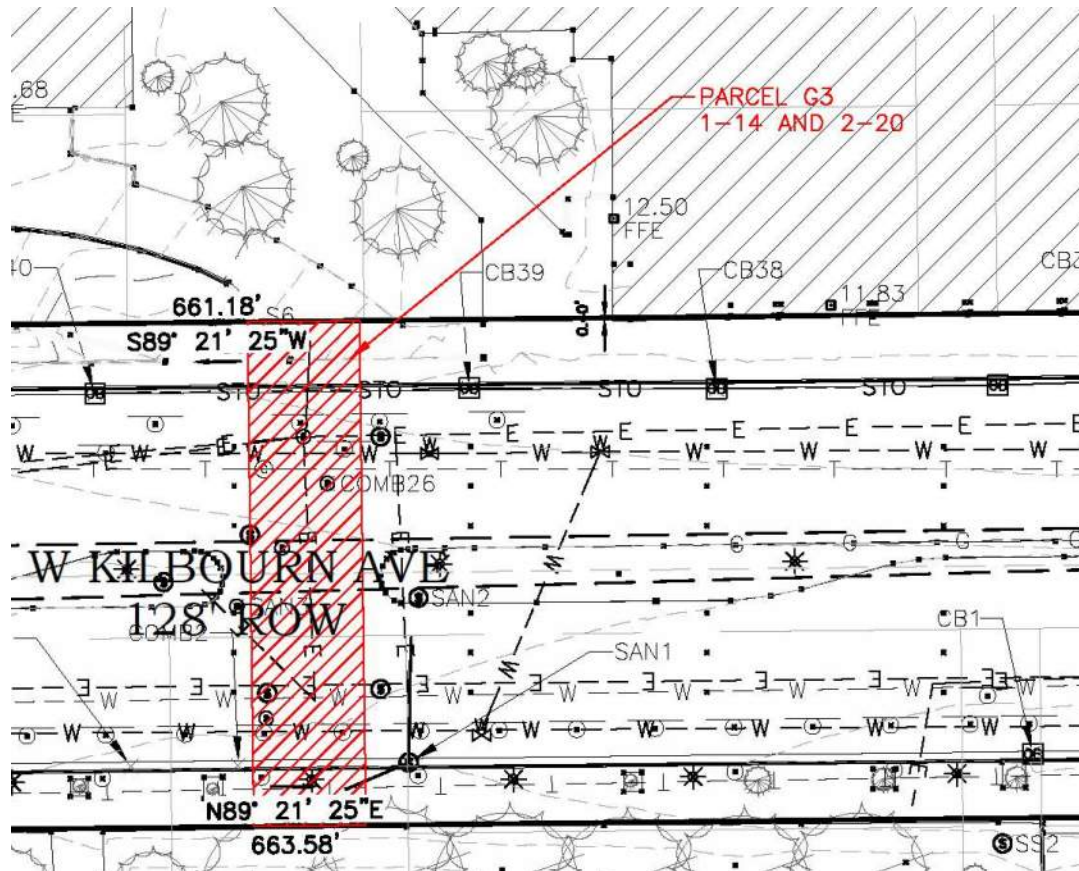
SCALE: 1" = 40'

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.

## KILBOURN AVE AIR RIGHTS EASEMENT

A cube of air space above a parcel of land located in in the southeast  $\frac{1}{4}$  of the northwest  $\frac{1}{4}$  Section and the southwest  $\frac{1}{4}$  of the northeast  $\frac{1}{4}$  of Section 29, Township 7 North, Range 22 East, in the City of Milwaukee, Milwaukee County, Wisconsin, more particularly described as follows:

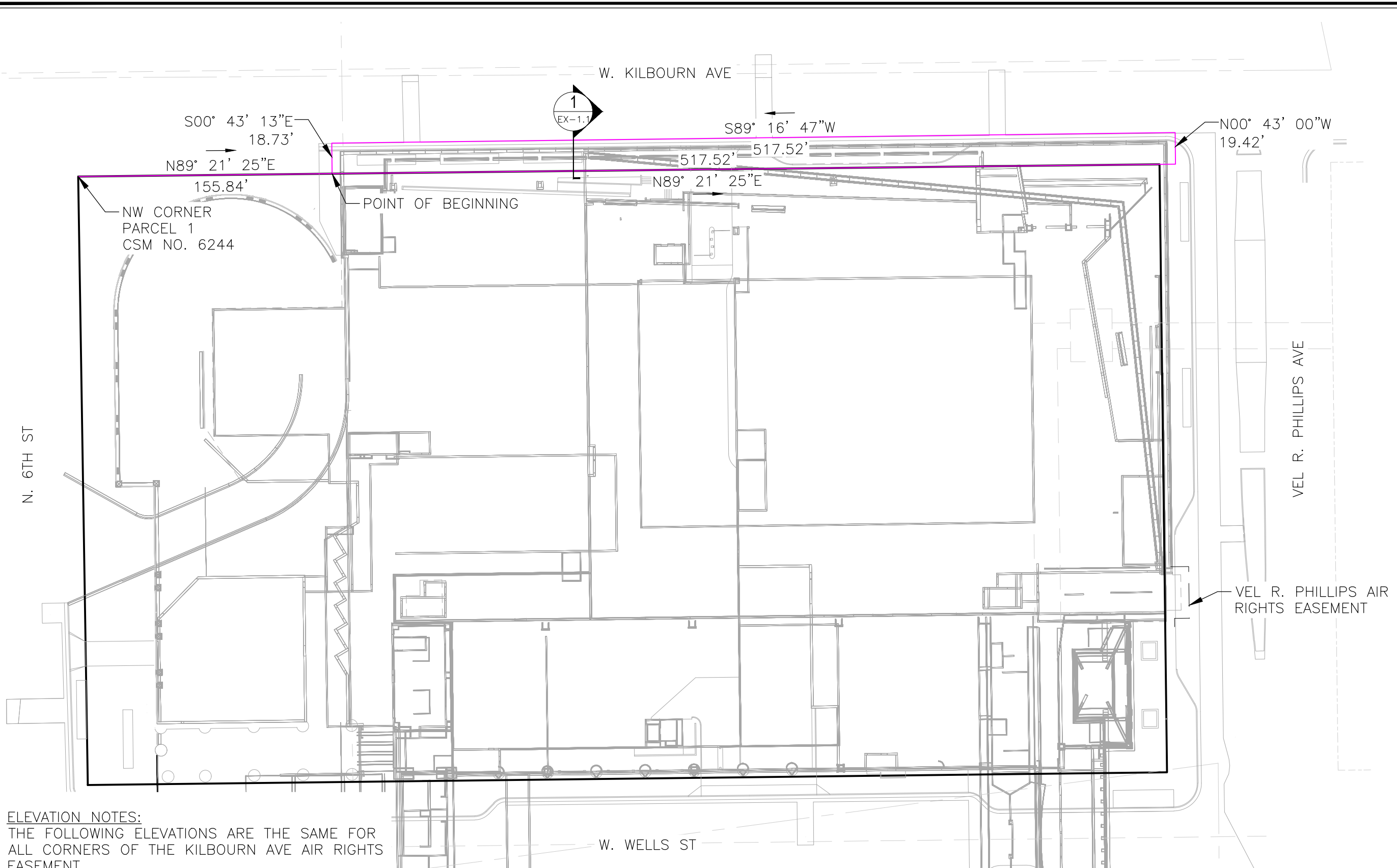
Commencing at the NW corner of Parcel 1 of CSM No. 6244; thence N.  $89^{\circ}21'25''$  E. along the north line of said Parcel 1, 155.84 feet to the point of beginning of the KILBOURN AVE AIR RIGHTS EASEMENT, the ground elevation is 12.5' (city datum), the bottom of easement elevation is 48.5' (city datum), and the top of easement elevation is 103.5' (city datum); thence N.  $89^{\circ}21'25''$  E. 517.52 feet, where the ground elevation is 12.5' (city datum), the bottom of easement elevation is 48.5' (city datum), and the top of easement elevation is 103.5' (city datum); thence N.  $00^{\circ}43'00''$  W. 19.42 feet, , where the ground elevation is 12.5' (city datum), the bottom of easement elevation is 48.5' (city datum), and the top of easement elevation is 103.5' (city datum); thence S.  $89^{\circ}16'47''$  W. 517.52 feet, , where the ground elevation is 12.5' (city datum), the bottom of easement elevation is 48.5' (city datum), and the top of easement elevation is 103.5' (city datum); thence S.  $00^{\circ}43'13''$  E. 18.73 feet to the north line of said Parcel 1 and the point of beginning, where the ground elevation is 12.5' (city datum), the bottom of easement elevation is 48.5' (city datum), and the top of easement elevation is 103.5' (city datum), said parcel of land containing **9872 SF**, or 0.23 Acre more or less, which is contained within a horizontal plane of which is above elevation 48.5 feet and below elevation 103.50 feet and is **55.0 feet in height** and includes a volume of **542,960 Cubic Feet** of air space.

**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  
 KILBOURN AVE AIR RIGHTS  
 EASEMENT**  
 Milwaukee, WI

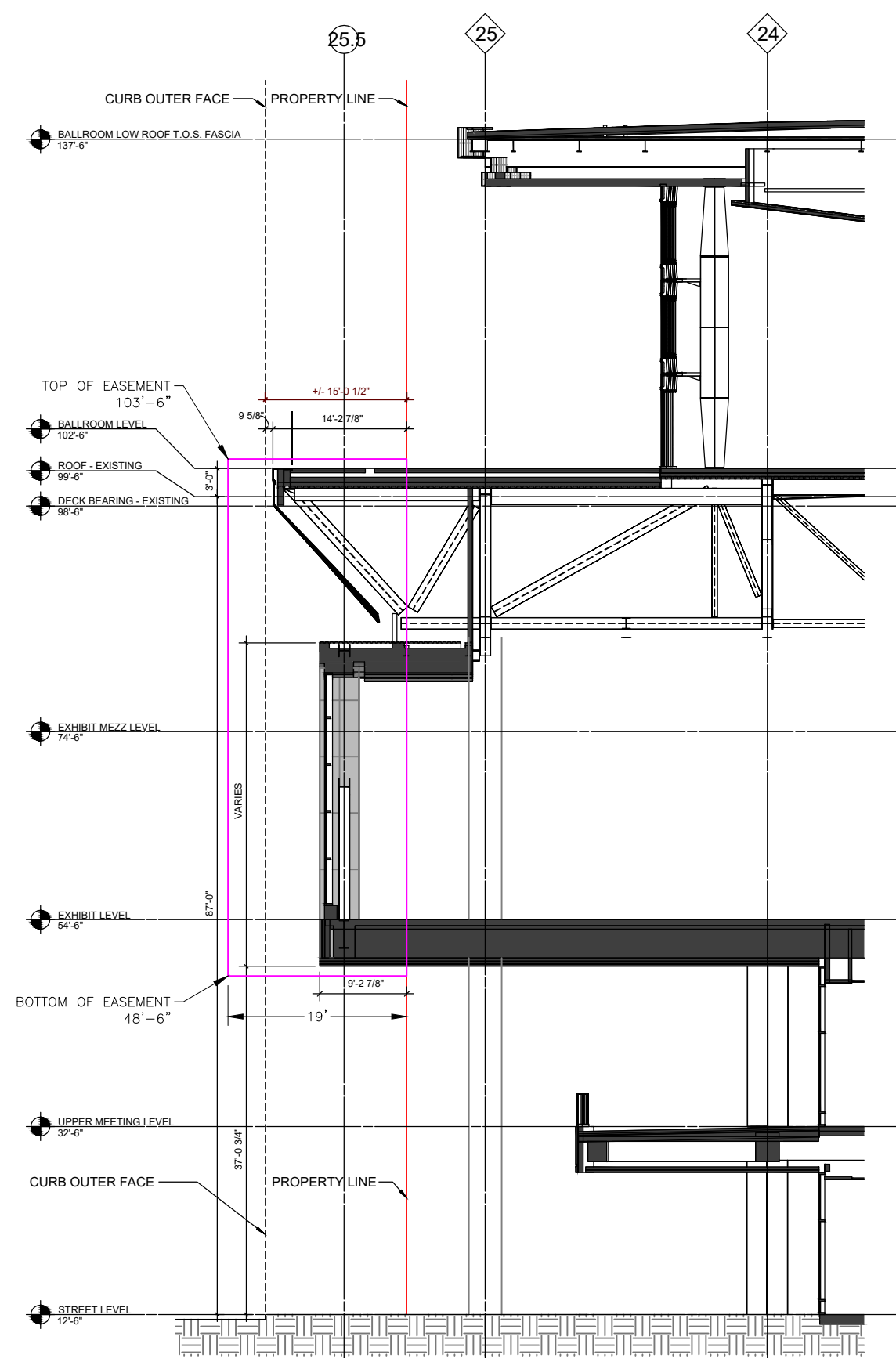
CEI PROJECT  
 60-12124  
 DESIGN BY:  
 DLK  
 DRAWN BY:  
 MDG  
 CHECKED BY:  
 DLK  
 DATE:  
 11/03/2021  
 SHEET NO:  
**EX-1**



**ELEVATION NOTES:**  
 THE FOLLOWING ELEVATIONS ARE THE SAME FOR ALL CORNERS OF THE KILBOURN AVE AIR RIGHTS EASEMENT.  
 GROUND EL.: 12'-6" (CITY DATUM)  
 BOTTOM OF STRUCTURE: 49'-6" (CITY DATUM)  
 BOTTOM OF EASEMENT: 48'-6" (CITY DATUM)  
 TOP OF STRUCTURE: 102'-6" (CITY DATUM)  
 TOP OF EASEMENT: 103'-6" (CITY DATUM)

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.

**KILBOURN AVE AIR RIGHTS EASEMENT**  
 SCALE: 1" = 60'



**1 KILBOURN AVE SECTION**  
NOT TO SCALE

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.

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Phone: 414-282-6905  
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**WISCONSIN CENTER DISTRICT**  
400 W. WISCONSIN AVE  
MILWAUKEE, WI 53203

**WCD EXPANSION  
KILBOURN AVE AIR RIGHTS  
EASEMENT DETAILS**  
Milwaukee, WI

CEI PROJECT 60-12124  
DESIGN BY: DLK  
DRAWN BY: MDG  
CHECKED BY: DLK  
DATE: 08/26/2021  
SHEET NO: EX-1.1



**NORTH ELEVATION**



Looking east on Kilbourne



Looking west on Kilbourne



Looking east on Kilbourne



Looking west on Kilbourne

