

Certified Copy of Resolution

FILE NUMBER 50-3536

Resolution granting a special privilege to the Miller Brewing Company, a Wisconsin Corporation, to construct and maintain an underground tunnel across N. 41st Street in the vicinity of 857 N. 41st Street in the 16th Ward of the City of Milwaukee.

Resolved, By the Common Council of the City of Milwaukee, that the Miller Brewing Company is hereby granted the right and privilege of con-

structing and maintaining an underground tunnel approximately 6 feet wide and 6 feet high, in and across N. 41st Street. The center line of the tunnel is to be about 190 feet 6 inches south of the south line of W. State Street. Said tunnel will connect Lot 1 in Block 4 and Lot 8 in Block 2 in Assessor's Plat No. 124 in the N.W. $\frac{1}{4}$ of Section 25, Township 7 north, Range 21 east. The cost of altering water mains, sewers, or any other city facilities to be borne by the applicant. The plans for said tunnel are to be approved by the Commissioner of Public Works and the Inspector of Buildings and a deposit made for altering city facilities before any work is commenced.

This privilege is granted upon the condition that the said grantee shall make and file in the office of the City Clerk of the City of Milwaukee, a bond in the sum of Three Thousand and no/100 dollars (\$3000.00) with two good sufficient sureties or a surety company, duly incorporated in the State of Wisconsin or duly licensed to do business in this state, such bond to be approved by the City Attorney of the City of Milwaukee and the aforesaid Miller Brewing Company will pay to the City Treasurer the annual fee of One hundred Eight and no/100 dollars (\$108.00) as long as such special privilege is maintained.

That the owner, the Miller Brewing Company, its successors or assignees waive the right to contest

- (a) In any manner, the validity of Section 66.045 Wisconsin Statutes;
- (b) The annual compensation amounting to the sum of One Hundred Eight and no/100 dollars (\$108.00) per annum payable on or before July 1st of each year.

That the Miller Brewing Company, its successors or assignees

- (1) Shall become primarily liable for damages to persons or property by reason of the granting of this special privilege;
- (2) Shall remove this special privilege whenever public necessity so requires when so ordered upon resolution adopted by the Common Council or other legislative body.

Adopted.

Resolution granting a special privilege to the Miller Brewing Company, a Wisconsin Corporation, to construct and maintain an underground tunnel across North 41 Street in the vicinity of 857 North 41 Street in the 16th Ward of the City of Milwaukee.

RESOLVED, By the Common Council of the City of Milwaukee, that the Miller Brewing Company is hereby granted the right and privilege of constructing and maintaining an underground tunnel approximately 6 feet wide and 6 feet high, in and across North 41 Street. The center line of the tunnel is to be about 190 feet 6 inches south of the south line of West State Street. Said tunnel will connect Lot 1 in Block 4 and Lot 8 in Block 2 in Assessor's Plat No. 124 in the N.W. 1/4 of Section 25, Township 7 North, Range 21 East. The cost of altering water mains, sewers, or any other city facilities to be borne by the applicant. The plans for said tunnel are to be approved by the Commissioner of Public Works and the Inspector of Buildings and a deposit made for altering city facilities before any work is commenced.

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- (1) Shall become primarily liable for damages to persons or property by reason of the granting of this special privilege;
- (2) Shall remove this special privilege whenever public necessity so requires when so ordered upon resolution adopted by the Common Council or other legislative body.

April 17, 1951

To the Honorable, the Common Council
Committee on Streets-Alleys-Sewers

Gentlemen:

We have reviewed the request of the Miller Brewing Company for a special privilege to construct and maintain an underground tunnel across N. 41st Street in the vicinity of 857 N. 41st Street, and recommend that the special privilege as outlined in file number 50-3586 be granted.

Very truly yours,

Walter M. Swistlik
Commissioner of Public Works

Leon M. Garde
Inspector of Buildings

ELK/ms

C O P Y