



Department of City Development

Housing Authority  
Redevelopment Authority  
City Plan Commission  
Historic Preservation Commission

**Julie A. Penman**  
Commissioner  
**Michal A. Dawson**  
Deputy Commissioner

January 5, 2004

To the Honorable Common Council  
Zoning, Neighborhoods & Development Committee  
City of Milwaukee

Dear Committee Members:

Attached is a final certified survey map listed as follows:

DCD #2345-                      Owner: BV/CJUF Midtown Ventures  
Tax Key No's.: 249-0831-000, & -0842-000  
Located south of West Fond du Lac Avenue and east of North 60<sup>th</sup> Street, in the 2<sup>nd</sup>  
Aldermanic District.

The purpose of this map is to create a parcel for future retail development at Midtown Center. Approval of the above listed map is recommended, since it conforms to the requirements of Chapter 119 of the Subdivision Regulations of the City of Milwaukee, conditioned on the City Engineer's and City Clerk's signatures.

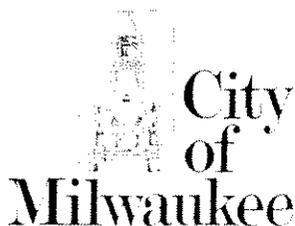
Sincerely,

John R. Hyslop  
Manager – Planning Administration

Attachment

CSMZND.REF.2345.doc

809 North Broadway, Milwaukee, Wisconsin, Phone (414) 286-5900  
Mailing Address: P.O. Box 324, Milwaukee, WI, 53201-0324  
Internet Address: [www.mkedcd.org](http://www.mkedcd.org) Business Information: [www.milwaukeebiz.com](http://www.milwaukeebiz.com)  
T.D.D. Numbers: Rent Assistance 286-2921 and Community Services 286-3504



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Housing Authority  
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**Julie A. Penman**  
Commissioner  
**Michal A. Dawson**  
Deputy Commissioner

December 18, 2003

Mr. Jeffrey S. Polenske  
City Engineer  
Room 612 - Municipal Building  
City of Milwaukee

Dear Mr. Polenske:

Transmitted for your review in accordance with the provisions of Chapter 119 of the Subdivision Regulations, is a copy of the final certified survey map located south of West Fond du Lac Avenue and east of North 60th Street in the 2<sup>nd</sup> Aldermanic District. The original map has been forwarded to the Mapping and Drafting Section.

The applicant is BV/CJUF Midtown Ventures. The check for the engineering review fee has been deposited in the appropriate Department of Public Work's accounts through the Development Center.

Sincerely,

A handwritten signature in black ink, appearing to read "John R. Hyslop".

John R. Hyslop  
Manager  
Planning Administration

Attachments

cc: Marcia Lindholm (w/ attachments)

CSMCE.REF.vlk.doc/DCD#2345

809 North Broadway, Milwaukee, Wisconsin, Phone (414) 286-5900  
Mailing Address: P.O. Box 324, Milwaukee, WI, 53201-0324  
Internet Address: [www.mkedcd.org](http://www.mkedcd.org) Business Information: [www.milwaukeebiz.com](http://www.milwaukeebiz.com)  
T.D.D. Numbers: Rent Assistance 286-2921 and Community Services 286-3504

# CITY OF MILWAUKEE FISCAL NOTE

A) DATE: December 18, 2003

FILE NUMBER: \_\_\_\_\_

Original Fiscal Note  Substitute

SUBJECT: Certified Survey Map (DCD #2345) located south of West Fond du Lac Avenue and east of North 60th Street in the 2<sup>nd</sup> Aldermanic District.

B) SUBMITTED BY (Name/title/dept./ext.): *Julie A. Penman, Commissioner/Department of City Development/5710*

C) CHECK ONE:  ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES  
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.  
 NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO:  DEPARTMENT ACCOUNT (DA)  CONTINGENT FUND (CF)  
 CAPITAL PROJECTS FUND (CPF)  SPECIAL PURPOSE ACCOUNTS (SPA)  
 PERM. IMPROVEMENT FUNDS (PIF)  GRANT & AID ACCOUNTS (G & AA)  
 OTHER (SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:					
TOTALS					

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN ANNUAL BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT SEPARATELY.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

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H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

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PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE

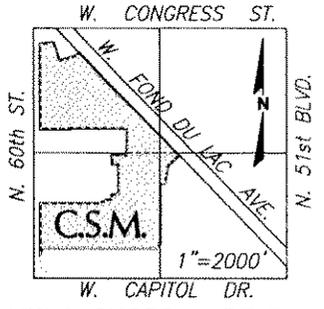
- COPY -

DLD# 2345

# CERTIFIED SURVEY MAP NO. \_\_\_\_\_

A division of Parcel 1 of Certified Survey Map No. 6762, recorded on December 20, 1999, as Document No. 7850166 and Parcel 2 of Certified Survey Map No. 7035, recorded November 9, 2001, as Document No. 8166306, modified by Affidavit of Correction recorded May 2, 2002, as Document No. 8274057, and lands being a part of the Northeast 1/4, Southeast 1/4, Northwest 1/4 and Southwest 1/4 of the Southwest 1/4 of Section 2, Town 7 North, Range 21 East, in the City of Milwaukee, Milwaukee County, Wisconsin.

## VICINITY MAP

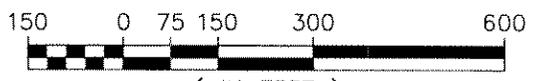


TAX KEY NO. 249-0831-000 & 249-0842-000  
Zoning: RB2 (DIZ)

- INDICATES 1" IRON PIPE, SET. 24" IN LENGTH WEIGHT 1.13 LBS. PER LINEAL FOOT.
- INDICATES 1" IRON PIPE, FOUND.
- ALL DIMENSIONS SHOWN ARE MEASURED TO THE NEAREST HUNDREDTH OF A FOOT.
- ALL BEARINGS ARE REFERENCED TO THE WEST LINE OF THE SW 1/4 OF SEC. 2 WHOSE ASSUMED BEARING IS N 00°00'07" W.

CURVE	ARC	RADIUS	CH. BEARING	CHORD	DELTA
1	147.57	764.05	N84°28'13"E	147.34	11°03'58"
2	33.29	69.50	S13°43'13"W	32.97	27°26'40"

### GRAPHIC SCALE



( IN FEET )  
1 inch = 300 ft.

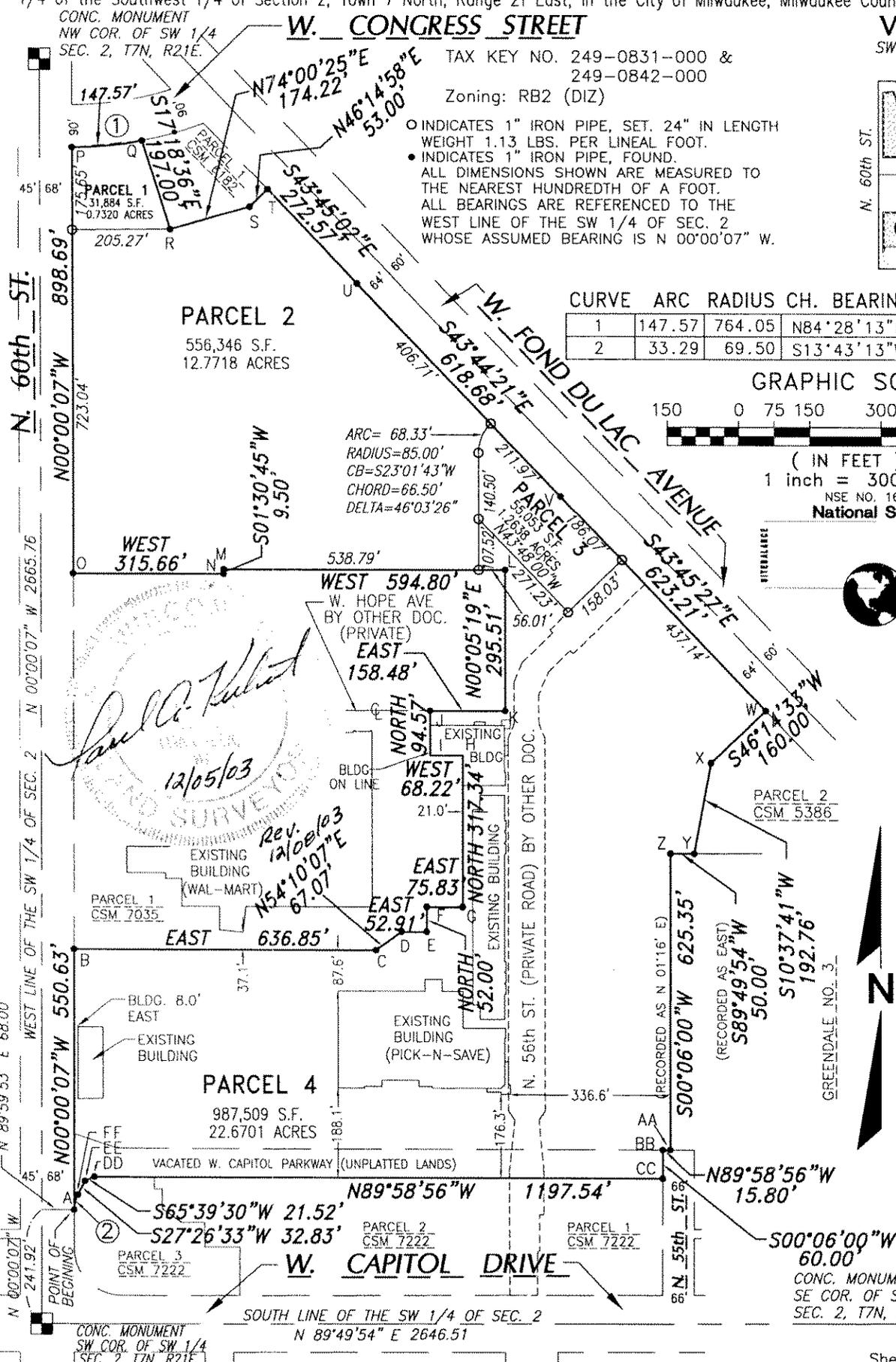
NSE NO. 161397\CS101L3H-GRB  
**National Survey & Engineering**

Telephone 414-781-1000  
Facsimile 414-781-8486

18745 W. Bluemound Road  
Suite 200  
Brookfield, WI 53005-9938  
www.nsea.com

### INTERIOR ANGLES

A	13°43'20"
B	89°59'53"
C	215°49'53"
D	144°10'07"
E	270°00'00"
F	90°00'00"
G	270°00'00"
H	270°00'00"
I	90°00'00"
J	90°00'00"
K	269°54'41"
L	270°05'19"
M	268°29'15"
N	91°30'45"
O	90°00'07"
P	95°31'40"
Q	101°46'49"
R	268°40'59"
S	207°45'27"
T	90°00'00"
U	179°59'19"
V	180°01'06"
W	90°00'00"
X	215°36'52"
Y	100°47'47"
Z	269°43'54"
AA	90°04'56"
BB	269°55'04"
CC	90°04'56"
DD	204°21'34"
EE	218°12'57"
FF	193°43'20"



CONC. MONUMENT  
SE COR. OF SW 1/4  
SEC. 2, T7N, R21E.

DEPARTMENT OF CITY  
DEVELOPMENT  
CITY OF MILWAUKEE

DEC 18 2003

STAFF APPROVED

CERTIFIED SURVEY MAP NO. \_\_\_\_\_

A division of Parcel 1 of Certified Survey Map No. 6762, recorded on December 20, 1999, as Document No. 7850166 and Parcel 2 of Certified Survey Map No. 7035, recorded November 9, 2001, as Document No. 8166306, modified by Affidavit of Correction recorded May 2, 2002, as Document No. 8274057, and lands being a part of the Northeast 1/4, Southeast 1/4, Northwest 1/4 and Southwest 1/4 of the Southwest 1/4 of Section 2, Town 7 North, Range 21 East, in the City of Milwaukee, Milwaukee County, Wisconsin.

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN        }  
  :SS  
WAUKESHA COUNTY         }

I, PAUL A. KUBICEK, Registered Land Surveyor, do hereby certify:

THAT I have surveyed, divided and mapped a division of Parcel 1 of Certified Survey Map No. 6762, recorded on December 20, 1999, as Document No. 7850166 and Parcel 2 of Certified Survey Map No. 7035, recorded November 9, 2001, as Document No. 8166306, modified by Affidavit of Correction recorded May 2, 2002, as Document No. 8274057, and lands being a part of the Northeast 1/4, Southeast 1/4, Northwest 1/4 and Southwest 1/4 of the Southwest 1/4 of Section 2, Town 7 North, Range 21 East, in the City of Milwaukee, Milwaukee County, Wisconsin, which is bounded and described as follows:

COMMENCING at the Southwest corner of the Southwest 1/4 of said Section 2; thence North 00°00'07" West along the west line of said 1/4 Section 241.92 feet to a point; thence North 89°59'53" East 68.00 feet to a point on the East line of North 60th Street and to the point of beginning of the lands to be described; thence North 00°00'07" West along said East line 550.63 feet to a point; thence East 636.85 feet to a point; thence North 54°10'07" East 67.07 feet to a point; thence East 52.91 feet to a point; thence North 52.00 feet to a point; thence East 75.83 feet to a point; thence North 317.34 feet to a point; thence West 68.22 feet to a point; thence North 94.57 feet to a point; thence East 158.48 feet to a point; thence North 00°05'19" East 295.51 feet to a point; thence West 594.80 feet to a point; thence South 01°30'45" West 9.50 feet to a point; thence West 315.66 feet to a point on the East line of North 60th Street; thence North 00°00'07" West along said East line 898.69 feet to a point on the South line of West Congress Street; thence Northeasterly 147.57 feet along the arc of a curve whose center lies to the North, whose radius is 764.05 feet and whose chord bears North 84°28'13" East 147.34 feet to a point, said point being the Northwest corner of Parcel 1 of Certified Survey Map No. 6182; thence South 17°18'36" East along the West line of said Parcel 197.00 feet to the Southwesterly most corner of said Parcel 1; thence North 74°00'25" East along the South line of said Parcel 174.22 feet to a point; thence North 46°14'58" East along the South line of said Parcel 53.00 feet to a point on the South line of West Fond du Lac Avenue; thence South 43°45'02" East along said South line 272.57 feet to a point; thence South 43°44'21" East along said South line 618.68 feet to a point; thence South 43°45'27" East along said South line 623.21 feet to a point, said point being the Northerly most corner of Parcel 2 of Certified Survey Map No. 5386; thence South 46°14'33" West along the North line of said Parcel 160.00 feet to a point; thence South 10°37'41" West along the West line of said Parcel 192.76 feet to a point on the North line of Greendale No. 3; thence South 89°49'54" West (recorded as East) along said North line 50.00 feet to the Northwest corner of Greendale No. 3; thence South 00°06'00" West (recorded as North 01°16' East) 625.35 feet along the West line of said Greendale No. 3 to a point on the West line of North 55th Street; thence North 89°58'56" West along said West line 15.80 feet to a point; thence South 00°06'00" West along said West line 60.00 feet to a point; thence North 89°58'56" West 1197.54 feet to a point; thence South 65°39'30" West 21.52 feet to a point; thence South 27°26'33" West 32.83 feet to a point of curvature; thence Southwesterly 33.29 feet along the arc of a said curve whose center lies to the Southeast, whose radius is 69.50 feet and whose chord bears South 13°43'13" West 32.97 feet to the point of beginning.

THAT I have made the survey, land division and map by the direction of BV/CJUF MIDTOWN VENTURES, LLC, owners.

THAT the map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

THAT I have fully complied with Chapter 236 of the Wisconsin Statutes and Chapter 119 of the Milwaukee Code in surveying, dividing and mapping the same.

December 5, 2003  
DATE

 (SEAL)  
PAUL A. KUBICEK,  
REGISTERED LAND SURVEYOR S-2232  
Sheet 2 of 4 Sheets

CERTIFIED SURVEY MAP NO. \_\_\_\_\_

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CORPORATE OWNER'S CERTIFICATE

BV/CJUF MIDTOWN VENTURES, LLC, a limited liability company duly organized and existing under and by virtue of the laws of the State of Delaware, as owner, certifies that said company caused the land described on this map to be surveyed, divided and mapped as represented on this map in accordance with the requirements of Chapter 119 of the Milwaukee Code of Ordinances.

IN consideration of the approval of the map by the Common Council of the City of Milwaukee and in accordance with Chapter 119 of the Milwaukee Code, the undersigned agrees:

- A. That all utility lines to provide electric power and telephone service and cable television or communications systems lines or cables to all lots in the Certified Survey Map shall be installed underground in easements provided therefore, where feasible.

THIS agreement shall be binding on the undersigned and assigns.

IN Witness Whereof BV/CJUF MIDTOWN VENTURES, LLC has caused these presents to be signed by CANYON-JOHNSON URBAN FUND, L.P., a Delaware Limited Partnership by CANYON JOHNSON REALTY ADVISORS LLC, a Delaware Limited Liability Company, its general partner by K. ROBERT TURNER, Managing Partner of CANYON CAPITAL REALTY ADVISORS LLC, a Delaware Limited Liability Company, an authorized member and KENNETH LOMBARD, Managing Partner of JOHNSON CANYON HOLDINGS, LLC a California Limited Liability Company, an authorized member this 11<sup>th</sup> day of December, 2003.

In the presence of:

  
Peter H. Johnson

By: CANYON CAPITAL REALTY ADVISORS, LLC  
A Delaware Limited Liability Company  
An authorized member

  
K. ROBERT TURNER, MANAGING PARTNER

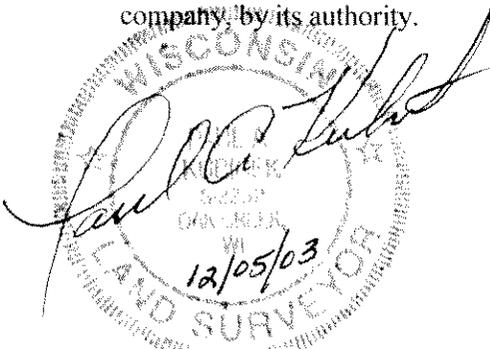
  
Martin Page

By: JOHNSON CANYON HOLDINGS, LLC  
A California Limited Liability Company  
An authorized member

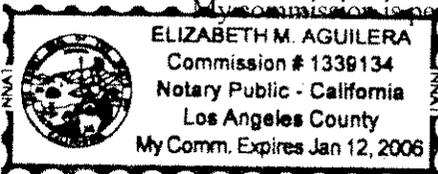
  
KENNETH LOMBARD, MANAGING PARTNER

STATE OF CALIFORNIA     }  
  :SS  
LOS ANGELES COUNTY    }

PERSONALLY came before me this 11<sup>th</sup> day of December, 2003, K. ROBERT TURNER, Managing Partner of Canyon Capital Realty Advisors LLC, and KENNETH LOMBARD, managing Partner of Johnson Canyon Holdings, LLC, to me known as the persons who executed the foregoing instrument, and to me known to be the Managing Member of each respective company, and acknowledged that he executed the foregoing instrument as such officer as the deed of the company, by its authority.



  
Notary Public, State of California (SEAL)  
My commission expires January 12, 2006  
My commission is permanent.



CERTIFIED SURVEY MAP NO. \_\_\_\_\_

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CERTIFICATE OF CITY TREASURER

STATE OF WISCONSIN     }  
                                      :SS  
MILWAUKEE COUNTY     }

I, WAYNE F. WHITTOW, being the duly elected, qualified and acting City Treasurer of the City of Milwaukee, certify that in accordance with the records in the office of the City Treasurer of the City of Milwaukee there are no unpaid taxes or unpaid special assessments on the land included in this Certified Survey Map.

\_\_\_\_\_  
DATE

\_\_\_\_\_  
- COPY -  
WAYNE F. WHITTOW, CITY TREASURER

COMMON COUNCIL CERTIFICATE OF APPROVAL

I certify that this Certified Survey Map was approved under Resolution File No. \_\_\_\_\_ adopted by the Common Council of the City of Milwaukee on \_\_\_\_\_.

\_\_\_\_\_  
- COPY -  
RONALD D. LEONHARDT, CITY CLERK

\_\_\_\_\_  
- COPY -  
\_\_\_\_\_, MAYOR



THIS INSTRUMENT WAS DRAFTED BY PAUL A. KUBICEK,  
REGISTERED LAND SURVEYOR S-2232