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Title: Resolution authorizing public streets for The Brewery Project through acceptance of quit claim deeds, assignment of offers to purchase and dedication of land for public right-of-way, in the 4th Aldermanic District.

Sponsors: ALD. BAUMAN

Indexes: CITY PROPERTY, PROPERTY SALES, QUIT CLAIM DEEDS

Attachments: 1. Fiscal Note.pdf, 2. Exhibits A through E.pdf, 3. Hearing notice list, 4. City Plan Commission Letter.pdf

Date	Ver.	Action By	Action	Result	Tally
6/10/2008	0	COMMON COUNCIL	ASSIGNED TO		
6/11/2008	0	PUBLIC WORKS COMMITTEE	REFERRED TO		
6/13/2008	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
6/18/2008	0	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	4:0
7/1/2008	0	COMMON COUNCIL	ADOPTED	Pass	15:0
7/11/2008	0	MAYOR	SIGNED		

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ORIGINAL
060911
ALD. BAUMAN

Resolution authorizing public streets for The Brewery Project through acceptance of quit claim deeds, assignment of offers to purchase and dedication of land for public right-of-way, in the 4th Aldermanic District.

This resolution permits the City of Milwaukee to accept quit claim deeds and assignment of offers to purchase property and to dedicate the land for public right-of-way. Whereas, By adoption of File No. 060911 on December 12, 2006, the Common Council of the City of Milwaukee created Tax Incremental District ("TID") No. 67 and whose approved activities include financing public street improvements in The Brewery Project; and

Whereas, The Department of Public Works ("DPW") has requested dedication of small pieces of property on North 9th Street from The Brewery, LLC and on North 10th Street from Blue Ribbon Loft Apartments, LLC for current street projects and the owners have agreed to convey the sites for no monetary consideration; and

Whereas, The parcel to be acquired from The Brewery, LLC for the North 9th Street dedication is legally described below and is illustrated on Exhibit A:

Part of Lot 1 in Certified Survey Map No. 7861, being a part of the Southeast 1/4 of the Southwest 1/4 of Section 20, Town 7 North, Range 22 East, in the City of Milwaukee, Milwaukee County, Wisconsin, bounded and described as follows: Commencing at the northwest corner of said Lot 1; thence South 32°55'88" West along the west line of said Lot 1 and the east line of North 9th Street 101.78 feet to the point of beginning; thence

Southwesterly 70.81 feet along an arc of a curve, whose center lies to the Southeast, whose radius is 120.00 feet and whose chord bears South 16°01'37.5" West 69.79 feet to a point on the west line of said Lot; thence North 00°S2'43" West along the west line of said Lot 1 and the east line of North 9th Street 36.47 feet to a point; thence North 32°55'58" East along the west line of said Lot 1 and the east line of North 9th Street 36.47 feet to the point of beginning. Said land contains 127 square feet.

; and

Whereas, The parcel to be acquired from Blue Ribbon Loft Apartments, LLC for the North 10th Street dedication is legally described below and is illustrated on Exhibit B:

Part of Lot 1 in Certified Survey Map No. 7864, being a part of the Southwest 1/4 and Southeast 1/4 of the Southwest 1/4 of Section 20, Town 7 North, Range 22 East, in the City of Milwaukee, Milwaukee County, Wisconsin, bounded and described as follows: Beginning at the southwest corner of said Lot 1; thence North 00°52'43" West along the west line of said Lot 1 and the east line of North 10th Street 33.93 feet to a point; thence North 32°55'58" East along the west line of said Lot 1 and the east line of North 10th Street 33.93 feet to a point; thence Southwesterly 65.88 feet along an arc of a curve, whose center lies to the Southeast, whose radius is 111.65 feet and whose chord bears South 16°01'37.5" West 64.93 feet to the point of beginning. Said land contains 110 square feet.

; and

Whereas, The Brewery, LLC also proposed construction of a roundabout at the intersection of North 10th Street, West Winnebago Street and West Juneau Avenue and has obtained or will obtain offers to purchase from Milwaukee County and Milwaukee Area Technical College to purchase property needed for the roundabout construction; and

Whereas, The Brewery, LLC has requested that two offers to purchase be assigned to the City of Milwaukee ("City") for acquisition and that the land be dedicated as public right-of-way immediately upon conveyance; and

Whereas, The property to be acquired from Milwaukee County for \$161,000 and dedicated for the roundabout is legally described below and is illustrated on Exhibit C:

Being a part of Lot 2, and a part of Lot 3, Block 1, of "Park East on the West Side of the Milwaukee River," being a part of the Southeast 1/4 of the Southwest 1/4 of Section 20, Township 7 North, Range 22 East, situated in the City of Milwaukee, Milwaukee County, Wisconsin, described as follows: Commencing at the South 1/4 corner of said Section 20; thence South 88°57'51" West, along the south line of said Southwest 1/4, 507.02 feet; thence North 01°02'09" West, at a right angle, 35.32 feet to the northerly right-of-way line of West Winnebago Street, being a point of curvature; thence Northwesterly along said northerly right-of-way line of West Winnebago Street and also along the arc of a curve to the right, 69.26 feet, said curve having a radius of 440.00 feet and a chord bearing North 73°52'38" West, 69.19 feet to the point of beginning; thence continuing Northwesterly along said curve to the right, 88.50 feet, said curve having a radius of 440.00 feet and a chord bearing North 63°36'22" West, 88.35 feet; thence North 57°50'39" West, along said northerly right-of-way line of West Winnebago Street, 77.53 feet to a point of curvature; thence Southeasterly along the arc of a curve to the left, 44.07 feet, said curve having a radius of 89.42 feet and a chord bearing South 85°22'51" East, 43.63 feet to a point of reverse curvature; thence Southeasterly along the arc of a curve to the right, 50.10 feet, said curve having a radius of 104.58 feet and a chord bearing South 85°46'39" East, 49.62 feet; thence South 72°03'12" East, 14.00 feet to a point of curvature; thence Southeasterly along the arc of a curve to the right, 46.75 feet to the westerly line of a 20-foot wide public alley, said curve having a radius of 104.58 feet and a chord bearing South 59°14'53" East, 46.36 feet; thence South 01°43'00" West, along said westerly line, 45.37 feet to said northerly line of West Winnebago Street and the

point of beginning.

Also, commencing at the South 1/4 corner of said Section 20; thence South 88°57'51" West, along the south line of said Southwest 1/4, 507.02 feet; thence North 01°02'09" West, at a right angle, 35.32 feet to the northerly right-of-way line of West Winnebago Street, being a point of curvature and the point of beginning; thence Northwesterly along said northerly right-of-way line of West Winnebago Street and also along the arc of a curve to the right, 48.28 feet, said curve having a radius of 440.00 feet and a chord bearing North 75°14'36" West, 48.25 feet to the easterly line of a 20-foot wide public alley; thence North 01°43'00" East, along said easterly line, 28.64 feet; thence South 35°54'52" East, 19.49 feet to a point of curvature; thence Southeasterly along the arc of a curve to the left, 42.38 feet, said curve having a radius of 55.42 feet and a chord bearing South 57°49'28" East, 41.36 feet; thence South 11°33'42" West, 3.17 feet to said northerly right-of-way line of West Winnebago Street and the point of beginning. Containing 5,607 square feet or 0.129 acres of land, more or less.

; and

Whereas, The property to be acquired from Milwaukee Area Technical College for \$100,000 and dedicated for the roundabout is legally described below and is illustrated on Exhibit D:

Being a part of vacated North 7th Street, a part of Lot 1, a part of Lot 2, and a part of Lot 3, Block 160, of the "Plat of the East Half," being a part of the Northeast 1/4 of the Northwest 1/4 of Section 29, Township 7 North, Range 22 East, situated in the City of Milwaukee, Milwaukee County, Wisconsin, described as follows: Commencing at the North 1/4 corner of said Section 29; thence South 88°57'51" West, along the north line of said Northwest 1/4, 545.05 feet; thence South 01°02'09" East, at a right angle, 69.87 feet to the southerly right-of-way line of West Juneau Avenue, also being the point of beginning; thence South 57°46'50" West, 88.46 feet to a point of curvature; thence Northwesterly along the arc of a curve to the left, 15.12 feet, said curve having a radius of 51.00 feet and a chord bearing North 31°06'16" West, 15.06 feet; thence North 39°35'43" West, 0.58 feet to a point of curvature; thence Northwesterly along the arc of a curve to the left, 27.76 feet, said curve having a radius of 49.00 feet and a chord bearing North 55°49'28" West, 27.39 feet; thence North 72°03'12" West, 19.92 feet to a point of curvature; thence Northwesterly along the arc of a curve to the left, 51.22 feet, said curve having a radius of 193.00 feet and a chord bearing North 79°39'22" West, 51.07 feet to said southerly right-of-way line of West Juneau Avenue; thence North 88°58'32" East, along said southerly right-of-way line of West Juneau Avenue, 174.87 feet to the point of beginning. Containing 2,992 square feet or 0.069 acres of land, more or less.

; and

Whereas, The Brewery, LLC will acquire the property at 721 West Winnebago Street from Milwaukee County and proposes to convey a portion thereof for \$116,277 to the City for the roundabout; and

Whereas, The legal description of the property to be acquired from The Brewery, LLC for the roundabout dedication is legally described below and is illustrated on Exhibit E:

Being all of Lot 1, and part of Lot 2, Block 130, of the "Plat of the Town of Milwaukee West Side of the River," being a part of the Southeast 1/4 of the Southwest 1/4 of Section 20, Township 07 North, Range 22 East, situated in the City of Milwaukee, Milwaukee County, Wisconsin, described as follows: Commencing at the South 1/4 corner of said Section 20; thence South 88°57'51" West, along the south line of said Southwest 1/4, 661.95 feet; thence North 01°02'09" West, at a right angle, 0.15 feet to the northerly right-of-way line of West Juneau Avenue, also being the southeast corner of said Lot 1, and the point of beginning; thence South 88°58'32" West, along said northerly right-of-way line, 141.28 feet to a point of curvature; thence Northeasterly along the arc of a curve to the left, 47.91 feet, said curve having a radius of 69.42 feet and a chord

bearing North 48°10'56" East, 46.97 feet to a point of a compound curve; thence Northwesterly along the arc of a curve to the left, 51.42 feet, said curve having a radius of 34.42 feet and a chord bearing North 14°23'17" West, 46.77 feet; thence North 32°55'58" East, 1.90 feet to the southerly right-of-way line of West Winnebago Street; thence South 57°04'03" East, along said southerly right-of-way line of West Winnebago Street, 139.21 feet to the point of beginning. Containing 4,116 square feet or 0.094 acres of land, more or less.

; and

Whereas, Assignment of the offers to purchase from The Brewery, LLC, execution of an offer to purchase with The Brewery, LLC and the transactions are contingent on the availability of funds from TID No. 67; and

Whereas, The Brewery, LLC has provided the City with environmental information on the land to be acquired and is satisfied with the report recommendations, including future receipt of escrow funds to pay for possible soil disposal of impacted soils that might be disturbed by street construction; and

Whereas, The City Plan Commission has approved acquisition and dedication of land for right-of-way at The Brewery Project; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the City is authorized to accept quit claim deeds from The Brewery, LLC and Blue Ribbon Loft Apartments, LLC for no monetary consideration and to dedicate the land as public right-of-way on North 9th Street and North 10th Street; and, be it

Further Resolved, That the City is authorized to accept assignment of offers to purchase from The Brewery, LLC for property owned by Milwaukee County and Milwaukee Area Technical College and that the City Attorney shall draft the assignment agreement, close the transactions and dedicate the land a public right-of-way for a roundabout at North 10th Street, West Winnebago Street and West Juneau Avenue contingent upon the availability of funds from TID No. 67 to pay the purchase price and associated closing costs; and, be it

Further Resolved, That the City Attorney shall draft an offer to purchase with The Brewery, LLC for a portion of 721 West Winnebago Street and to close the transaction and dedicate the land for the roundabout contingent on funding availability from TID No. 67 to pay the purchase price and associated closing costs; and, be it

Further Resolved, That the dedications for all public rights-of-way are as legally described above or as recommended by the City Engineer.

DCD-Real Estate

EMM:bmm

06/10/08/A