



Legislation Details (With Text)

**File #:** 040245      **Version:** 1  
**Type:** Ordinance      **Status:** Placed On File  
**File created:** 6/15/2004      **In control:** COMMON COUNCIL  
**On agenda:**      **Final action:** 3/21/2013  
**Effective date:**

**Title:** A substitute ordinance granting an airspace lease to New Land Enterprises, LLP for a portion of a building to extend over the lot line for balconies, bays and a canopy for the Sterling Condominiums located at 1815 North Farwell Avenue in the 3rd Aldermanic District, and to declare such an airspace lease to be in the public interest.

**Sponsors:** THE CHAIR

**Indexes:** AIR SPACE LEASES

**Attachments:** 1. Air Space Lease Petition and Legal Description.PDF, 2. Development Center Cover Letter.PDF, 3. Drawings-Maps.pdf

Date	Ver.	Action By	Action	Result	Tally
6/15/2004	0	COMMON COUNCIL	ASSIGNED TO		
6/17/2004		PUBLIC WORKS COMMITTEE	REFERRED TO		
6/17/2004		PUBLIC WORKS COMMITTEE	REFERRED TO		
6/17/2004		PUBLIC WORKS COMMITTEE	REFERRED TO		
6/30/2004	1	CITY CLERK	DRAFT SUBMITTED		
6/30/2004		PUBLIC WORKS COMMITTEE	REFERRED TO		
1/31/2006	1	PUBLIC WORKS COMMITTEE	REFERRED TO		
3/1/2013	1	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
3/6/2013	1	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR PLACING ON FILE	Pass	5:0
3/21/2013	1	COMMON COUNCIL	PLACED ON FILE	Pass	14:0

040245  
SUBSTITUTE 1

THE CHAIR

A substitute ordinance granting an airspace lease to New Land Enterprises, LLP for a portion of a building to extend over the lot line for balconies, bays and a canopy for the Sterling Condominiums located at 1815 North Farwell Avenue in the 3<sup>rd</sup> Aldermanic District, and to declare such an airspace lease to be in the public interest.

In accordance with state law, this ordinance will grant an airspace lease to New Land Enterprises, LLP for portions of a building at 1815 North Farwell Avenue to extend over sidewalk area of East Royall Place and North Farwell Avenue.

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1: FINDINGS. In accordance with the provisions of s.66.0915(4), Stats., (2001-2002), the Common Council of the City of Milwaukee hereby authorizes, directs and agrees that the City of

Milwaukee enter into a lease with New Land Enterprises, LLP for the purpose of enabling New Land Enterprises, LLP to construct and maintain portions of a building at 1815 North Farwell Avenue to extend over the sidewalk area of East Royall Place and North Farwell Avenue, with the lowest part of that portion not less than \_\_\_ feet above the sidewalk area consisting of not more than \_\_\_ feet in width, \_\_\_ feet of projection, and \_\_\_ feet in height, and the Common Council of the City of Milwaukee hereby finds that said space above the above-described streets is not needed for street, alley or other public purposes provided that the lessee meet certain conditions by the City of Milwaukee.

Part 2: The Common Council of the City of Milwaukee further finds that the public interest will be served by such leasing inasmuch as the building will continue to aid in the development of the area and convenience of the public; and that New Land Enterprises, LLP will at its own expense bear the cost of any relocating, reconstructing and abandonment of private and public improvements in the street as may become necessary.

Part 3: A copy of such lease is attached hereto and is made part of Common Council File No. 040245.

Part 4: All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

Part 5: This ordinance shall take effect and be in full force from and after its passage and publication.

APPROVED AS TO FORM

\_\_\_\_\_  
Legislative Reference Bureau  
Date:\_\_\_\_\_

IT IS OUR OPINION THAT THE ORDINANCE  
IS LEGAL AND ENFORCEABLE

\_\_\_\_\_  
Office of the City Attorney  
Date:\_\_\_\_\_

City Attorney  
LUB:wt:82414  
1031-2004-1769