



Legislation Details (With Text)

File #: 121297 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 1/15/2013 **In control:** COMMON COUNCIL
On agenda: **Final action:** 4/9/2013
Effective date:

Title: A substitute ordinance granting an air space lease to Georgetown LLC for a portion of street facade along North Prospect Avenue and along East Ivanhoe Place.

Sponsors: THE CHAIR

Indexes: AIR SPACE LEASES

Attachments: 1. Airspace Lease, 2. City Plan Commission Letter, 3. Application and Drawings, 4. Easement Exhibit, 5. Plans, 6. Hearing Notice List, 7. Notice Published on 4-25-13

Date	Ver.	Action By	Action	Result	Tally
1/15/2013	0	COMMON COUNCIL	ASSIGNED TO		
1/17/2013	0	PUBLIC WORKS COMMITTEE	REFERRED TO		
3/22/2013	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
3/27/2013	1	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	4:0
4/9/2013	1	COMMON COUNCIL	PASSED	Pass	15:0
4/18/2013	1	MAYOR	SIGNED		
4/25/2013	1	CITY CLERK	PUBLISHED		

121297
Substitute 1

THE CHAIR

A substitute ordinance granting an air space lease to Georgetown LLC for a portion of street facade along North Prospect Avenue and along East Ivanhoe Place.

In accordance with state law, this ordinance will grant an airspace lease to Georgetown, LLC for the purpose of constructing and maintaining an overhang structure over the sidewalk area along East Ivanhoe Place and along North Prospect Avenue adjacent to property with the address 2217 N. Prospect 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), Wis. Stats., (2011-2012), the Common Council of the City of Milwaukee hereby authorizes, directs and agrees that the City of Milwaukee enter into a lease, substantially the same as the lease attached hereto, with Georgetown, LLC for the purpose of enabling Georgetown, LLC to construct and maintain a building overhang extending over the sidewalk area along East Ivanhoe Place and along North Prospect Avenue adjacent to the premises at 2217 N. Prospect Avenue, as described in the lease, and the Common Council of the City of Milwaukee hereby finds that

the area described in the lease is not needed for street, alley or other public purposes and that the public interest will be served by promoting development of the East Side neighborhood.

Part 2. Attached and made part of the Common Council File No. 121297 is a copy of such lease in substantially the same form as the lease that will be signed.

Part 3: All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

Part 4. The Department of City Development, through its real estate section, shall process, with City department funds, the recording of this ordinance with the Milwaukee County Register of Deeds and shall forward the recording information complete with a final copy of the ordinance and lease to the City Engineer and the City Comptroller.

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: _____

TDM/tdm
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02/08/2013