



Legislation Details (With Text)

**File #:** 030896      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 10/14/2003      **In control:** PUBLIC WORKS COMMITTEE

**On agenda:**      **Final action:** 10/13/2009

**Effective date:**

**Title:** A substitute ordinance granting an airspace lease to MillerCoors, LLC for a pipe bridge over a portion of North 41st Street approximately 262 feet south of West State Street in the City of Milwaukee, replacing and superseding existing Special Privilege No. 1242 (Common Council File No. 871112).

**Sponsors:** THE CHAIR

**Indexes:** AIR SPACE LEASES

**Attachments:** 1. Air Space Lease Petition.PDF, 2. Drawing.PDF, 3. Site Plan.PDF, 4. Letter to Dept of City Development, 5. Letter from Air & Subterranean Space Committee, 6. Lease, 7. Fiscal Note, 8. City Plan Commission Letter.pdf, 9. 9-30-09 Letter from Atty. John Finerty, 10. Hearing Notice List, 11. Notice Published on 10-29-09

Date	Ver.	Action By	Action	Result	Tally
10/14/2003	0	COMMON COUNCIL	ASSIGNED TO		
10/15/2003		PUBLIC WORKS COMMITTEE	REFERRED TO		
10/15/2003		PUBLIC WORKS COMMITTEE	REFERRED TO		
11/5/2003		PUBLIC WORKS COMMITTEE	REFERRED TO		
9/23/2009	1	CITY CLERK	DRAFT SUBMITTED		
9/24/2009	1	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
9/30/2009	1	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
10/13/2009	1	COMMON COUNCIL	PASSED	Pass	15:0
10/14/2009	1	MAYOR	SIGNED		
10/29/2009	1	CITY CLERK	PUBLISHED		

030896  
 SUBSTITUTE 1  
 871112  
 Special Privilege 1242  
 THE CHAIR

A substitute ordinance granting an airspace lease to MillerCoors, LLC for a pipe bridge over a portion of North 41<sup>st</sup> Street approximately 262 feet south of West State Street in the City of Milwaukee, replacing and superseding existing Special Privilege No. 1242 (Common Council File No. 871112).

In accordance with state law, this ordinance will grant an airspace lease to MillerCoors, LLC for a pipe bridge over a portion of North 41<sup>st</sup> Street approximately 262 feet south of West State Street in the City of Milwaukee, replacing and superseding existing Special Privilege No. 1242 (Common Council File No. 871112).

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

Part 1. FINDINGS. In accordance with the provisions of sec. 66.0915(3), Wis. Stats. (2007-2008), the Common Council of the City of Milwaukee hereby authorizes, directs and agrees that the City of Milwaukee, through the proper City officials, enter into a lease with MillerCoors, LLC for an existing enclosed pipe bridge across North 41<sup>st</sup> Street, approximately 262 feet south of West State Street, and the Common Council of the City of Milwaukee hereby finds that such airspace is not needed for street, alley or other public purposes and that the underground tunnel will continue to serve the public interest in promoting industry in the City of Milwaukee.

Part 2. Attached and made part of Common Council File No. 030896 is a copy of the 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 force from and after its passage and publication.

APPROVED AS TO FORM

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

Attorney

IT IS OUR OPINION THAT THE ORDINANCE  
IS LEGAL AND ENFORCEABLE

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

CA  
TDM/tdm  
1050-2003-3260:148507  
7/29/2009