



Legislation Details (With Text)

**File #:** 160351      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 7/6/2016      **In control:** COMMON COUNCIL  
**On agenda:**      **Final action:** 10/11/2016  
**Effective date:**

**Title:** A substitute ordinance granting an air space lease to J.V. Home Improvements, LLC for a building facade overhanging the alley for the premises at 3000 S. 13th in the 14th Aldermanic District.

**Sponsors:** THE CHAIR

**Indexes:** LEASES

**Attachments:** 1. Application, 2. Plat Map, 3. 160351 City Plan Commission Letter.pdf, 4. Airspace lease, 5. JV Home Improvement Airspace lease Ex. A, 6. DPW Letter, 7. Notice Published on 10-27-16

Date	Ver.	Action By	Action	Result	Tally
7/6/2016	0	COMMON COUNCIL	ASSIGNED TO		
7/8/2016	0	CITY CLERK	REFERRED TO		
9/19/2016	0	CITY PLAN COMMISSION	RECOMMENDED FOR PASSAGE AND ASSIGNED	Pass	4:0
9/26/2016	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
9/28/2016	0	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
10/11/2016	1	COMMON COUNCIL	PASSED	Pass	14:0
10/19/2016	1	MAYOR	SIGNED		
10/27/2016	1	CITY CLERK	PUBLISHED		

160351  
Substitute 1

THE CHAIR

A substitute ordinance granting an air space lease to J.V. Home Improvements, LLC for a building facade overhanging the alley for the premises at 3000 S. 13th in the 14th Aldermanic District. In accordance with state law, this ordinance will grant an airspace lease to J.V. Home Improvements, LLC for an existing overhang structure that extends over the public alley at 3000 South 13<sup>th</sup> Street in the City of Milwaukee, 14<sup>th</sup> Aldermanic District.

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(4), Wis. Stats., (2013-2014), the Common Council of the City of Milwaukee hereby authorizes, directs and agrees that the City of Milwaukee, through the proper city officers, enter into an airspace lease with J.V. Home Improvements, LLC for a term of 99 years for the maintenance of an existing overhang structure that extends over the public alley at the premises at 3000 South 13<sup>th</sup> Street, as described in the lease, and the Common Council of the City of Milwaukee hereby finds that the area described in the airspace lease is not needed for street, alley or other public purposes and that the public interest will be served by such leasing.

Part 2. Attached and made part of Common Council File No. 160351 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, at the expense of the Lessee, the recording of this ordinance and the executed lease 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:\_\_\_\_\_

IT IS OUR OPINION THAT THE ORDINANCE  
IS LEGAL AND ENFORCEABLE

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

1053-2016-1280:230116  
7/8/2016