



Legislation Details (With Text)

**File #:** 100871      **Version:** 1

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

**File created:** 11/3/2010      **In control:** PUBLIC WORKS COMMITTEE

**On agenda:**      **Final action:** 1/19/2011

**Effective date:**

**Title:** A substitute ordinance granting an air space lease to Fix Development, LLC for a building overhang on the north side of Bruce Street, east of South 2nd Street for the premises at 538 S. 2nd Street.

**Sponsors:** THE CHAIR

**Indexes:** AIR SPACE LEASES

**Attachments:** 1. Cover Letter, 2. Letter from Department of Public Works, 3. City Plan Commission Letter, 4. Airspace Lease, 5. Lease Petition, 6. Plans, 7. Drawing, 8. Rendering of the Building, 9. Hearing Notice List, 10. Notice Published on 2-4-11

Date	Ver.	Action By	Action	Result	Tally
11/3/2010	0	COMMON COUNCIL	ASSIGNED TO		
11/5/2010	0	PUBLIC WORKS COMMITTEE	REFERRED TO		
12/30/2010	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
1/6/2011	0	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	4:0
1/19/2011	1	COMMON COUNCIL	PASSED	Pass	15:0
1/27/2011	1	MAYOR	SIGNED		
2/4/2011	1	CITY CLERK	PUBLISHED		

100871  
Substitute 1

THE CHAIR

A substitute ordinance granting an air space lease to Fix Development, LLC for a building overhang on the north side of Bruce Street, east of South 2nd Street for the premises at 538 S. 2nd Street.

In accordance with state law, this ordinance will grant an airspace lease to Fix Development, LLC for an overhang extending over the lot line of West Bruce Street, from south 2<sup>nd</sup> Street east to the north-south alley.

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., (2007-2008), 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 Fix Development, LLC for the purpose of enabling Fix Development, LLC to construct, use, and maintain a building overhang extending over the lot line of West Bruce Street,

between South 1<sup>st</sup> Street and South 2<sup>nd</sup> Street, with the lowest part of that portion not less than 13 feet, 11 inches above the sidewalk area bordering West Bruce Street, and consisting of not more than 9 feet, 11 inches in width and 136 feet, 8 inches in length, 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 and that the public interest will be served by such leasing inasmuch as the overhang will continue to aid in the development of the Walker's Point neighborhood and convenience of the public.

Part 2: A copy of such lease is attached hereto and is made part of Common Council File No. 100871.

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

Part 4: 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.

CA  
TDM/tdm  
1050-2010-3052:164154