



Legislation Text

File #: 971000, Version: 1

971000
SUBSTITUTE

THE CHAIR

Substitute resolution granting a special privilege to Ameritech Corporation to install and maintain underground telecommunications fiber optic cabling across North 25th Street and West State Street in the vicinity of 918 North 26th Street, in the 17th Aldermanic District in the City of Milwaukee.

- Analysis -

This resolution grants a special privilege to Ameritech Corporation to install and maintain telecommunications fiber optic cabling across North 25th Street and West State Street, in the vicinity of 918 North 26th Street.

Whereas, Ameritech Corporation desires to install and maintain telecommunications fiber optic cabling across North 25th Street and West State Street to connect the existing building at 918 North 26th Street with a proposed parking lot at 2454 West State Street; and

Whereas, Said telecommunications fiber optic cabling may only be permitted to occupy the public rights-of-way by the adoption of a special privilege by the Common Council; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Ameritech, 6811 Maple Terrace, Wauwatosa, WI 53213, is hereby granted the following special privilege:

To install and maintain two 4-inch diameter conduits under and across North 25th Street and West State Street beginning at a point on the southline of West State Street, approximately 8 feet west of the westline of North 25th Street, then extending approximately 54 feet north to a point, being approximately 8 feet west of the westline of North 25th Street and 54 feet north of the southline of West State Street; then extending curvilinearly on a 15-foot radius to a point approximately 7 feet east of the westline of North 25th Street and approximately 1 foot south of the northline of West State Street; then extending approximately 39 feet east to a point being approximately 15 feet west of the eastline of North 25th Street and 1 foot south of the northline of West State Street, then extending northeasterly approximately 10 feet to a point approximately 5 feet west of the eastline of North 25th Street and 2 feet north of the northline of West State Street, then extending east to the eastline of North 25th Street. Said conduit is to be located approximately 2 feet below grade.

The telecommunications fiber optic cabling conduit shall be installed, operated and maintained to the approval of the Commissioners of Public Works and Building Inspection. The grantee shall procure the necessary permits from the Commissioners of Building Inspection and Public Works.

and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Ameritech Corporation, shall:

1. Become primarily liable for damages to persons or property by reason of the granting of this special privilege.
2. File with the City Clerk a bond of a surety company duly incorporated in the State of Wisconsin, or duly licensed to do business in this State, in the sum of \$4,000 such bond to be approved by the City Attorney. The applicant shall also file with the City Clerk a certificate of insurance indicating applicant holds a public liability policy in the sum of at least \$25,000 covering bodily injury to any one person and \$50,000 covering bodily injury to more than one person in any one accident and \$10,000 covering property damage to any one owner on the area or areas included within the special privilege and naming the City of Milwaukee as an insured. Both bond and insurance policy shall provide that they shall not be canceled until after at least thirty days' notice in writing to the City Clerk; OR, if Ameritech qualifies as a public service corporation, they may follow the procedure indicated at the end of Section 245-12-3-b of the Code of Ordinances.
3. Pay to the City Treasurer an annual fee which has an initial amount of \$131.60. The subsequent annual fee is subject to change pursuant to the annual fee schedule in effect at the time of annual billing.
4. Whenever this special privilege is discontinued for any reason whatsoever, including public necessity whenever so ordered by resolution adopted by the Common Council not only remove all construction work executed pursuant to this special privilege, but shall also restore to its former condition and to the approval of the Commissioner of Public Works any curb, pavement or other public improvement which was removed, changed or disturbed by reason of the granting of this special privilege. Such grantee shall be entitled to no damages due to the

alteration and/or removal for such purposes.

5. Waive the right to contest in any manner the validity of Section 66.045 of the Wisconsin Statutes (1979), or the amount of the annual fixed fee, payable on or before July 1st of each year.

6. Put this special privilege into use within one year after approval by the Common Council of the City of Milwaukee; failing to do so in the time specified, the Commissioner of Building Inspection shall have the authority to seek, by resolution, revocation of said special privilege.

JJM:cjt

November 6, 1997

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