



## Legislation Text

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**File #:** 020599, **Version:** 1

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020599  
SUBSTITUTE 1

ALD. DONOVAN

Substitute resolution authorizing the release of deed restrictions on a portion of the Kinnickinnic Parkway park as part of the Aurora Health Care Metro, Inc. improvement project.

This resolution authorizes the execution and delivery of a Release of Deed Restrictions (Part of Kinnickinnic Parkway) in consideration for a donation to the City in the form of a grant of \$400,000.00 from Aurora Health Care Metro, Inc. to the Health Department of the City of Milwaukee.

Whereas, The City of Milwaukee conveyed portions of the Kinnickinnic Parkway to Milwaukee County pursuant to Quit Claim Deeds dated November 12, 1936, recorded as Document No. 4111052, and November 8, 1954, recorded as Document No. 3370868; and

Whereas, Milwaukee County and Aurora Health Care Metro, Inc. ("St. Luke's") have requested a release of park deed restrictions applicable to those portions of the Kinnickinnic Parkway legally described in the Release of Deed Restrictions (Part of Kinnickinnic Parkway), (the "Release") on file with the Common Council of the City (the "Property"); and

Whereas, Milwaukee County leased the Property to St. Luke's for use as a parking lot in 1971 with City cooperation pursuant to Common Council Resolution File No. 70-1578; and

Whereas, Milwaukee County proposes to enter into a long-term Easement Agreement for the Property with St. Luke's as operator of the St. Luke's Medical Center; and

Whereas, The Easement Agreement will allow Aurora to construct a parking structure, a material management facility, a subterranean utility duct bank, and an on-grade medical gasses storage area to serve the St. Luke's Medical Center; and

Whereas, Milwaukee County and St. Luke's also propose to enter into a Memorandum of Understanding pursuant to which Aurora will provide consideration to the County for the grant of the Easement; and

Whereas, In consideration for the execution and delivery of the Release and the construction of certain public improvements as detailed in a Letter Agreement on file with the City, (the "Letter Agreement") St. Luke's has agreed to make a donation to the City in the form of a grant to the Health Department of the City in the amount of \$400,000.00; and

Whereas, The City desires to provide for execution and delivery of the Release of Deed Restrictions in the form on file with the Common Council of the City and by execution and delivery of the Letter Agreement; and

Whereas, The City also desires to accept the grant to the Health Department and to establish the appropriate account for its administration; and

Whereas, Pursuant to an Amendment of Park Deed Restrictions dated as of April 20, 2001 between City and Milwaukee County, Milwaukee County is required to provide 60 days public notice before action on any modification or release of a park deed restriction by City, which notice was published on January 27, 2003, February 3, 2003 and February 10, 2003; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the proper City officers are hereby authorized and directed to execute and deliver the Release of Park Deed Restrictions (Part of Kinnickinnic Parkway) in the form on file with the Common Council of the City of Milwaukee, to accept the grant to the Health Department, and to execute and deliver the Letter Agreement in order to implement the execution and delivery of the Release of Park Deed Restrictions (Part of the Kinnickinnic Parkway) and fulfill the intent of this Resolution and the Letter Agreement; and, be it

Further Resolved, That the City Comptroller is authorized to:

1. Commit funds within the Project Grant Parent of the 2003 Special Revenue-Grant and Aid Projects Fund, the following amounts for the program/project:

<u>Proj/Grt</u>	<u>Fund</u>	<u>Org</u>	<u>Program</u>	<u>By</u>	<u>Subclass</u>	<u>Acct</u>	<u>Project</u>	<u>Amount</u>
GR0003100000	0150	9990	0001	0000	R999	000600	Grantor Share	\$400,000.00

2. Create the necessary Grant and Aid Project/Grant and Project/Grant Levels, budget against these Project/Grant Values the amount required under the grant agreement; and
3. Establish the necessary city share project values; and, be it

Further Resolved, That these funds are budgeted for the Health Department which is authorized to:

1. Expend from the amount budgeted sums for specified purposes as indicated in the grant budget and incur costs consistent with the award date; and
2. Expend from the 2003 grant budget funds for specific items of equipment; and
3. Enter into subcontracts and leases as detailed in the grant budget.

Comptroller  
ANL:jp  
REF: ANL273