



## Legislation Text

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**File #: 121461, Version: 0**

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ORIGINAL  
111423

ALD. WITKOWSKI

Resolution authorizing an amendment to a permanent underground pipe line easement with the Milwaukee Metropolitan Sewerage District at 1600 East College Avenue, in the 13th Aldermanic District.

This resolution authorizes an amendment to an existing easement to allow temporary access from the adjoining City-owned property to an underground pipe line.

Whereas, By adoption of File No. 111423 on February 28, 2012, the Common Council of the City of Milwaukee authorized a permanent easement with the Milwaukee Metropolitan Sewerage District ("MMSD") for an underground pipe line on the City-owned property at 1600 East College Avenue; and

Whereas, MMSD is using the easement area for a Landfill Gas Pipe Line from East College Avenue to Jones Island and has requested that the City of Milwaukee ("City") grant temporary access to a 10-foot wide area on the southerly 200 feet of the easement area, as illustrated on the plat included in the amendment, in order for MMSD to stage equipment to inspect and clean the underground pipe line; and

Whereas, The pipe line is located under the portion of the property that is leased to the United States of America for access to the 128th Air National Guard facility at Mitchell Field, and the 128th Air National Guard has indicated its consent to the temporary easement with MMSD; and

Whereas, The City Attorney has approved the terms of the amendment to the permanent easement, a draft of which is attached to this Common Council File; and

Whereas, The City shall not require compensation for the easements because of the public benefits provided by reusing landfill gas; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the amendment to the permanent underground pipe line easement with Milwaukee Metropolitan Sewerage District for temporary access to the property at 1600 East College Avenue is approved; and, be it

Further Resolved, That the Commissioner of the Department of City Development ("DCD"), or designee, is authorized to execute the amendment on behalf of the City upon recommendation of the City Attorney; and, be it

Further Resolved, That in the event MMSD needs additional temporary access to its underground pipe line from the adjoining City-owned land, the Commissioner of DCD, or designee, is authorized to execute temporary access agreements upon the consent of the City Attorney and the 128th Air National Guard.

DCD/Real Estate

EMM:bmm

02/05/13/B