



Legislation Text

File #: 991159, Version: 1

991159
SUBSTITUTE
920858
THE CHAIR

Substitute resolution amending a special privilege granted to Campus Neighborhood Associates, Inc. to construct and maintain a concrete platform with ramp and two concrete platforms all encroaching into the public right-of-way, abutting the premises at 2100 West Wells Street, to now change the name of the grantee of the special privilege to Marquette University, in the 4th Aldermanic District in the City of Milwaukee.

- Analysis -

This special privilege changes the name of the grantee of a special privilege granting permission to keep and maintain a concrete platform with ramp and two concrete platforms all encroaching into the public right-of-way on the west side of North 21st Street, abutting the premises at 2100 West Wells Street. _____

Whereas, Campus Neighborhood Associates, Inc. was granted a special privilege to construct and maintain a concrete platform with ramp and two concrete platforms all encroaching on the west side of North 21st Street adjacent to the premises at 2100 West Wells Street; and

Whereas, The current owner of the property is Marquette University and should now be named as grantee of the special privilege; and

Whereas, Said encroachments may only legally occupy the public way by the granting of a special privilege; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Common Council Resolution File Number 920858 is hereby rescinded; and, be it

Further Resolved, By the Common Council of the City of Milwaukee that Marquette University, P.O. Box 1881, Milwaukee, WI 53201-1881, is hereby granted the following special privileges:

1. To keep and maintain a concrete platform with ramp on the west side of North 21st Street adjacent to the property known as 2100 West Wells Street. Said platform and ramp is approximately 20 feet long and is located at the existing southeast corner entrance centered approximately 3 feet north of the northline of West Wells Street. Said platform and ramp encroachment is approximately 4 feet into the 15-foot wide sidewalk area.

2 To keep and maintain a concrete platform on the west side of North 21st Street adjacent to the property known as 2100 West Wells Street. Said platform, 3 feet wide and 11 feet long, is located approximately 57 feet north of the northline of West Wells Street. Said encroachment is approximately 3 feet into the 15-foot wide sidewalk area.

3. To keep and maintain a concrete platform on the west side of North 21st Street adjacent to the property known as 2100 West Wells Street. Said platform, 3 feet wide and 6 feet long, is located approximately 77 feet north of the northline of West Wells Street. Said encroachment is approximately 3 feet into the 15-footwide sidewalk area.

All of the items indicated above shall be used and maintained to the satisfaction of the Departments of Public Works and Neighborhood Services; and, be it

Further Resolved, That this special privilege is granted only on condition that by acceptance of this special privilege the grantee, Marquette University, 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 \$3,000 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.

3. Pay to the City Treasurer an annual fee which has an initial amount of \$71.41. 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 the Department of Neighborhood Services shall have the authority to seek, by resolution, revocation of said special privilege.

Infrastructure Services Division

JJM:cjt

December 20, 1999

991159