



## Legislation Text

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**File #:** 090479, **Version:** 1

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090479

SUBSTITUTE 1

83999

83999-a

Special Privilege 308

THE CHAIR

A substitute ordinance granting a subterranean space lease to MillerCoors, LLC to occupy and maintain an existing underground tunnel in and across West State Street approximately 108 feet east of the east line of North 41<sup>st</sup> Street in the 15<sup>th</sup> Aldermanic District in the City of Milwaukee, replacing and superseding existing Special Privilege No. 308 (Common Council File Nos. 83999 and 83999-a).

In accordance with state law, this ordinance will grant a subterranean space lease to MillerCoors, LLC to continue occupying and maintaining an existing tunnel beneath a portion of West State Street approximately 108 feet east of the east curb line of North 41<sup>st</sup> Street in the City of Milwaukee. The lease will replace and supersede Special Privilege No. 308 (Common Council File Nos. 83999 and 83999-a) previously granted for the tunnel.

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. FINDINGS. In accordance with the provisions of § 66.0915(4), Wis. Stats. (2007-2008), the Common Council of the City of Milwaukee hereby authorizes, directs and agrees that the City of Milwaukee, through the proper City officials, enter into a lease with MillerCoors, LLC for an underground tunnel approximately five feet wide by six feet high, the center line of said tunnel being 108 feet east of the east line of North 41<sup>st</sup> Street and extending across West State Street in a slightly northwesterly direction, and the Common Council of the City of Milwaukee hereby finds that such subterranean space is not needed for street, alley or other public purposes and that the underground tunnel will continue to serve the public interest in promoting industry in the City of Milwaukee.

Part 2. Attached and made part of Common Council File No. 090479 is a copy of the lease in substantially the same form as the lease that will be signed.

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 All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

Part 4. The 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 force from and after its passage and publication.

APPROVED AS TO FORM

\_\_\_\_\_  
Legislative Reference Bureau  
Date: \_\_\_\_\_

Attorney

IT IS OUR OPINION THAT THE ORDINANCE  
IS LEGAL AND ENFORCEABLE

\_\_\_\_\_  
Office of the City Attorney  
Date: \_\_\_\_\_

CA  
TDM/tdm  
1029-2008-2423:148500  
09/15/2009