



## Legislation Text

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**File #:** 041671, **Version:** 1

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041671  
SUBSTITUTE  
60-2500  
THE CHAIR

Substitute resolution amending a special privilege for change of ownership to Eric Paddock for encroachment into the public right-of-way of two entrance stairways with platform and railings for the building at 2900 South 11<sup>th</sup> Street, in the 12<sup>th</sup> Aldermanic District in the City of Milwaukee.

This resolution grants an amended special privilege to Eric Paddock to keep and maintain two entrance stairways with platform and railings in the public right-of-way for the building at 2900 South 11<sup>th</sup> Street. Whereas, Alfred M. Hildenbrand requested to reconstruct and maintain two entrance stairways with platform and railings in the public right-of-way for the building at 2900 South 11<sup>th</sup> Street; and

Whereas, Permission was granted in 1960 under Common Council Resolution File Number 60-2500; and

Whereas, Eric Paddock now owns the property; and

Whereas, For the liability to be formally transferred to the current owner for the two entrance stairways with platform and railings, the Common Council needs to adopt an amending resolution; now, therefore, be it

Resolved, That Common Council Resolution File Number 60-2500 is hereby rescinded; and, be it

Further Resolved, By the Common Council of the City of Milwaukee, that Eric Paddock, 5598 Apricot Court, Greendale, Wisconsin 53129 is hereby granted the following special privilege:

To keep and maintain two entrance stairs with platform and railings for the existing building at 2900 South 11<sup>th</sup> Street. The first stairway is centered approximately 14 feet south of the south line of West Dakota Street and is 8 feet long. Said stairway encroaches approximately 2-feet 6-inches into the 15-foot wide South 11<sup>th</sup> Street sidewalk area. The second stairway is centered approximately 38-feet 3-inches east of the east line of South 11<sup>th</sup> Street and is 13 feet long. Said stairway encroaches approximately 3-feet 8-inches into the 15-foot wide West Dakota Street sidewalk area.

Said above-mentioned items shall be used, kept and maintained to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services. All necessary permits shall have been obtained prior to the granting of this special privilege.

Said items shall be maintained or removed from the public right-of-way, at such future time as they are no longer needed, to the satisfaction of the Commissioners of Public Works and Department of 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, Eric Paddock, 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 \$5,000.00 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 \$50,000.00 covering bodily injury to any one person and \$100,000.00 covering bodily injury to more than one person in any one accident and \$20,000.00 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 \$77.67. 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 66.0425 of the Wisconsin Statutes (1999), or the amount of the annual fixed fee, payable on or before July 1<sup>st</sup> 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.

Department of Public Works  
Infrastructure Services Division

MDL:cjt

February 22, 2006

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