



Legislation Details (With Text)

File #: 070597 **Version:** 1

Type: Resolution **Status:** Passed

File created: 7/31/2007 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:** 10/23/2007

Effective date:

Title: Substitute resolution amending a special privilege for change of ownership to Greenwich Row Condominium Association, Inc. for encroachment into the public right-of-way of five concrete platforms with steps for the premises at 2451-2453 North Cramer Street, in the 3rd Aldermanic District.

Sponsors: THE CHAIR

Indexes: SPECIAL PRIVILEGE PERMITS

Attachments: 1. Petition for Special Privilege.PDF, 2. Cover letter, 3. Fiscal Note, 4. Map, 5. Picture 1, 6. Picture 2

Date	Ver.	Action By	Action	Result	Tally
7/31/2007	0	COMMON COUNCIL	ASSIGNED TO		
8/1/2007	0	PUBLIC WORKS COMMITTEE	REFERRED TO		
9/20/2007	1	CITY CLERK	DRAFT SUBMITTED		
9/28/2007	1	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
9/28/2007	1	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
10/10/2007	1	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	4:0
10/23/2007	1	COMMON COUNCIL	ADOPTED	Pass	13:0
10/26/2007	1	MAYOR	SIGNED		

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SUBSTITUTE 1
060535
THE CHAIR

Substitute resolution amending a special privilege for change of ownership to Greenwich Row Condominium Association, Inc. for encroachment into the public right-of-way of five concrete platforms with steps for the premises at 2451-2453 North Cramer Street, in the 3rd Aldermanic District.

Substitute resolution amending a special privilege for change of ownership to Greenwich Row Condominium Association, Inc. for encroachment into the public right-of-way of five concrete platforms with steps for the premises at 2451-2453 North Cramer Street.

Whereas, Greenwich Avenue, LLC requested permission to construct and maintain five concrete platforms with steps in the public right-of-way; and

Whereas, Permission for said platforms with steps was granted in 2006 under Common Council File Number 060535; and

Whereas, Greenwich Row Condominium Association, Inc. now owns the property; and

Whereas, For the liability to be formally transferred to the current property owner, the Common Council needs to adopt an amending resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that Common Council Resolution File Number 060535 is hereby rescinded; and, be it

Further Resolved, That Greenwich Row Condominium Association, Inc., 544 East Ogden Avenue, Suite 700-145, Milwaukee, WI 53202 is hereby granted the following special privileges:

1. To keep and maintain four concrete platforms with steps in the north 22-foot wide sidewalk area of East Greenwich Avenue. The 12-foot long platforms with steps are centered approximately 56, 79, 103, and 125 feet west of the westline of North Cramer Street. Said platforms project 4 feet 4 inches into the public right-of-way. The total area for these platforms is approximately 190 square feet
2. To keep and maintain one concrete platform with steps in the west, 20-foot wide sidewalk area of North Cramer Street. Said platform commences at a point 1 foot 8 inches south of the northline of East Greenwich Avenue and extends approximately 18 feet to the North. Said platform projects 4 feet 2 inches into North Cramer Street. A small portion of this platform projects into East Greenwich Avenue commencing at the westline of North Cramer Street and ending at a point 2 feet 2 inches west of the westline of North Cramer Street. Said platform projects 1 foot 8 inches into East Greenwich Avenue. Total area of said platform with steps is 75.62 square feet

Said above-mentioned items shall be used, kept and maintained to the satisfaction of the Commissioners of Public Works and Department of Neighborhood Services.

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, Greenwich Row Condominium Association, Inc., 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 such bond to be approved by the City Attorney. This 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 covering bodily injury to any one person and \$100,000 covering bodily injury to more than one person in any one accident and \$20,000 covering property damage to any own 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 cancelled 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 \$229.50. 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 and 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 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 Neighborhood Services shall have the authority to seek, by

resolution, revocation of said special privilege.

Department of Public Works

Infrastructure Services Division

MDL:lja

September 18, 2007

070597