



Legislation Details (With Text)

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|------------------------|---|----------------------|------------------------|
| File #: | 071459 | Version: | 1 |
| Type: | Ordinance | Status: | Passed |
| File created: | 2/26/2008 | In control: | PUBLIC WORKS COMMITTEE |
| On agenda: | | Final action: | 3/18/2008 |
| Effective date: | | | |
| Title: | A substitute ordinance to grant an airspace lease to BOSTCO, LLC for an existing pedestrian bridge over a portion of North 4th Street between West Wisconsin Avenue and West Michigan Street. | | |
| Sponsors: | THE CHAIR | | |
| Indexes: | AIR SPACE LEASES | | |
| Attachments: | 1. Development Center Cover Letter, 2. Air Lease Petition, 3. 1-25-08 Lease, 4. 3-3-08 Revised lease, 5. Approval letter from the Special Committee on Air and Subterranean Space Lease Structures, 6. City Plan Commission Letter, 7. letter from Dept of of City Development, 8. Hearing notice list, 9. Notice Published on 4-4-08, 10. Executed Lease | | |

| Date | Ver. | Action By | Action | Result | Tally |
|-----------|------|------------------------|-------------------------|--------|-------|
| 2/26/2008 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 2/27/2008 | 0 | PUBLIC WORKS COMMITTEE | REFERRED TO | | |
| 2/28/2008 | 0 | PUBLIC WORKS COMMITTEE | HEARING NOTICES SENT | | |
| 3/5/2008 | 0 | PUBLIC WORKS COMMITTEE | SUBSTITUTED | Pass | 5:0 |
| 3/5/2008 | 1 | PUBLIC WORKS COMMITTEE | RECOMMENDED FOR PASSAGE | Pass | 5:0 |
| 3/5/2008 | 1 | CITY CLERK | DRAFT SUBMITTED | | |
| 3/18/2008 | 1 | COMMON COUNCIL | PASSED | Pass | 14:0 |
| 3/27/2008 | 1 | MAYOR | SIGNED | | |
| 4/4/2008 | 1 | CITY CLERK | PUBLISHED | | |

071459
SUBSTITUTE 1

THE CHAIR

A substitute ordinance to grant an airspace lease to BOSTCO, LLC for an existing pedestrian bridge over a portion of North 4th Street between West Wisconsin Avenue and West Michigan Street.

This ordinance will grant an airspace lease to BOSTCO, LLC for an existing pedestrian bridge over a portion of North 4th Street between West Wisconsin Avenue and West Michigan Street. BOSTCO, LLC was the assignee of an airspace lease that expired as of March 31, 2007.

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

Part 1. FINDINGS. In accordance with the provisions of sec. 66.0915(3), Wis. Stats., (2005-2006), the Common Council of the City of Milwaukee hereby authorizes, directs and agrees that the City of Milwaukee, through the proper city officers, enter into a lease with BOSTCO, LLC for 99 years for the maintenance of an existing pedestrian bridge over North 4th Street between West Wisconsin Avenue

and West Michigan Streets, as described in the lease, and connecting two structures owned by BOSTCO, LLC, and the Common Council of the City of Milwaukee hereby finds that the area defined by the airspace lease is not needed for street, alley or other public purposes, and that the bridge will continue to serve the public interest in promoting convenient access to buildings essential to the redevelopment of the downtown area.

Part 2. Attached and made part of the Common Council File No. 071459 is a copy of such lease in substantially the same form as the lease that will be signed, except for technical changes to reflect revisions to the legal description and resulting rental fee.

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:_____

IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

Office of the City Attorney
Date:_____

TDM/tdm
1066-2007-3246:127653
3/5/2008