



Legislation Details (With Text)

File #:	080804	Version:	1
Type:	Ordinance	Status:	Passed
File created:	10/7/2008	In control:	PUBLIC WORKS COMMITTEE
On agenda:		Final action:	2/10/2009
Effective date:			
Title:	A substitute ordinance granting an airspace lease to Terrace Row, LLC for bedroom bays and roof terraces extending over the sidewalk area of East Kilbourn Avenue between North Cass Street and North Van Buren Street for the Terrace Row Condominiums located at 755, 765, 775 and 785 East Kilbourn Avenue.		
Sponsors:	THE CHAIR		
Indexes:	AIR SPACE LEASES		
Attachments:	1. Air Space Lease Petition, 2. Letter from the City Plan Commission, 3. Letter from Special Committee on Air and Subterranean Lease Structures, 4. Airspace lease agreement, 5. Fiscal note, 6. Hearing Notice List, 7. Notice Published on 2-26-09		

Date	Ver.	Action By	Action	Result	Tally
10/7/2008	0	COMMON COUNCIL	ASSIGNED TO		
10/8/2008	0	PUBLIC WORKS COMMITTEE	REFERRED TO		
1/16/2009	1	CITY CLERK	DRAFT SUBMITTED		
1/21/2009	1	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
1/28/2009	1	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	3:0
2/10/2009	1	COMMON COUNCIL	PASSED	Pass	15:0
2/17/2009	1	MAYOR	SIGNED		
2/26/2009	1	CITY CLERK	PUBLISHED		

080804
SUBSTITUTE 1

THE CHAIR

A substitute ordinance granting an airspace lease to Terrace Row, LLC for bedroom bays and roof terraces extending over the sidewalk area of East Kilbourn Avenue between North Cass Street and North Van Buren Street for the Terrace Row Condominiums located at 755, 765, 775 and 785 East Kilbourn Avenue.

In accordance with state law, this ordinance will grant an airspace lease to Terrace Row, LLC for bedroom bays and roof terraces that extend over the sidewalk area of East Kilbourn Avenue between North Cass Street and North Van Buren Street.

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(4), 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 an airspace lease with Terrace Row, LLC for a

term of 99 years for the maintenance of bedroom bays and roof terraces extending over the sidewalk area of East Kilbourn Avenue between North Cass Street and North Van Buren Street, as described in the lease, and the Common Council of the City of Milwaukee hereby finds that the area described in the airspace lease is not needed for street, alley or other public purposes and that the public interest will be served by such leasing as the building will continue to aid in the development of the downtown area.

Part 2. Attached and made part of the Common Council File No. 080804 is a copy of such 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:_____

IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

Office of the City Attorney
Date:_____

TDM/tdm
1050-2008-2845:140019
11/24/08