



Legislation Text

File #: 101190, **Version:** 1

101190
SUBSTITUTE 1
090219
THE CHAIR

Substitute resolution directing the proper City officials to execute an agreement titled Urban Ecology Center (UEC) Easement Amendment that allows the UEC to take ownership and maintenance responsibilities of an existing retaining wall, on private property, located at 3638-3700 West Pierce Street that is currently owned by the Wisconsin Department of Natural Resources and maintained by the City of Milwaukee Department of Public Works to facilitate redevelopment.

Resolution authorizing the proper City officials to execute an amendment to the valley passage easement with the Urban Ecology Center (UEC) and others regarding the UEC's ownership and maintenance responsibilities of an existing retaining wall, on private property, located at 3638-3700 West Pierce Street that the Wisconsin Department of Natural Resources (DNR) conveyed to UEC and amending the legal description of an easement area.

Whereas, The City of Milwaukee, the Redevelopment Authority of the City of Milwaukee (RACM), Wisconsin Department of Transportation (WISDOT), Wisconsin Department of Natural Resources (DNR), and the Menomonee Valley Partners (MVP) worked in a cooperative effort to implement the Valley Passage Project; and

Whereas, The Valley Passage provides bike/pedestrian connections from Pierce Street to the Hank Aaron State Trail (HAST) along Canal Street in the area of South 37th Street and includes an approach, a box culvert under CP Rail tracks, a new bridge over the Menomonee River, and connections to the HAST West Allis trail; and

Whereas, Capital costs for the construction of the Valley Passage Project were funded by various federal grants with the local share associated with the grants provided by the DNR and/or private contributions at no cost to the City; and

Whereas, Common Council File 091209 authorized the proper City officials to execute various agreements necessary to secure real estate interests for the project and define implementation and maintenance responsibilities among the governmental entities regarding the project; and

Whereas, The executed agreements include the Valley Passage Easement which provided for City of Milwaukee DPW maintenance responsibilities for certain retaining walls constructed in conjunction with the Valley Passage project; and

Whereas, The UEC has since proposed to develop a new center at this location by remodeling and adding an addition to an existing building; and

Whereas, The building addition is proposed to incorporate certain retaining walls into the building foundation on property that the DNR recently conveyed to UEC, which walls are currently maintained by the City of Milwaukee DPW; and

Whereas, an amendment to the Valley Passage Easement has been drafted which provides for UEC ownership and maintenance responsibilities of certain retaining walls on private property located at 3638-3700 West Pierce Street to facilitate the redevelopment, and to amend the legal description of an easement area; now therefore be it

Resolved, By the Common Council of the City of Milwaukee, that the amendment to the Valley Passage Easement is approved, a draft copy of which is attached to this resolution and is incorporated by reference as though set forth in full; and, be it

Further Resolved, That the proper City officials are hereby authorized to execute the amendment document in its current form or in form and substance substantially and materially similar thereto with any changes being approved by DPW after consultation with the City Attorney's Office.

Department of Public works
Infrastructure Services Division
MDL: ns
July 6, 2011

CAO 171000 (9/1/11)