



## Legislation Text

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File #: 110781, Version: 0

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110781  
ORIGINAL

Alderman Bauman

Resolution approving storm sewer easement agreements affecting City-owned land at 200 North Harbor Drive currently leased to Milwaukee World Festivals, Inc. and adjacent properties.

The City currently leases the property located at 200 North Harbor Drive (the "Property") to Milwaukee World Festivals Inc. ("MWF") for the operation of Summerfest and other ethnic festivals. MWF currently maintains a storm water sewer on the Property that includes an outfall structure in the dockwall located along the Harbor Entrance at the southernmost end of the Property. The City is party to an existing easement agreement with the United States Department of the Army permitting the location of said outfall structure in the dockwall. As part of its redevelopment of the former Charter Wire property at 607 East Polk Street, Milwaukee World Festivals, Inc. ("MWF") is installing a new storm water sewer system that will extend through a number of properties owned by MWF and through a portion of the Property. The storm sewer outfall structure will then be relocated to a different location along the dockwall. As a condition of receiving City approval of its storm water management plan, the Department of Public Works is requiring that MWF enter into an easement agreement providing for the perpetual maintenance of the new storm sewer infrastructure. In addition, the City's easement agreement with the United States Department of the Army needs to be amended to reflect the new location of the outfall structure along the dockwall. This file approves both the storm sewer easement agreement required by the City and the supplemental agreement amending the existing storm sewer easement with the United States Department of the Army. The Board of Harbor Commissioners approved both agreements at its September 14, 2011 meeting.

...Body

Whereas, The City of Milwaukee, through its Board of Harbor Commissioners ("Board") entered into a January 15, 1991 easement agreement with the United States Department of the Army ("Army"), which authorized the construction, operation and maintenance of a storm sewer outfall extending through the U.S. North Pier at the Milwaukee Harbor entrance; and

Whereas, The City and the Army desire to amend the easement in the form of the Supplemental Agreement No.1, No. DACW 35-2-90-3002, attached to this file, in order to accommodate the resizing and relocation of the storm sewer outfall; and

Whereas, Milwaukee World Festivals, Inc. ("MWF") has applied to the Department of Public

Works for approval of a storm water management plan associated with the redevelopment of MWF's property located at 607 E. Polk Street; and

Whereas, As a condition of approving said storm water management plan, the Department of Public Works requires the establishment of an easement in the form of the Sewer Easement attached to this file, providing for the perpetual maintenance of the storm sewer system proposed in the storm water management plan; and

Whereas, The Board of Harbor Commissioners approved both of the agreements attached to this file at its September 14, 2011 meeting; now, therefore, be it

Resolved, That the Common Council of the City of Milwaukee hereby approves the Supplemental Agreement No. 1 and Sewer Easement, copies of which are attached to this file, subject to MWF assuming all costs associated with the administration and recording of the agreements, including the administrative fee required by the Supplemental Agreement No. 1; and, be it

Further Resolved, That the designated officers of the City of Milwaukee and the Board of Harbor Commissioners are hereby authorized and directed to execute the Supplemental Agreement No. 1 and Sewer Easement attached to this file.

City Attorney

DMB

September 28, 2011

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