



Legislation Text

File #: 170434, **Version:** 0

170434
ORIGINAL
160679
THE CHAIR

An ordinance amending Common Council File Number 160679 to grant a subterranean space lease to PPG GP LLC to occupy and maintain an underground tunnel across West Barclay Street connecting the buildings known as 300 South Barclay Street and 139 East Oregon Street, in the 12th Aldermanic District.

In accordance with state law, this ordinance amends Common Council File Number 160679 to grant a subterranean space lease to PPG GP LLC for the purpose of using and maintaining an existing tunnel connecting the properties at 139 East Oregon Street and 300 South Barclay Street in the City of Milwaukee, 12th Aldermanic District.

Whereas, The Common Council passed Common Council File Number 160679 on January 18, 2017, effective February 4, 2017, granting a subterranean space lease to MD Fifth Ward Properties, Inc. to occupy and maintain an underground tunnel across West Barclay Street connecting the buildings known as 300 South Barclay Street and 139 East Oregon Street, in the 12th Aldermanic District; and

Whereas, On January 13, 2017, prior to the effective date of Common Council File Number 160679, MD Fifth Ward Properties, Inc. sold the buildings known as 300 South Barclay Street and 139 East Oregon Street to PPG GP LLC by warranty deed; and

Whereas, Due to the change of ownership of the properties, the lease authorized by Common Council File Number 160679 could not be executed; now, therefore

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

Part 1: FINDINGS. In accordance with the provisions of s. 66.0915(3), Wis. Stats., (2013-2014), the Common Council of the City of Milwaukee authorizes, directs and agrees that the City of Milwaukee, through the proper City officers, enter into a subterranean space lease with PPG GP LLC for a term of 99 years for the purpose of allowing Lessee to maintain and use an existing tunnel connecting the properties at 139 East Oregon Street and 300 South Barclay Street, as described in the lease, and the Common Council finds that the area described in the lease is not needed for street, alley or other public purposes and that the public interest will be served inasmuch as the leasing of the subterranean space will aid in the development of the neighborhood.

Part 2. Attached and made part of this file is a copy of such lease in substantially the same form as the lease that will be signed.

Part 3. Common Council File Number c160679, granting a subterranean space lease to MD Fifth Ward Properties, Inc. for the same premises, is amended to reflect the current ownership of the

abutting properties.

Part 4. The Department of City Development, through its Real Estate Section, shall process, at the expense of the Lessee, the recording of this ordinance and the executed lease 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
1029-2016-1880
6/16/2017
LRB168946-1
Teodros W. Medhin