Redevelopment Authority of the City of Milwaukee

Resolution No.:	**10422**
Adopted on:	May 16, 2013
Project / Area:	30th Street Industrial Corridor / Century City
Aldermanic District:	7th

Resolution to authorize Tunnel Termination Agreement concerning tunnel under CP Rail tracks at Century City.

Whereas, the Redevelopment Authority of the City of Milwaukee (RACM) owns Lot 3, CSM 8363, with an address of 2725 West Hopkins Street, Milwaukee, TIN 269-0443-000 (the "RACM Land"); and

Whereas, the City of Milwaukee ("City") owns the parcel with an address of 3700 North 35th Street, Milwaukee, TIN 269-0432-000 (the "City Land"); and

Whereas, the Soo Line Railroad Company (d/b/a Canadian Pacific) ("CP") owns the right-of-way and track (the "Track") between the RACM Land and City Land; and

Whereas, there is a tunnel ("Tunnel") that was constructed under the Track by the A.O. Smith Corporation ("AOS") connecting the RACM Land on one end and the City Land on the other end. The Tunnel exists pursuant to a July 29, 1959 Agreement between the Chicago, Milwaukee, St. Paul and Pacific Railroad Company (the "Milwaukee Road") and AOS; and

Whereas, CP is successor in interest to the Milwaukee Road regarding the Track, and City (on the west side of the Track) and RACM (on the east side of the Track) is the successor in interest to AOS regarding the lands lying on either side of the Track; and

Whereas, the Tunnel will be abandoned as part of the demolition project taking place on Project Areas A, B, C at Century City by C. W. Purpero, and

Whereas, the Tunnel is no longer used and there is desire to abandon the Tunnel with abandonment being at RACM's expense; now, therefore, be it

Resolved, that the RACM Board authorizes: RACM to spend the estimated amount of $80,000 from grant funds for Tunnel abandonment construction work; appropriate RACM officers to sign a document with CP to evidence the termination and abandonment of the 1959 Tunnel Agreement on terms and conditions that RACM staff shall devise with assistance of the City Attorney's Office; and to take such further action to effectuate the intent and purpose of this resolution.

CERTIFICATION	I certify that the forgoing is a true and exact copy of a resolution adopted by the Redevelopment Authority of the City of Milwaukee, WI on the date set forth above.
(seal)	David P. Misky Assistant Executive Director-Secretary