RESOLUTION NO. _____

Resolution Granting a Privilege to 6108 West Burnham LLC for property located at 6108-10 W. Burnham St. Tax Key No. 454-0578-000.

WHEREAS, 6108 West Burnham LLC requests from the City of West Allis a privilege to place an obstruction beyond a lot line within a highway as allowed by Wis. Stat. 66.0425, consisting of installation of an awning and an existing projecting sign adjacent to the property located at 6108-10 W. Burnham St., in the City of West Allis, WI ("Privilege"); and,

WHEREAS, by receiving this Privilege, the applicant assumes primary liability for damages to person or property by reason of the granting of this Privilege, is obligated to remove an obstruction or excavation upon 10 days' notice by the City and waives the right to contest in any manner the validity of this law or the amount of compensation charge; and

WHEREAS, the applicant will annually submit to the City proof of insurance consistent with coverage amounts required by the city attorney's office; and

WHEREAS, the City requires the applicant to file a bond of $0.00 that runs to the City and to third parties that may be injured; and that secures the performance of the conditions specified in this privilege; and

WHEREAS, compensation of $50.00 for this Privilege shall be paid into the general fund; and

WHEREAS, the holder of this Privilege is not entitled to damages for removal of an obstruction or excavation, and if the holder does not remove the obstruction or excavation upon due notice, it shall be removed at the holder's expense; and

WHEREAS, third parties whose rights are interfered with by the granting of this Privilege have a right of action against the holder of this Privilege only;

NOW, THEREFORE, be it resolved by the Council of the City of West Allis, in the State of Wisconsin, that the City of West Allis grants to 6108 West Burnham LLC a privilege to place an obstruction beyond a lot line within a highway as described above and located adjacent to 6108-10 W. Burnham St., in the City of West Allis, WI.