

**Street Privilege / Revocable
Occupancy Permit**

Pursuant to Sec. 66.0425, Wis. Stats. and La Crosse Municipal Code Chapter 40, **La Crosse Theatres Co.** is hereby granted Street Privilege **Permit # 2192** for a **Sign, Fire Escape & Steps (Permit #125) and Light Wells (Permit #647)** Placed in public right of way.

Permittee is obligated to remove encroachment upon ten days notice by the City of La Crosse for any reason.

Permittee further agrees that the obligations and conditions of this street privilege permit shall be binding upon all heirs, successors and assigns of applicant.

The person(s) signing this Permit warrant that they have the authority to sign as, or on behalf of, the party for whom they are signing.

Permit is valid thru December 31st of the year signed, unless otherwise renewed or revoked.

Address of Encroachment: **117 4th Street North**

See Attached Documents.

RECORDING AREA

Return to:
CITY CLERK
400 LA CROSSE STREET
LA CROSSE, WI 54601

Tax Parcel ID: 17-20020-50

This instrument drafted by: City of La Crosse Engineering Department

Owner accepts the above conditions this 4th day of JANUARY month of 2021 year.

Owner / Owner's designee

Signature: [Signature]

Print Name: Thomas J. Misce, Sr.

Title: President

STATE OF Wisconsin)

)ss.

COUNTY OF Dane)

Personally came before me this 4 day of January month, 2021 year

the above named Thomas Misce to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

Signature of Notarial: [Signature]

Printed Name of Notarial, CS Op. 12

Dane County Wisconsin State

My commission expires: 7-19-22

CITY OF LA CROSSE

Signature: [Signature]

Print Name: Jay Crandall

Board of Public Works Representative

STATE OF WISCONSIN)

)ss.

COUNTY OF LA CROSSE)

Personally came before me this 12th day of January month, 2021 year

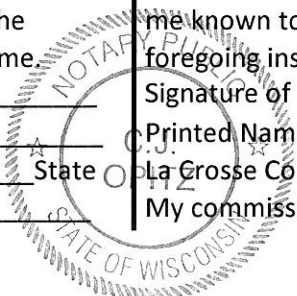
the above named Jay Crandall to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

Signature of Notarial: [Signature]

Printed Name of Notarial, Karen L. Novak

La Crosse County, Wisconsin

My commission expires: 01-22-2025



LEGAL DESCRIPTION

Lot 8 and Lot 9 of Block 24 of the Plat of the Town of La Crosse, City of La Crosse,
La Crosse County, Wisconsin.



REVOCABLE OCCUPANCY / STREET PRIVILEGE PERMIT APPLICATION

City of La Crosse Engineering Department

Phone: 608-789-7505 Email: engineering@cityoflacrosse.org <http://cityoflacrosse.org>

Property Owner: La Crosse Theatres Co.
Address: PO Box 8485 City: Middleton State: Wisconsin Zip: 53562-8485
Phone # 608-386-2053 Email Address admin@rivoli.net

Application Preparer (if different from above) _____
Relationship with Owner: _____
Phone # _____ Email Address _____

Description of Proposed Encroachment: Current Marquee has been in place since 1948, to our knowledge no street privilege permit ever existed, we wish to create one now. The dimension from surface of the sidewalk to the Marquee is 10 feet and 9 inches. The face of the marquee is 18 inches back from face of curb. 1947 shop drawing is attached showing all dimensions of the marquee which have not changed.

**Encroachment Address(es):
117 Fourth Street North**

Benefiting Tax Parcel ID #(s): 17-20020-50

I certify that I have reviewed the Municipal Code and understand all that is related to this permit request. I further certify that I have the full authority to make the foregoing application; the information in the application and the required submittals are complete and correct; the Work or Use performed shall comply with all the laws of the State of Wisconsin, and all ordinances, rules, regulations, policies and special conditions of the City of La Crosse. The applicant agrees to perform the work covered by an approved permit with diligence and convenience to the public.

Signature of Owner : Thomas J Misco Digitally signed by Thomas J Misco, DN: cn=Thomas J Misco, o=City of La Crosse, ou=City of La Crosse, email=tmisco@cityoflacrosse.org, c=US Date: 10/19/20
Print Name and Title: Thomas J Misco, President

Please return this completed application along with required information and fees noted on checklist below to: City of La Crosse, Engineering Department, 400 La Crosse Street, La Crosse, WI 54601. You will then be given notice of when your request will be on the Board of Public Works agenda for consideration. Once approved an agreement document will be drafted by City and sent to Owner for signatures. Permit will then be valid once recorded with the County's Register of Deeds department. Applicant shall obtain all other necessary permits as required by City Departments. **Average completion time for validation 45 days.**

BELOW THIS LINE TO BE COMPLETED BY CITY STAFF ONLY

Required items to be provided by Applicant:

- Scale Drawing of encroachment on letter size paper(s)
- Legal Description of benefiting parcel(s)
- Certificate of Insurance (City as additional Insured)
- Initial Application / Annual Fee \$ 100.00
- City Utility Potential Conflict Notification and Sign-Off

Board of Public Works

Approval Date:

12/7/2020

Encroachment Type:

SIGN / CANOPY

Permit Number:

2192

All Fees are Non-Refundable & Subject to change by City Council



REVOCABLE OCCUPANCY / STREET PRIVILEGE PERMIT APPLICATION

City of La Crosse Engineering Department

Phone: 608-789-7505 Email: engineering@cityoflacrosse.org <http://cityoflacrosse.org>

Permit Additional Conditions

- 1 The encroachment must be maintained in good condition at all times.
- 2 The applicant shall be primarily liable for damages to person or property by reason of the maintenance of said encroachment.
- 3 Applicant waives any and all rights to contest in any manner the validity of Sec. 66.0425, Wis. Stats. and the amount of compensation charged.
- 4 Provision for a bond is hereby waived.
- 5 The applicant for a permit to encroach on the public right-of-way shall procure and maintain for the duration of the permit a minimum liability and contractual liability policy in the amount of \$100,000.00 each person, \$300,000.00 each accident for bodily injury and \$100,000.00 for property damage. A certificate of such insurance shall be filed with the City of La Crosse as part of the application. The insurance shall name the City, its officials, employees and agents as additional insureds. The Board may approve greater insurance protection on a case-by-case basis.
- 6 Applicant agrees that if they do not remove the encroachment within ten (10) days after receiving notice from the City to do so, the City is authorized to remove the same and applicants agree to pay the City for all costs of such removal.
- 7 Applicant further agrees that the City shall not be liable to applicants for any damage applicants may receive to their encroachment should it be damaged by the City if the City performs work or maintenance in the area of the Revocable Occupancy Permit.
- 8 Applicant further agrees that if the City determines that the installation or use of the described encroachment authorized under this permit increases the difficulty of highway maintenance, creates conditions adverse to the best interest of the highway users, the general public, or presents a threat to highway safety, then the Occupant, upon notification by the City shall promptly remove the encroachment from the highway right of way.
- 9 Failure by the Applicant to comply with the provisions of this permit is cause for the City to terminate this permit and to require the Applicant to take immediate action to clear the right of way to a safe condition.
- 10 Applicant agrees to renew this permit annually each January by submitting renewal form and current fee established by the La Crosse Common Council.

117 4th Street North

La Crosse Theatres Co. Inc. Street Privilege Permit Requests

1. Requests to have new permit allowing existing sign (been in place since 1948?) to remain in City right of way.
2. Requests to have \$1000.00 Bond requirement in existing permit #125 (Fire escape and Steps) to be waived.
3. Requests to have the two existing permits combined with new permit for simplicity and yearly renewal fee savings.

All requests approved by the
Board of Public Works 12/7/2020.
Jay Cramer

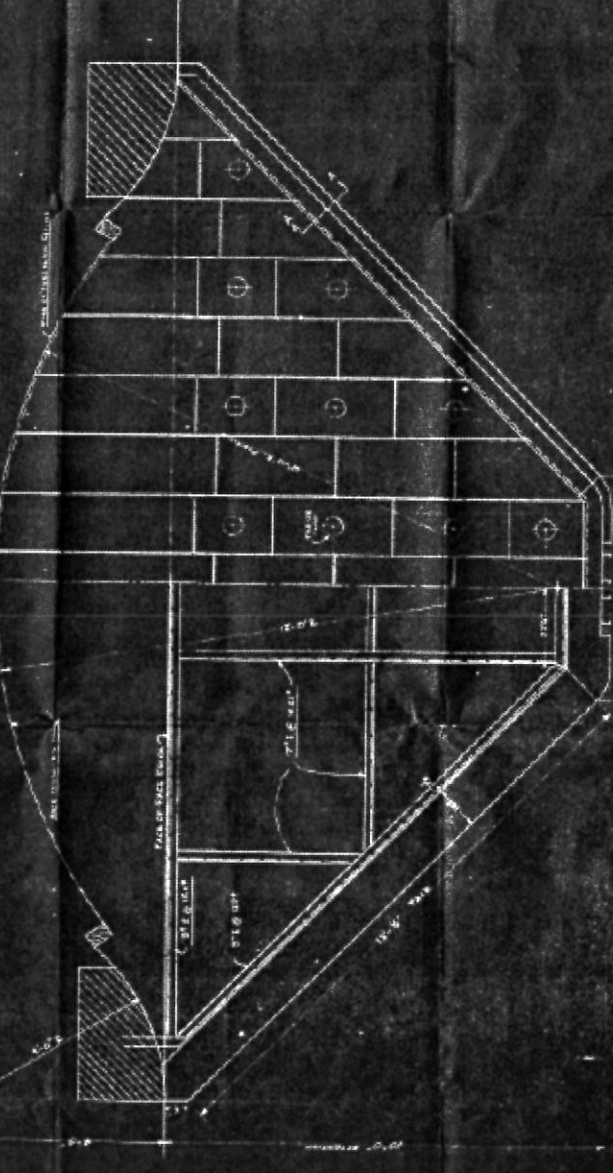
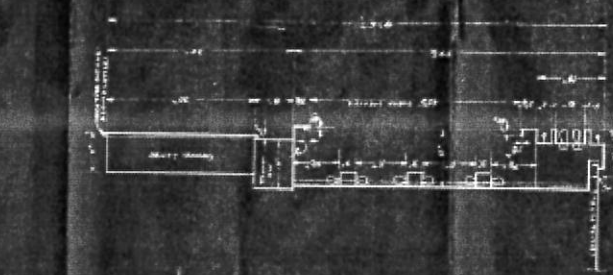
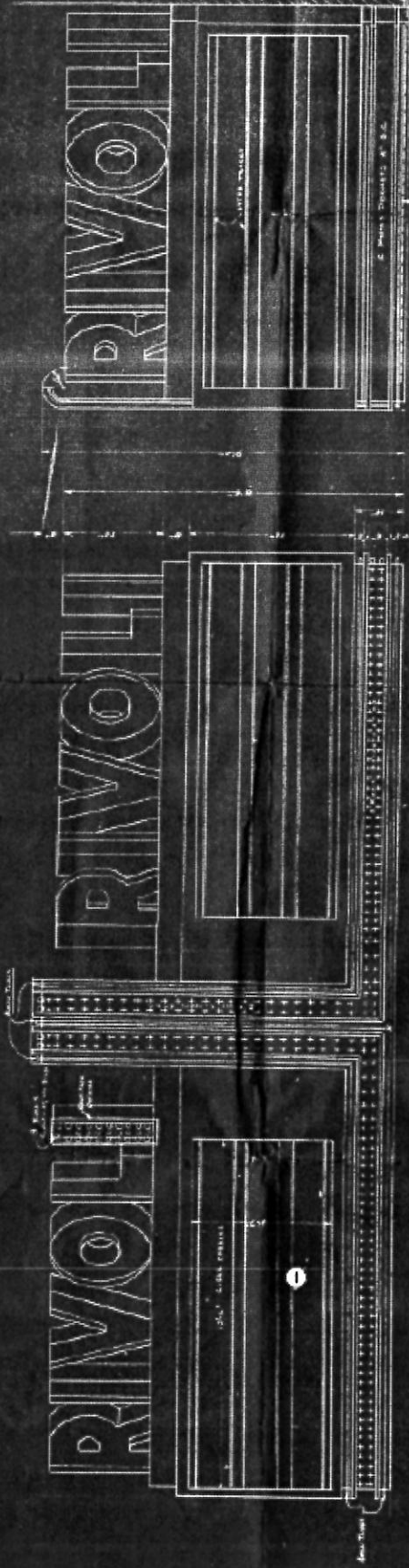
New permit #2192 now
encompasses permits 125 + 647
into one single permit.

Marquee Sign / Canopy

- * Structure extends into right of way within 1.5' of Back of Curb.
- Sec. 40-106(1)a. states that 2.0' feet is required.
- OWNER STATES structure has existed since 1948.



CANOPY			
RIVOLI THEATRE			
LACROSSE - WIS.			
H. W. BENTON & CO. ARCHT. INC.			
210 N. W. 10th St. MILWAUKEE, WIS.			
Date	Drawn	Checked	Scale
12-3-21	W. J. BENTON	K	1/8" = 1'-0"



PLAN
CANOPY STEEL & PAINTED GALV.
Scale - 1/8" = 1'-0"