



City of West Allis

Resolution: R-2019-0186

File Number: R-2019-0186

Final Action: 3/5/2019

Sponsor(s): Safety & Development Committee

Resolution approving the City of West Allis' reacquisition rights for three parcels that are comprised of McKinley Park (Tax Keys: 440-0213-002, 440-0213-003, 440-0004-001).

WHEREAS, in 2014, the City of West Allis ("City") sold three parcels (Tax Keys: 440-0213-002, 440-0213-003, 440-0004-001)("the Property") of land that comprised of McKinley Park to the School District of West Allis-West Milwaukee, et al; and,

WHEREAS, as a condition of the sale of the Property outlined in a Memorandum of Agreement (the "Agreement") dated September 29, 2014 and approved on April 15, 2014 by Resolution No. R-2014-0094, hereby incorporated herein for reference, the City retained that right to repurchase the Property for One Dollar upon such time that the School District of West Allis-West Milwaukee, et al, decided to sell the Property; and,

WHEREAS, per the Agreement, the City received notification from the School District of West Allis-West Milwaukee, et al, on September 28, 2017 of their intent to sell the Property; and,

WHEREAS, per the Agreement, upon receipt of the notification from the School District of West Allis-West Milwaukee, et al, the City has 30 days to inform the School District of its intent to repurchase the Property; and,

WHEREAS, by the Common Council exercising its rights under the Memorandum of Agreement for the reacquisition of land, the City will take ownership of the Property and the School District of West Allis-West Milwaukee, et al, will continue to maintain and utilize the Property until such time the City provides notice relative to the adoption of a Purchase and Sale Agreement and Development Agreement with a prospective developer for the Property.

WHEREAS, the Director of Development recommends the reacquisition of the Property in order to attract future redevelopment within the S. 70th Street Corridor.

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of West Allis, as follows:

1. The City hereby authorizes the reacquisition rights for three parcels that are comprised of McKinley Park (Tax Keys: 440-0213-002, 440-0213-003, and 440-0004-001).
2. The City hereby authorizes the Director of Development to exercise the re-assignment rights for 3 parcels that are comprised of McKinley Park, subject to City Attorney approval.
3. The City hereby authorizes the Director of Development to assign its rights of reacquisition of McKinley Park to West Quarter East, LLC, subject to City Attorney approval.

4. That the Director of Development or his designee, with the approval of the City Attorney, or his designee, is hereby authorized and directed to take any and all other actions deemed necessary or desirable to effectuate the intent of the project.

5. That the City Attorney be and is hereby authorized to make such substantive and non-substantive changes, modifications, additions and deletions to and from the various provisions of the reacquisition, including any and all attachments, exhibits, addendums and amendments, as may be necessary and proper to correct inconsistencies, eliminate ambiguity and otherwise clarify and supplement said provisions to preserve and maintain the general intent thereof, and to prepare and deliver such other and further documents as may be reasonably necessary to complete the transactions contemplated therein.

cc: Department of Development
Public Works
Engineering

Dev-R-961-3-5-19-As Amended

ADOPTED AS AMENDED

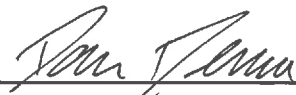
3/5/2019

APPROVED AS AMENDED

3/7/19



Steven A. Braatz, Jr., City Clerk



Dan Devine, Mayor