

COMMUNITY DEVELOPMENT AUTHORITY
CITY OF WEST ALLIS, WISCONSIN
RESOLUTION NO. 1443
DATE ADOPTED: March 20, 2023

Resolution to approve Amendment #4 to the Staging and Grading Temporary Easement Agreement between the Community Development Authority of the City of West Allis and Mandel Development, Inc. Group for the Phase II of The Market development (South of National Avenue "SONA").

WHEREAS, the Community Development Authority of the City of West Allis (the "Authority") owns a portion of the land at the southwest corner located Six Points Crossing and W. National Avenue (SONA) consisting of 6.48 acres of land (notably Lot 1, Lot 3, and Lot 4); and,

WHEREAS, the Authority approved a Site Staging and Grading Temporary Easement Agreement on September 14, 2021, under Resolution No. 1390; and,

Whereas, the Authority approved Amendment # 1 on October 25, 2021, for ability to commence construction of SoNa Lofts on Lot 2; and,

Whereas, the Authority approved Amendment # 2 on March 8, 2022, for ability to commence construction of SoNa Lofts on Lot 2; and,

Whereas, the Authority approved Amendment # 3 on May 20, 2022, for ability to commence construction of SoNa Lofts on Lot 2; and,

Whereas, the Authority wishes to create additional tax base and foster job creation for the City of West Allis (the "City") through the sale and redevelopment of the property; and,

WHEREAS, the Mandel Development, Inc. has requested an amendment to the Agreement on the acquisition timeframe - requesting a change from July 1, 2022 to July 1, 2023, relative to Lot 1.

WHEREAS, Mandel Group will be responsible for all associated permits, liabilities, and costs outline within the terms and conditions of the Site Access Agreement hereby attached as Exhibit A – Site Access Agreement; and,

WHEREAS, Executive Director recommends approval of the amendment to the Site Access Agreement as the overall Development Agreement negotiations have advanced.

NOW, THEREFORE BE IT RESOLVED by the Community Development Authority of the City of West Allis, as follows:

1. Upon the Authority's approval of the Purchase and Sale and Development Agreement for the SONA Lofts portion of the redevelopment as well as site improvements to all of SONA, the Executive Director is authorized to enter into an amendment to the Site Access Agreement for Phase II of The Market development (South of National Avenue "SONA")
2. The Executive Director is authorized to make such non-substantive changes, modifications, additions, and deletions to and from the various provisions reasonably necessary to complete the transactions contemplated therein.
3. The City Attorney is authorized to make such non-substantive changes, modifications, additions and deletions to and from the various provisions of the contract, 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.

Approved: _____
Patrick Schloss, Executive Director
Community Development Authority