



# City of West Allis

Resolution: R-2019-0632

**File Number: R-2019-0632**

**Final Action:**

**Sponsor(s): Safety & Development Committee**

**SEP 03 2019**

Resolution amending the Development Agreement between the City of West Allis and developer Lincoln Hospitality Group, LLC regarding Lincoln West Corridor development project.

WHEREAS, Lincoln Hospitality Group, LLC, hereinafter referred to as the "Developer", intends to acquire approximately 3.189 acres on the south side of W. Lincoln Avenue all near the intersection of S. 102nd Street and W. Lincoln Avenue in the City of West Allis, hereinafter referred to as the "Property"; and,

WHEREAS, the City of West Allis (the "City") wishes to encourage economic development, eliminate blight, expand the City's tax base and foster job creation for the City through the development of the Property; and,

WHEREAS, the Common Council of the City of West Allis approved Resolution R-2019-0566 on August 6, 2019 adopting a Development Agreement for the development into a 107-room Holiday Inn Express and Suites, and the creation of an outlot for an estimated 16,000 sq. ft. future office or retail building (the "Project"); and,

WHEREAS, the developer requests that Article IV Section C of the Development Agreement be amended by changing the expiration date of the Assessed Value Guaranty from "closure of the District" to "date that is thirteen (13) years after the issuance of the Municipal Revenue Obligation".

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

1. The approval of the attached Amended Development Agreement between the City of West Allis and the Developer (Lincoln Hospitality Group, LLC) for development activities within the Lincoln West Corridor.
2. That the Director of Development, with the approval of the City Attorney, or their designees, are hereby authorized and directed to take any and all other actions necessary to effectuate the intent of the Development Agreement.
3. That the Director of Development, with approval of the City Attorney, or their designees, are hereby authorized to make such nonsubstantive changes, modifications, additions and deletions to and from the various provisions of any and all loan commitments, the sale of land, loan agreements, mortgages, notes, guaranties, security agreements, escrow agreements, certificates, affidavits, assignment agreements, pledges, disbursing agreements, subordination agreements, environmental agreements, indemnification agreements, land use restriction agreements, certified survey maps, easements, operating reserve agreements, replacement reserve agreements, working capital agreements, grant agreements and financing statements, development agreements, property management agreements, consulting agreements, escrow agreements, certificates, affidavits, reimbursement agreements, assignment agreements, attachments, exhibits, addendums, amendments and/or any other documents as may be necessary, proper and convenient 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.

BE IT FURTHER RESOLVED that the Director of Development, or his designee, be and is hereby authorized and directed to execute and deliver the aforesaid amended Development Agreement on behalf of the City of West Allis.

BE IT FURTHER RESOLVED that approval of the attached Amended Development Agreement supersedes the approval of any and all other prior agreements between the parties and any such prior approvals are null and void.

cc: Development Department  
Finance Department

DEV-R-982-9-3-19

ADOPTED SEP 03 2019

APPROVED 9/10/19



Steven A. Braatz, Jr., City Clerk



Dan Devine, Mayor