

**CITY OF WEST ALLIS
RESOLUTION R-2024-0386**

**RESOLUTION APPROVING A STORMWATER INDEMNIFICATION AGREEMENT
BY AND BETWEEN THE CITY OF WEST ALLIS AND THE COMMUNITY
DEVELOPMENT AUTHORITY OF THE CITY OF WEST ALLIS AND MARK
HIGGINS FOR THE PROPERTY LOCATED AT 6620 W. MITCHELL ST. AND SONA
PARCEL 1 WITHIN THE SIX POINTS FARMERS MARKET REDEVELOPMENT
AREA**

WHEREAS, the Community Development Authority of the City of West Allis (the “CDA”) is interested in selling a portion of Parcel 1 within the SoNa Redevelopment area to Mark Higgins, property owner of 6620 W. Mitchell Street (the “Buyer): and,

WHEREAS, in order to proceed with orderly development of Markers Row, the City and the CDA is willing to provide a Stormwater Indemnification Agreement, hereby attached as Exhibit A, to address the encumbrances that limit the portion of land to be transferred to Higgins in exchange for a release of an Ingress and Egress Agreement that allows Higgins access to Mitchell St., through CDA owned land; and,

WHEREAS, the Stormwater Indemnification Agreement will require the City and the CDA to provide indemnification to Higgins relative to conditions of the existing Reciprocal Easement Agreement and a Stormwater Easement related to the redevelopment of SoNa.

WHEREAS, the Economic Development Executive Director is recommending entering into the Agreement in order to advance redevelopment within Parcel 1 and Makers Row.

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of West Allis that it hereby approves the Stormwater Indemnification Agreement by and between the City and Community Development Authority of the City of West Allis and Mark Higgins for the property located at 6620 W. Mitchell St. and SoNa Parcel 1 within the Six Points Farmers Market Redevelopment Area.

BE IT FURTHER RESOLVED that the City Attorney be and is hereby authorized to make such non-substantive changes, modifications, additions and deletions to and from the various provisions of the amended Agreement, 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.

BE IT FURTHER RESOLVED that the Economic Development Executive Director be and is hereby authorized and directed to execute and deliver the aforesaid amended Agreement on behalf of the City.

SECTION 1: **ADOPTION** “R-2024-0386” of the City Of West Allis
Municipal Resolutions is hereby *added* as follows:

ADOPTION

R-2024-0386(*Added*)

PASSED AND ADOPTED BY THE CITY OF WEST ALLIS COUNCIL JULY 10, 2024.


	AYE	NAY	ABSENT	ABSTAIN
Ald. Ray Turner	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Ald. Kimberlee Grob	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Ald. Chad Halvorsen	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Ald. Marissa Nowling	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Ald. Suzzette Grisham	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Ald. Danna Kuehn	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Ald. Dan Roadt	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Ald. Patty Novak	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Ald. Kevin Haass	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Ald. Marty Weigel	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

Attest

Presiding Officer



Rebecca Grill, City Clerk, City Of
West Allis



Dan Devine, Mayor, City Of West
Allis

