

COMMUNITY DEVELOPMENT AUTHORITY
CITY OF WEST ALLIS, WISCONSIN
RESOLUTION NO. 1413
DATE ADOPTED: December 13, 2021

Resolution to approve the Reciprocal Easement Agreement and Operating Agreement between the Community Development Authority of The City of West Allis, The City of West Allis, and SoNa Lofts LLC, Makers Row I LLC., and Makers Row II LLC. 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") is the owner of certain real property in the City of West Allis, Wisconsin identified as Lot 1 of Certified Survey Map No. 9370 ("Lot 1"), recorded in the office of the Register of Deeds for Milwaukee County, Wisconsin (the "Recording Office"), on December 3, 2021, as Document No. 11193094 (the "CSM"), Lot 3 of the CSM ("Lot 3"), and Lot 4 of the CSM ("Lot 4"); and

WHEREAS, the Authority and SoNa Lofts LLC. ("SoNa Lofts") (together, the "Parties") desire that all of the Lots be developed and operated in harmony with each other and, in connection therewith, desire to establish certain easements, covenants and agreements applicable to the Total Tract and that will be binding on all future owners of the Lots; and

WHEREAS, Executive Director recommends approval of the Reciprocal Easement Agreement and Operating Agreement between the Community Development Authority of The City of West Allis, The City of West Allis and SoNa Lofts LLC, Makers Row I LLC., and Makers Row II LLC, for the Phase II of The Market development (South of National Avenue "SONA").

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

1. Authorizes the Executive Director to enter into the Reciprocal Easement Agreement and Operating Agreement between the Community Development Authority of The City of West Allis, The City of West Allis and SoNa Lofts LLC, Makers Row I LLC., and Makers Row II LLC. for the Phase II of The Market development (South of National Avenue "SONA").
2. Authorizes the Executive Director 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. 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 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