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City of West Allis Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
R-2003-0310	Resolution	In Committee
Resolution Approving a Guaranty to Wells Fargo Bank for the Benefit of the West Allis Auto Club's Building Committee, Inc.		
Introduced: 10/21/2003		Controlling Body: Administration & Finance Committee

COMMITTEE RECOMMENDATION Recommended to Adopt

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>10/27/03</u>	<u>RR</u>	<u>TC</u>	Barczak	<input checked="" type="checkbox"/>			
			Czaplewski	<input checked="" type="checkbox"/>			
			Kopplin	<input type="checkbox"/>			<input checked="" type="checkbox"/>
		<input checked="" type="checkbox"/>	Lajsic	<input checked="" type="checkbox"/>			
	<input checked="" type="checkbox"/>		Narlock				
			Reinke	<input checked="" type="checkbox"/>			
			Sengstock				
			Trudell				
			Vitale				
			Weigel				
			TOTAL	<u>4</u>	<u>0</u>		<u>1</u>

SIGNATURE OF COMMITTEE MEMBER (RECORDER)

Chair _____ Vice-Chair _____ Member _____

COMMON COUNCIL ACTION adopt

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>11-4-03</u>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Barczak	<input checked="" type="checkbox"/>			
			Czaplewski	<input checked="" type="checkbox"/>			
			Kopplin	<input checked="" type="checkbox"/>			
			Lajsic	<input checked="" type="checkbox"/>			
			Narlock	<input checked="" type="checkbox"/>			
			Reinke	<input checked="" type="checkbox"/>			
			Sengstock	<input checked="" type="checkbox"/>			
			Trudell				<input checked="" type="checkbox"/>
			Vitale	<input checked="" type="checkbox"/>			
			Weigel	<input checked="" type="checkbox"/>			
			TOTAL	<u>9</u>	<u>0</u>		<u>1</u>

C: Atley's Office
Paul Zuhler
Gary Schmid

**COMMITTEES OF THE WEST ALLIS COMMON COUNCIL
2003**

ADMINISTRATION AND FINANCE

Chair: Alderperson Czaplewski
V.C.: Alderperson Kopplin
Alderpersons: Barczak
 Lajsic
 Reinke

ADVISORY

Chair: Alderperson Reinke
V.C.: Alderperson Vitale
Alderpersons: Kopplin
 Lajsic
 Narlock

LICENSE AND HEALTH

Chair: Alderperson Barczak
V.C.: Alderperson Sengstock
Alderpersons: Kopplin
 Trudell
 Vitale

SAFETY AND DEVELOPMENT

Chair: Alderperson Lajsic
V.C.: Alderperson Weigel
Alderpersons: Czaplewski
 Narlock
 Reinke

PUBLIC WORKS

Chair: Alderperson Narlock
V.C.: Alderperson Trudell
Alderpersons: Sengstock
 Weigel
 Vitale



City of West Allis

7525 W. Greenfield Ave.
West Allis, WI 53214

Resolution

File Number: R-2003-0310

Final Action:

11-4-03

Resolution Approving a Guaranty to Wells Fargo Bank for the Benefit of the West Allis Auto Club's Building Committee, Inc.

WHEREAS, the City of West Allis ("City") signed a Guaranty of a loan of the West Allis Auto Club's Building Committee, Inc. ("Auto Club") to Norwest Bank on December 14, 1995, in the amount of One Hundred Ten Thousand Dollars (\$110,000.00) to pay off the balance on a loan for improvements to the property located at 1721 South 100th Street; and,

WHEREAS, the property located at 1721 South 100th Street is owned by the City and all improvements will revert to the City upon default of the loan by the Auto Club and

WHEREAS, the Auto Club wishes to obtain a new loan at a reduced interest rate; and,

WHEREAS, Wells Fargo Bank has agreed to loan the Auto Club the remaining balance on the December 14, 1995, Guaranty in the sum of approximately Sixty-eight Thousand Dollars (\$68,000.00).

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of West Allis that the Mayor and City Administrative Officer, Clerk/Treasurer be and are hereby authorized and directed to execute and deliver the attached Guaranty to Wells Fargo Bank on behalf of the City of West Allis.

ATTR-Guaranty-WA Auto Club

ADOPTED

November 4, 2003

Paul M. Ziehler, CAO, Clerk/Treasurer

APPROVED

November 6, 2003

Jeannette Bell, Mayor

GUARANTY

This Guaranty, dated this 17th of November, 2003 by the City of West Allis, a Wisconsin Municipal Corporation ("GUARANTOR"), for the benefit of Wells Fargo Bank Wisconsin ("LENDER").

WITNESSETH

WHEREAS, The West Allis Auto Club's Building Fund Committee, Inc. ("BORROWER") has reached an agreement with LENDER whereby LENDER will payoff all existing loans of BORROWER and extend to BORROWER a loan in the original principal amount of Sixty-eight Thousand Dollars (\$68,000.00) ("LOAN"), the proceeds of which will be used to pay off the balance on a loan for previous improvements to the property at 1721 South 100th Street, West Allis, Wisconsin ("PROPERTY"), all in accordance with the terms and conditions of a certain Promissory Note to be dated NOVEMBER 21, 2003 by and between the LENDER and BORROWER; and

WHEREAS, BORROWER is the tenant of the PROPERTY and GUARANTOR is the owner of the PROPERTY; and

WHEREAS, The Property is subject to a Lease Agreement between BORROWER and GUARANTOR, the terms of said Lease Agreement run until July 21, 2033; and

WHEREAS, According to the provisions of said Lease Agreement, all building improvements on the property undertaken by BORROWER shall become part of the realty and become property of GUARANTOR; and

WHEREAS, By virtue of the terms of said Lease Agreement, GUARANTOR expects to derive substantial benefits from the LOAN; and,

WHEREAS, The LOAN is to be paid in full within six (6) years of the date of the Promissory Note.

NOW, THEREFORE, BE IT RESOLVED, In consideration of the above premises and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, GUARANTOR hereby agrees that, in the event BORROWER defaults on repayments to LENDER and upon written notice of such default being received, GUARANTOR shall assume the obligations of BORROWER for the outstanding balance of the LOAN. GUARANTOR agrees to cure the default and to continue to make payments on the LOAN in accordance with the terms of the Promissory Note between BORROWER and LENDER. GUARANTOR shall also inherit all rights under said Promissory Note, including the right to prepay the outstanding balance on the LOAN. For the purpose of this Guaranty, "default" is defined in accordance with the terms of the Promissory Note, a copy of which is attached hereto.

IN WITNESS WHEREOF, GUARANTOR has executed this Guaranty, to take effect as of the 17th day of November, 2003.

CITY OF WEST ALLIS

By Jeannette Bell
Jeannette Bell, Mayor

Attest Paul M. Ziehler
Paul M. Ziehler
City Administrative Officer
Clerk/Treasurer

ACCEPTANCE

This Guaranty is hereby accepted this 21 day of NOVEMBER, 2003 by LENDER, Wells Fargo Bank Wisconsin.

WELLS FARGO BANK WISCONSIN,
LENDER

By: Robert R Brown
VICE PRESIDENT

Prepared by: City Attorney's Office
7525 W. Greenfield Ave.
West Allis, WI 53214
414-302-8450

L:jeff/Guaranty.Kastner