



# City of West Allis

## Legislation Text

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**File #:** R-2019-0140, **Version:** 1

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Resolution authorizing the placement of a Wisconsin Department of Natural Resources (WDNR) Deed restriction which will require that Reservoir Park shall not be converted to uses inconsistent with public outdoor recreation without the approval of this Department.

WHEREAS, the City of West Allis received two \$100,000 matching grants under the Aids for Acquisition and Development of Local Parks Program Grant from the Wisconsin Stewardship Program, S-ADLP-497 in 1997 and S-ADLP-554 in 1998 for the McKinley Park improvement project for a total project cost of over \$400,000; and,

WHEREAS, the City has continued to operate the Stewardship funded McKinley Park improvements as a public outdoor recreation facility for over 20 years; and,

WHEREAS, the City is attempting to revitalize the S. 70<sup>th</sup> St. commercial corridor within the area by promoting the redevelopment of the School Administration building and provide for the development of a hotel and 300,000 to 400,000 ft.<sup>2</sup> office complex, with hundreds of badly needed family supporting jobs and a substantial tax base enhancement to our City; and,

WHEREAS, the City of West Allis has requested the WDNR to release the deed use restrictions on McKinley Park which prohibits uses of McKinley Park which are inconsistent with public outdoor recreation without the approval of this Department; and,

WHEREAS, the WDNR has indicated that they will approve the release of the deed restriction on the McKinley Park project, if the City will place comparable deed restrictions on other park(s) where the City has expended at least a total of \$400,000; and,

WHEREAS, the City of West Allis has recently expended substantially more than \$400,000 on Reservoir Park improvements.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of West Allis that it hereby authorizes the placement of the WDNR required deed restriction on Reservoir Park.

BE IT FURTHER RESOLVED that the Director of Development or his designee, with the approval of the City Attorney, or his designee, is hereby authorized and directed to take any and all other actions deemed necessary or desirable to effectuate the intent of the restriction.

BE IT FURTHER RESOLVED that the City Attorney be and is hereby authorized to make such substantive and 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.

DEV-R-958-2-18-19

cc: Department of Development  
Attorney's Office