



City of West Allis

Legislation Text

File #: R-2013-0009, **Version:** 1

Resolution to transfer ownership, by Quit Claim Deed, from the City of West Allis properties located at 8** S. 72 St. (Tax Key No. 440-0004-001), 1000 S. 72 St. (Tax Key No. 440-0213-003) and 10** S. 72 St. (Tax Key No. 440-0213-002) to the School District of West Allis-West Milwaukee, et al.

..Body

WHEREAS, the City of West Allis (the "City") owns the 1.7 acre parcel located at 8** S. 72 St. (Tax Key No. 440-0004-001) and the 2.4 acre parcel located at 1000 S. 72 St. (Tax Key No. 440-0213-003) and the 0.99 acre parcel located at 10** S. 72 St. (Tax Key No. 440-0213-002) (the "Property"), which together make up McKinley Park (the "Park"); and,

WHEREAS, the City wishes to transfer the Properties by Quit Claim Deed to the School District of West Allis-West Milwaukee, et al., (the "District") for One Dollar (\$1.00) and other good and valuable consideration.

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

1. That the Common Council of the City of West Allis hereby approves the transfer of ownership of the Properties at 8** S. 72 St., 1000 S. 72 St., and 10** S. 72 St. by Quit Claim Deed to the School District of West Allis-West Milwaukee, et al., for One Dollar (\$1.00) and other good and valuable consideration.
2. A deed restriction shall be placed upon the Property that would substantially provide for the following:
 - A. The Property was developed with assistance from the Wisconsin Department of Natural Resources Stewardship Fund and shall not be converted to uses inconsistent with the public outdoor recreation without the approval of the Secretary the Department of Natural Resources.
 - B. Should the District decide to sell the properties, the City shall have the Right of First Refusal to repurchase the property for One Dollar (\$1.00) and other good and valuable consideration.
3. To help facilitate redevelopment of the neighborhood, the District shall grant the parcel located at 9** S. 70 St., Tax Key No. 440-0259-008, (the City-owned parcel) a non-exclusive parking easement upon the northern most row of parking on the District-owned parcel located at 9** S. 70 St., Tax Key No. 440-0259-002.
4. That the City Attorney be and is hereby authorized to make such substantive changes, modifications, additions and deletions to and from the various provisions of the Quit Claim Deed, 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.
5. That the Director of Development, or his designee, is authorized, on behalf of the City to draft and to

execute all necessary documents to effectuate the property transfer.

cc: Department of Development
City Attorney's Office

DEV-R-697-1-15-13-gmj