



City of West Allis

Legislation Text

File #: R-2019-0186, **Version:** 4

Reconsideration of resolution approving the City of West Allis' reacquisition rights for three parcels that are comprised of McKinley Park (Tax Keys: 440-0213-002, 440-0213-003, 440-0004-001).

WHEREAS, in 2014, the City of West Allis ("City") sold three parcels (Tax Keys: 440-0213-002, 440-0213-003, 440-0004-001)("the Property") of land that comprised of McKinley Park to the School District of West Allis-West Milwaukee, et al; and,

WHEREAS, as a condition of the sale of the Property outlined in a Memorandum of Agreement (the "Agreement") dated September 29, 2014 and approved on April 15, 2014 by Resolution No. R-2014-0094, hereby incorporated herein for reference, the City retained that right to repurchase the Property for One Dollar upon such time that the School District of West Allis-West Milwaukee, et al, decided to sell the Property; and,

WHEREAS, per the Agreement, the City received notification from the School District of West Allis-West Milwaukee, et al, on September 28, 2017 of their intent to sell the Property; and,

WHEREAS, per the Agreement, upon receipt of the notification from the School District of West Allis-West Milwaukee, et al, the City has 30 days to inform the School District of its intent to repurchase the Property; and,

WHEREAS, by the Common Council exercising its rights under the Memorandum of Agreement for the reacquisition of land, the City will assign its right to take ownership of the Property to West Quarter East, LLC and the School District of West Allis-West Milwaukee will convey the Property to West Quarter East, LLC pursuant to that assignment.

WHEREAS, the Director of Development recommends the assignment of the City's rights to the Property in order to attract future redevelopment within the S. 70th Street Corridor.

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

1. The City hereby authorizes the reacquisition rights for three parcels that are comprised of McKinley Park (Tax Keys: 440-0213-002, 440-0213-003, and 440-0004-001).
2. The City hereby authorizes the mayor to sign the attached memorandum of understanding between the City, Cobalt Partners, LLC, and the School District of West Allis-West Milwaukee.
3. The City hereby authorizes the Director of Development to assign its rights of reacquisition of McKinley Park to West Quarter East, LLC, in compliance with the memorandum of understanding.
4. 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 memorandum of understanding.

5. 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 reacquisition, 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.

cc: Department of Development
Public Works
Engineering