

**BUSINESS IMPROVEMENT DISTRICT
No. 32**

**NORTH AVENUE
MARKETPLACE
BUSINESS IMPROVEMENT DISTRICT
PROPOSED OPERATING PLAN
2005**

Final Plan August 2004

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INTRODUCTION

1. Background

In 1984, the Wisconsin Legislature created S. 66.1109 of the Statutes (see Appendix A) enabling cities to establish Business Improvement Districts (BIDs). The purpose of the law is “to allow businesses within those districts to develop, to manage and promote the districts and to establish an assessment method to fund these activities.” (1983 Wisconsin Act 184, Section 1, legislative declaration.)

The City of Milwaukee has received a petition from property owners which requests creation of a Business Improvement District for the purposes of revitalizing and improving the Fond du Lac/North Avenue Marketplace, located on North Avenue between 27th St. and HWY I-43, and Fond du lac Avenue between 17th and 30th Street (See Appendix B). The BID law requires that every district have an annual Operating Plan. This document is the initial Operating Plan for the proposed North Avenue Marketplace. The BID proponents prepared this Plan with technical assistance from the City of Milwaukee Department of City Development.

2. Physical Setting

The District covers a commercial area on North Avenue from 27th St to Hwy I-43, and 17th to 30th and Fond du Lac Avenue.

DISTRICT BOUNDARIES

Boundaries of the proposed district are shown on the map in **Appendix C** of this plan. A listing of the properties included in the district is provided in **Appendix D**.

PROPOSED OPERATING PLAN

1. Plan Objectives

- Improve the Image of the Target Area.
- Improve negative perceptions of crime/safety in the target area.
- Increase the number and variety of businesses in the target area.
- Coordinate public improvements in the Gateway District.
- Protect and preserve the historical significance and integrity of structures in the target area.

2. Proposed Activities – Year One

- Implement a Commercial Corridor clean-up initiative
- Implement a façade/sign/lighting pgm.
- Implement a safety/Security Initiative
- Create business development loan fund

3. Proposed Expenditures – Year One

Items	Expenditure
Façade/Sign/Lighting Pgm	\$37,547
Planning & Design	\$5,000
Commercial Corridor Clean-up	\$12,000
Business Development Loan Fund (\$100,000)	\$11,000
Safety/Security Initiative	\$10,000
Total	\$75,547

4. Financing Method

It is proposed that \$75,547 be raised through BID assessments (see Appendix D). The BID Board shall have the authority and responsibility to prioritize expenditures and to revise the budget as necessary to match the funds actually available.

5. Organization of BID Board

Upon creation of the BID, the Mayor will appoint members to the district board ("board"). The board's primary responsibility will be implementation of this Operating Plan. This will require the board to negotiate with providers of services and materials to carry out the Plan; to enter into various contracts; to monitor development activity; to periodically revise the Operating Plan; to ensure district compliance with the provisions of applicable statutes and regulations; and to make reimbursements for any overpayments of BID assessments.

State law requires that the board be composed of at least five members and that a majority of the board members be owners or occupants of property within the district.

It is recommended that the BID board be structured and operated as follows:

Board Size – Eleven (11)

- a. Composition – at least three members shall be owners or occupants of property within the district. Any non-owner or non-occupant appointed to the board shall be a resident of the City of Milwaukee. The Board shall elect its Chairperson from among its members.
- b. Term – appointments to the board shall be for a period of three years except that initially two members shall be appointed for a period of three years, two members shall be appointed for a period of two years, and one member shall be appointed for a period of one year.
- c. Compensation – None.
- d. Meetings – All meetings of the board shall be governed by the Wisconsin Open Meetings Law.
- e. Record keeping – Files and records of the board's affairs shall be kept pursuant to public record requirements.
- f. Staffing – the board may employ staff and/or contract for staffing services pursuant to this plan and subsequent modifications thereof.
- g. Meetings – the Board shall meet regularly, at least twice each year. The board shall adopt rules of order ("by laws") to govern the conduct of its meetings.

6. Relationship to the local business association

The BID shall be a separate entity from the local business association, notwithstanding the fact that members, officers and directors of each may be shared. The Association shall remain a private organization, not subject to the open meeting law, and not subject to the public record law except for its records generated in connection with the BID board. The Association may, and its intended, shall, contract with the BID to provide services to the BID, in accordance with this Plan.

METHOD OF ADASSESSMENT

1. Assessment Rate and Method

The principle behind the assessment methodology is that each property should contribute to the BID in proportion to the benefit derived from the BID. After consideration of other assessment methods, it was determined that assessed value of a property was the characteristic most directly related to the potential benefit provided by the BID. Therefore, a fixed assessment on the assessed value of the property was selected as the basic assessment methodology for this BID.

However, maintaining an equitable relationship between the BID assessment and the expected benefits requires an adjustment to the basic assessment method. To prevent the disproportional assessment of a small number of high value properties, a maximum assessment of \$1,500 per parcel will be applied.

As of January 1st, 2004, the property in the proposed district had a total assessed value of over \$15,876,600. This plan proposed to assess the property in the district at a rate of \$.6 per \$1000.00 of assessed value, subject to the maximum assessment of \$1,500 and a minimum assessment of \$300, for the purposes of the BID.

Appendix D shows the projected BID assessment of each property included in the district.

2. Excluded and Exempt Property

The BID law requires explicit consideration of certain classes of property. In compliance with the law the following statements are provided.

- a. State Statute 66.1109 (1) (f) 1m: The district will contain property used exclusively for manufacturing purposes, as well as properties used in part for manufacturing. These properties will be assessed according to the method set forth in this plan because it is assumed that they will benefit from development in the district.
- b. State Statute 66.1109(5)(a): Property known to be used exclusively for residential purposes and property exempted from the general property taxes under the State Statute 70.11 will not be assessed; such properties will be identified as BID Exempt Properties in Appendix D, as revised each year.

RELATIONSHIP TO MILWAUKEE COMPREHENSIVE PLAN AND ORDERLY DEVELOPMENT OF THE CITY

1. City Plans

In February 1978, the Common Council of the City of Milwaukee adopted a Preservation Policy as the policy basis for its Comprehensive Plan and a guide for its planning, programming and budgeting decisions. The Common Council reaffirmed and expanded the Preservation Policy in Resolution File Number 881978, adopted January 24th, 1989.

The Preservation Policy emphasizes maintaining Milwaukee's present housing, jobs, neighborhoods, services, and tax based rather than passively accepting loss of jobs and population, or emphasizing massive new development. In its January 1989 reaffirmation of the policy, the Common Council gave new emphasis to forging new public and private partnerships as a means to accomplish preservation.

The district is a means of formalizing and funding the public-private partnership between the City and property owners in the North Avenue Gateway District area and for furthering preservation and redevelopment in this portion of the City of Milwaukee. Therefore, it is fully consistent with the City's Comprehensive Plan and Preservation Policy.

2. City Role in District Operation

The City of Milwaukee has committed to helping private property owners in the district promote its development. To this end, the City expected to play a significant role in the creation of the Business Improvement District and in the implementation of the Operating Plan. In particular, the city will:

- a. Provide technical assistance to the proponents of the district through adoption of the Plan, and provide assistance as appropriate thereafter.
- b. Monitor and, when appropriate, apply for outside funds that could be used in support of the district.
- c. Collect assessments, maintain in a segregated account, and disburse the monies of the district.
- d. Receive annual audits as required per sec. 66.1109 (3) © of the BID law.
- e. Provide the board, through the tax commissioner's Office on or before June 30th of each plan year, with the official City records and the assessed value of each tax key number with the district, as of January 1st of each Plan year, for purposes of calculating the BID assessments.
- f. Encourage the State of Wisconsin, Milwaukee County and other units of government to support the activities of the district.

PLAN APPROVAL PROCESS

1. Public Review Process

The Wisconsin Business Improvement district law establishes a specific process for reviewing and approving proposed districts. Pursuant to the statutory requirements, the following process will be followed:

- a. The Milwaukee City Plan Commission will review the proposed district boundaries and proposed Operating Plan and will then set a date for a formal public hearing.
- b. The City Plan Commission will send, by certified mail, a public hearing notice and a copy of the proposed Operating Plan to all owners of real property within the proposed district. In addition a Class 2 notice of the public hearing will be published in a local newspaper of general circulation.
- c. The City Plan Commission will hold a public hearing, will approve or disapprove the Plan, and will report its action to the Common Council.
- d. The Economic Development Committee of the Common Council will review the proposed BID Plan at a public meeting and will make a recommendation to the full Common Council.
- e. The Common Council will act on the proposed BID Plan.
- f. If adopted by the Common Council, the proposed BID Plan is sent to the Mayor for his approval.
- g. If approved by the Mayor, the BID is created and the Mayor will appoint members to the district board established to implement the Plan.

2. Petition against Creation of the BID

The City may not create the Business Improvement District if, within 30 days of the City Plan Commission's hearing, a petition is filed with the City containing the signatures of:

- Owners of property to be assessed under the proposed initial Operating Plan having a valuation equal to more than 40% of the valuation of all property to be assessed under the proposed initial Operating Plan, using the method of valuation specified in the proposed initial Operating Plan; or
- Owners of Property to be assessed under the proposed initial Operating plan having an assessed valuation equal to more than 40% of the assessed valuation of all property to be assessed under the proposed Operating Plan.

FUTURE YEAR OPERATING PLANS

1. Phased Development

It is anticipated that the BID will continue to revise and develop the Operating Plan annually, in response to changing development needs and opportunities in the district, in accordance with the purposes and objectives defined in this initial operating Plan.

Section 66.1109 (3) (a) of the BID law requires the board and the City to annual review and make changes as appropriate in the Operating Plan. Therefore, while this document outlines in general terms the complete development program, it focuses upon Year One activities, and information on specific assessed values, budget amounts and assessment amounts are based on Year One conditions. Greater detail about subsequent year's activities will be provided in the required annual Plan updates, and approval by the Common Council of such Plan updates shall be conclusive evident of compliance with this Plan and the BID law.

In later years, the BID Operating Plan will continue to apply the assessment formula, as adjusted, to raise funds to meet the next annual budget. However, the method of assessing shall not be materially altered, except with the consent of the City of Milwaukee.

2. Amendment, Severability and Expansion

The BID has been created under authority of Section 66.60 of the Statutes of the State of Wisconsin. Should any court find any portion of this Statute invalid or unconstitutional its decision will not invalidate or terminate the BID and this BID plan shall be amended to conform to the law without need of re-establishment.

Should the legislature amend the Statute to narrow or broaden the process of a BID so as to exclude or include as assessable properties a certain class or classes of properties, then this BID Plan may be amended by the Common Council of the City of Milwaukee as and when it conducts its annual Operating Plan approval and without necessity to undertake any other act. This is specifically authorized under Section 66.1109 (3)(b).

- **Statute**
- **Petition**
- **Proposed District Boundaries**
- **Year One Projected Assessments**

Exhibit A

WEST'S WISCONSIN STATUTES ANNOTATED
MUNICIPALITIES
SUBCHAPTER XI. DEVELOPMENT

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Current through 2003 Act 28, published 6/2/03

66.1109. Business improvement districts

(1) In this section:

(a) "Board" means a business improvement district board appointed under sub. (3)(a).

(b) "Business improvement district" means an area within a municipality consisting of contiguous parcels and may include railroad rights-of-way, rivers, or highways continuously bounded by the parcels on at least one side, and shall include parcels that are contiguous to the district but that were not included in the original or amended boundaries of the district because the parcels were tax-exempt when the boundaries were determined and such parcels became taxable after the original or amended boundaries of the district were determined.

(c) "Chief executive officer" means a mayor, city manager, village president or town chairperson.

(d) "Local legislative body" means a common council, village board of trustees or town board of supervisors.

(e) "Municipality" means a city, village or town.

(f) "Operating plan" means a plan adopted or amended under this section for the development, redevelopment, maintenance, operation and promotion of a business improvement district, including all of the following:

1. The special assessment method applicable to the business improvement district.

1m. Whether real property used exclusively for manufacturing purposes will be specially assessed.

2. The kind, number and location of all proposed expenditures within the business improvement district.

3. A description of the methods of financing all estimated expenditures and the time when related costs will be incurred.

4. A description of how the creation of the business improvement district promotes the orderly development of the municipality, including its relationship to any municipal master plan.

5. A legal opinion that subs. 1 to 4 have been complied with.

(g) "Planning commission" means a plan commission under s. 62.23, or if none a board of public land commissioners, or if none a planning committee of the local legislative body.

(2) A municipality may create a business improvement district and adopt its operating plan if all of the following are met:

(a) An owner of real property used for commercial purposes and located in the proposed business improvement district designated under par. (b) has petitioned the municipality for creation of a business improvement district.

(b) The planning commission has designated a proposed business improvement district and adopted its proposed initial operating plan.

(c) At least 30 days before creation of the business improvement district and adoption of its initial operating plan by the municipality, the planning commission has held a public hearing on its proposed business improvement district and initial operating plan. Notice of the hearing shall be published as a class 2 notice under ch. 985. Before publication, a copy of the notice together with a copy of the proposed initial operating plan and a copy of a detail map showing the boundaries of the proposed business improvement district shall be sent by certified mail to all owners of real property within the proposed business improvement district. The notice shall state the boundaries of the proposed business improvement district and shall indicate that copies of the proposed initial operating plan are available from the planning commission on request.

(d) Within 30 days after the hearing under par. (c), the owners of property to be assessed under the proposed initial operating plan having a valuation equal to more than 40% of the valuation of all property to be assessed under the proposed initial operating plan, using the method of valuation specified in the proposed initial operating plan, or the owners of property to be assessed under the proposed initial operating plan having an assessed valuation equal to more than 40% of the assessed valuation of all property to be assessed under the proposed initial operating plan, have not filed a petition with the planning commission protesting the proposed business improvement district or its proposed initial operating plan.

(e) The local legislative body has voted to adopt the proposed initial operating plan for the municipality.

(3)(a) The chief executive officer shall appoint members to a business improvement district board to implement the operating plan. Board members shall be confirmed by the local legislative body and shall serve staggered terms designated by the local legislative body. The board shall have at least 5 members. A majority of board members shall own or occupy real property in the business improvement district.

(b) The board shall annually consider and may make changes to the operating plan, which may include termination of the plan, for its business improvement district. The board shall then submit the operating plan to the local legislative body for its approval. If the local legislative body disapproves the operating plan, the board shall consider and may make changes to the operating plan and may continue to resubmit the operating plan until local legislative body approval is obtained. Any change to the special assessment method applicable to the business improvement district shall be approved by the local legislative body.

(c) The board shall prepare and make available to the public annual reports describing the current status of the business improvement district, including expenditures and revenues. The report shall include an independent certified audit of the implementation of the operating plan obtained by the municipality. The municipality shall obtain an additional independent certified audit upon termination of the business improvement district.

(d) Either the board or the municipality, as specified in the operating plan as adopted, or amended and approved under this section, has all powers necessary or convenient to implement the operating plan, including the power to contract.

(4) All special assessments received from a business improvement district and all other appropriations by the municipality or other moneys received for the benefit of the business improvement district shall be placed in a segregated account in the municipal treasury. No disbursements from the account may be made except to reimburse the municipality for appropriations other than special assessments, to pay the costs of audits required under sub. (3)(c) or on order of the board for the purpose of implementing the operating plan. On termination of the business improvement district by the municipality, all moneys collected by special assessment remaining in the account shall be disbursed to the owners of specially assessed property in the business improvement district, in the same proportion as the last collected special assessment.

(4m) A municipality shall terminate a business improvement district if the owners of property assessed under the operating plan having a valuation equal to more than 50% of the valuation of all property assessed under the operating plan, using the method of valuation specified in the operating plan, or the owners of property assessed under the operating plan having an assessed valuation equal to more than 50% of the assessed valuation of all property assessed under the operating plan, file a petition with the planning commission requesting termination of the business improvement district, subject to all of the following conditions:

(a) A petition may not be filed under this subsection earlier than one year after the date the municipality first adopts the operating plan for the business improvement district.

(b) On and after the date a petition is filed under this subsection, neither the board nor the municipality may enter into any new obligations by contract or otherwise to implement the operating plan until the expiration of 30 days after the date of hearing under par. (c) and unless the business improvement district is not terminated under par. (e).

(c) Within 30 days after the filing of a petition under this subsection, the planning commission shall hold a public hearing on the proposed termination. Notice of the hearing shall be published as a class 2 notice under ch. 985. Before publication, a copy of the notice together with a copy of the operating plan and a copy of a detail map showing the boundaries of the business improvement district shall be sent by certified mail to all owners of real property within the business improvement district. The notice shall state the boundaries of the business improvement district and shall indicate that copies of the operating plan are available from the planning commission on request.

(d) Within 30 days after the date of hearing under par. (c), every owner of property assessed under the operating plan may send written notice to the planning commission indicating, if the owner signed a petition under this subsection, that the owner retracts the owner's request to terminate the business improvement district, or, if the owner did not sign the petition, that the owner requests termination of the business improvement district.

(e) If after the expiration of 30 days after the date of hearing under par. (c), by petition under this subsection or subsequent notification under par. (d), and after subtracting any retractions under par. (d), the owners of property assessed under the operating plan having a valuation equal to more than 50% of the valuation of all property assessed under the operating plan, using the method of valuation specified in the operating plan, or the owners of property assessed under the operating plan having an assessed valuation equal to more than 50% of the assessed valuation of all property assessed under the operating plan, have requested the termination of the business improvement district, the municipality shall terminate the business improvement district on the date that the obligation with the latest completion date entered into to implement the operating plan expires.

(5)(a) Real property used exclusively for residential purposes and real property that is exempted from general property taxes under s. 70. 11 may not be specially assessed for purposes of this section.

(b) A municipality may terminate a business improvement district at any time.

(c) This section does not limit the power of a municipality under other law to regulate the use of or specially assess real property.

<<

W. S. A. 66.1109

WI ST 66.1109

END OF DOCUMENT

NORTH AVENUE MARKETPLACE

BUSINESS IMPROVEMENT DISTRICT

Petition for the Creation of a Business Improvement District

We, the undersigned owners of real property used for industrial and commercial purposes and located in the proposed business improvement district in Appendix A, hereby petition the City of Milwaukee, pursuant to the provisions of Sec. 66.608 (2)(a), Stats. For the creation of a business improvement district for the area described in Appendix A.

<u>Name of Property Owner</u>	<u>Property Address</u>	<u>Signature</u>
1. CESC PROPERTIES	2623 W. CENTER ST.	[Signature]
2. JOAG LU KIM	2213 W. NORTH	[Signature]
3. Delvin Siu	2102 W Fond du Lac Ave.	Delvin Siu
4. Myra Holland	2100 W. North	[Signature]
5. John MULLARKEY	2625 W North Ave	John Mullarkey
6. Abalo New Yorker	436 W North Ave	[Signature]
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		

Part B

NORTH AVENUE MARKETPLACE

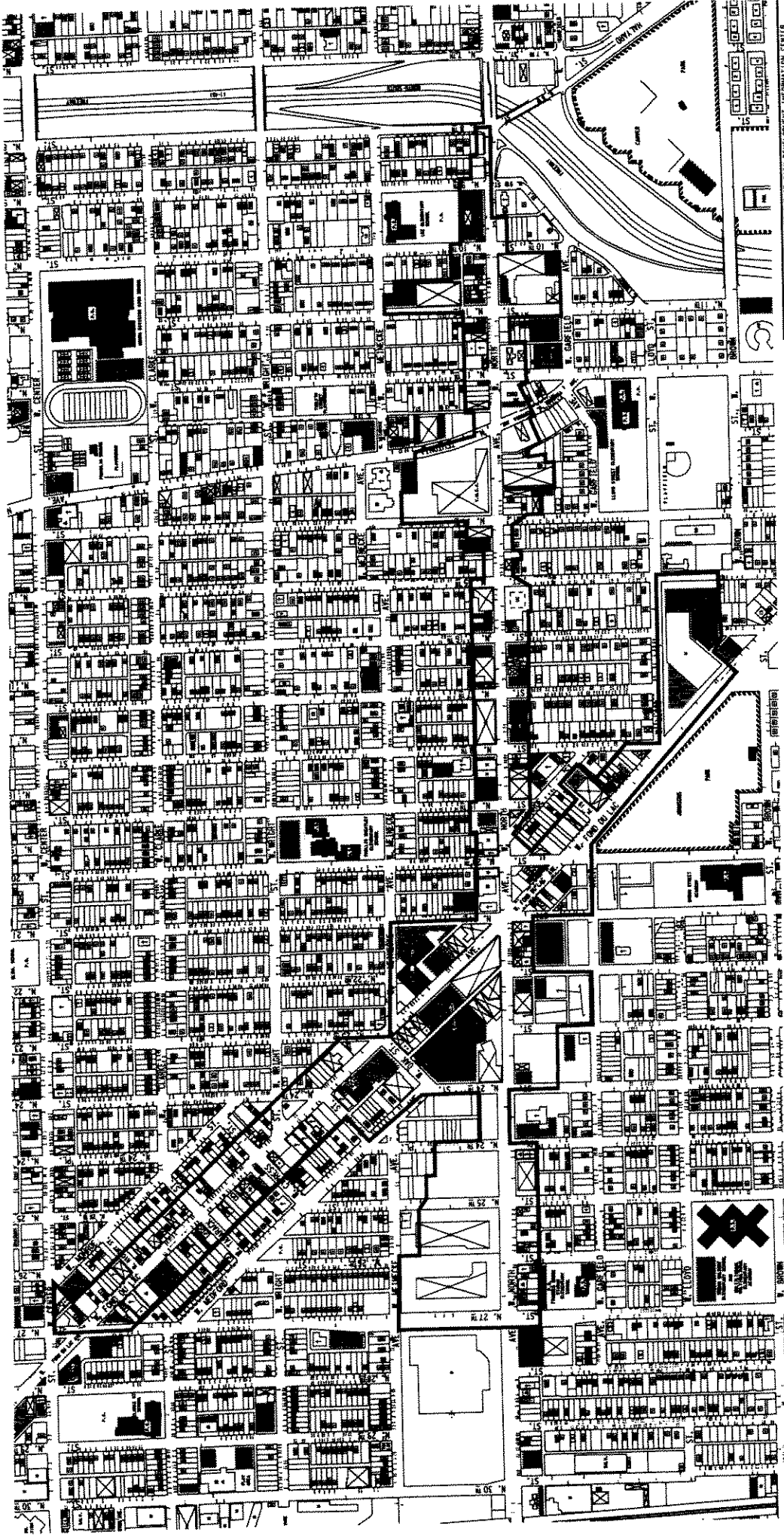
BUSINESS IMPROVEMENT DISTRICT

Petition for the Creation of a Business Improvement District

We, the undersigned owners of real property used for industrial and commercial purposes and located in the proposed business improvement district in Appendix A, hereby petition the City of Milwaukee, pursuant to the provisions of Sec. 66.608 (2)(a), Stats. For the creation of a business improvement district for the area described in Appendix A.

	<u>Name of Property Owner</u>	<u>Property Address</u>	<u>Signature</u>
Part-A1.	CESC PROPERTIES	2623 W. CENTER ST.	[Signature]
Part A 2.	JONG LU KIM	2213 W. NORTH	[Signature]
3.	Freddie L. Hollaway	2554 W Fond. Ov-lac	[Signature]
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14.			
15.			

EXHIBIT C



PRODUCED BY THE DEPARTMENT OF CITY DEVELOPMENT INFORMATION CENTER
DATE: 04-22-2004
PROJECT: 04-000000-000000
DRAWING: 04-000000-000000
SCALE: 1/8" = 1'-0"
SHEET: 04-000000-000000-000000
DATE: 04-22-2004
DRAWN BY: J. J. JONES
CHECKED BY: J. J. JONES
APPROVED BY: J. J. JONES

Proposed BID - 32



**NORTH AVENUE MARKETPLACE
BUSINESS IMPROVEMENT DISTRICT SPECIAL ASSESSMENT**

ADDRESS	OWNER NAME	OWNER ADDRESS	2004 ASSESSMENT		2,003 Change	Special Assessment		
			2004 ASSESSMENT	Change				
2641 N 27th St	Edward Timeus	Milwaukee 53210	\$54,500		\$44,200	23.30%	\$327	
2647 N 27th St	Andrew Love	Milwaukee 53210	\$28,800		\$23,800	21.01%	\$300	
2800 N 27th St	Amer Sarsour	Milwaukee 53221	\$33,800		\$33,800	0.00%	\$300	
2674 N 27th St	CFSC Properties LLC	Milwaukee 53208	\$1,400		\$1,400	0.00%	\$300	
2605 W Center	CDSC Properties	Milwaukee 53202	\$1,600		\$1,600	0.00%	\$300	
2619 W Center	CDSC Properties	Milwaukee 53208	\$44,000		\$36,300	21.21%	\$300	
2834 W Center	Jessie Lee	Milwaukee, WI	\$900		\$900	0.00%	\$300	
2900 W Center	Ato Findley	11320 WaterTown Plank Rd Wauwatosa	\$106,800		\$106,800	0.00%	\$641	
1700 W FOND DU AV	SECOND HARVESTERS	1700 W FOND DU LAC AV MILWAUKI 5320500000	\$90,100		\$90,100	0.00%	\$541	
1810 W FOND DU AV	BARRY T HENLEY	3423 W CLYBOURN ST MILWAUKI 5320800000	\$75,800		\$75,800	0.00%	\$435	
1834 W FOND DU AV	CHRISTIAN LEGAL SVCS	1216 W WALNUT ST MILWAUKI 5320500000	\$13,000		\$13,000	-20.25%	\$300	
1836 W FOND DU AV	JOLEN & COMPANY	1836 W FOND DU LAC AV MILWAUKI 5320500000	\$71,500		\$21,800	27.98%	\$429	
1840 W FOND DU AV	SONG XIONG	1840 W FOND DU LAC AV MILWAUKI 5320500000	\$27,000		\$24,400	10.66%	\$300	
1844 W FOND DU AV	JOHN ANDES	2185 S 90TH ST MILWAUKI 5322700000	\$35,100		\$1,053	3.00%	\$300	
1848 W FOND DU AV	MARK WILLIAMS	1738 N 24TH ST MILWAUKI 5320500000	\$39,200		\$39,200	0.00%	\$300	
1928 W FOND DU AV	JOSE M VARELA	2141 N 16TH ST MILWAUKI 5320500000	\$35,800		\$35,800	0.00%	\$300	
1940 W FOND DU AV	JT REAL ESTATE LLC	6933 W BROWN DEER R MILWAUKI 5322300000	\$1,200		\$150	96.40%	\$300	
1944 W FOND DU AV	JT REAL ESTATE LLC	6933 W BROWN DEER R MILWAUKI 5322300000	\$2,400		\$2,400	0.00%	\$300	
1946 W FOND DU AV	JT REAL ESTATE LLC	6933 W BROWN DEER R MILWAUKI 5322300000	\$1,800		\$1,800	0.00%	\$300	
2000 W FOND DU AV	COLUMBIA S & L ASSN	2000 W FOND DU LAC AV MILWAUKI 5320500000	\$110,000		\$110,000	0.00%	\$660	
2006 W FOND DU AV	COLUMBIA SAVINGS & L	2000 W FOND DU LAC AV MILWAUKI 5320500000	\$36,500		\$1,095	3.00%	\$300	
2007 W FOND DU AV	SHARON L FORD	2012 W FOND DU LAC AV MILWAUKI 5320500000	\$17,000		\$17,000	0.00%	\$300	
2025 W FOND DU AV	MAYLON RICHARDSON	2025 W FOND DU LAC AV MILWAUKI 532051123	\$46,200		\$1,366	3.00%	\$300	
2033 W FOND DU AV	RICARDO D MC KENZIE	6646 N 77TH ST #6 MILWAUKI 5322300000	\$290,000		\$86,200	338.07%	\$1,500	
2102 W FOND DU AV	LEGACY BANK	2102 W FOND DU LAC AV MILWAUKI 5320600000	\$781,000		\$1,500	-1.14%	\$1,500	
2126 W FOND DU AV	INTERSTATE BLOOD BA	3180 OLD GETWELL RD MEMPHIS 3811800000	\$60,000		\$60,000	0.00%	\$360	
2134 W FOND DU AV	THE LIVELY STONE DEL	3527 W NORTH AVE MILWAUKI 5320800000	\$15,000		\$15,000	0.00%	\$300	
2239 W FOND DU AV	CANDEL PROPERTIES	2816 W FOND DU LAC AV MILWAUKI 5321000000	\$48,700		\$1,461	3.00%	\$300	
2249 W FOND DU AV	RONG DI CHEN	W148 N8976 RIMROCK R GERMANTOWN 5302200000	\$33,600		\$1,008	3.00%	\$300	
2312 W FOND DU AV	CHARANJEETS WISCON	1920 W CAPITOL DR MILWAUKI 5320600000	\$52,800		\$52,800	0.00%	\$317	
2330 W FOND DU AV	JOE LEE PARKER	2316 W FOND DU LAC AV MILWAUKI 5320600000	\$194,000		\$228,800	0.00%	\$1,373	
2337 W FOND DU AV	MINNETTE D WILSON	2337 WEST FOND DU LAC AV MILWAUKI 5320600000	\$39,200		\$194,000	0.00%	\$1,164	
2344 W FOND DU AV	RHONDA L BALDWIN	3352A N PALMER ST MILWAUKI 5321200000	\$1,900		\$39,200	0.00%	\$300	
2347 W FOND DU AV	JAMES GLADNEY	6671 N 52ND ST MILWAUKI 5322300000	\$45,100		\$1,900	0.00%	\$300	
2353 W FOND DU AV	NEW PARADISE MISSIO	2353 W FOND DU LAC AV MILWAUKI 5320600000	\$17,900		\$537	16.270	10.02%	\$300
2412 W FOND DU AV	MOHAMMAD RAFIQ	2851 W FOND DU LAC AV MILWAUKI 5320600000	\$16,200		\$16,200	0.00%	\$300	
2419 W FOND DU AV	JOHN NELSON SIMS & A J WILSON	3632 N 36TH ST MILWAUKI 532169404	\$40,800		\$40,800	0.00%	\$300	
2442 W FOND DU AV	MERZPETH ALVINA A	7870 N PT WASHINGTON FOX POINT 5321700000	\$25,200		\$25,200	0.00%	\$300	
2449 W FOND DU AV	DONALD R LEWIS	2449 W FOND DU LAC AV MILWAUKI 5320600000	\$17,800		\$17,800	0.00%	\$300	
2451 W FOND DU AV	KATHY R MILES	8027 W BRENTWOOD AV MILWAUKI 5322300000	\$31,200		\$936	3.00%	\$300	
2452 W FOND DU AV	DYKEMAN PROPERTIES P O BOX 726	3403 N SHERMAN BL MILWAUKI 5321600000	\$9,200		\$276	3.00%	\$300	
2462 W FOND DU AV	DYKEMAN PROPERTIES P O BOX 10728	MILWAUKI 532010728	\$27,000		\$810	3.00%	\$420	
2465 W FOND DU AV	DYKEMAN PROPERTIES P O BOX 100733	MILWAUKI 5321000000	\$70,000		\$70,000	0.00%	\$300	
2468 W FOND DU AV	DYKEMAN PROPERTIES P O BOX 726	MILWAUKI 532010726	\$1,800		\$1,800	0.00%	\$300	
2473 W FOND DU AV	WILLIAM H SMITH	3861 N 6TH ST MILWAUKI 5320600000	\$24,000		\$21,600	11.11%	\$300	

NORTH AVENUE MARKETPLACE

BUSINESS IMPROVEMENT DISTRICT SPECIAL ASSESSMENT

ADDRESS	OWNER NAME	OWNER ADDRESS	2004		Special Assessment
			ASSESSMENT	Change	
2475 W FOND DU AV	PAUL WASHINGTON	2477A W FOND DU LAC AV MILWAUKEE 532080000	\$26,100	\$783	\$23,500 11.06% \$300
2476 W FOND DU AV	LEOPOLDO BALDERAS	MILWAUKEE 532150000	\$7,200	\$1,200	\$7,200 0.00% \$300
2486 W FOND DU AV	LEOPOLDO BALDERAS	2500 S 8TH ST MILWAUKEE 532150000	\$1,800	\$1,800	\$1,800 0.00% \$300
2487 W FOND DU AV	CHURCH OF THE FIRST	1645 N 22ND ST MILWAUKEE 532050000	\$47,600	\$1,428	\$42,900 10.96% \$300
2490 W FOND DU AV	J E D INVESTMENT CORP	3506 W NATIONAL AV MILWAUKEE 532190000	\$27,700	\$831	\$22,800 21.49% \$300
2491 W FOND DU AV	JAMES MACK	2491 W FOND DU LAC AV MILWAUKEE 532060000	\$27,000	\$810	\$22,800 18.42% \$300
2495 W FOND DU AV	MELVIN WOODS	2825 N HOLTEN ST APT MILWAUKEE 532120000	\$4,500	\$4,500	\$4,500 0.00% \$300
2496 W FOND DU AV	ALLEN RHODES, CARL	2947 N 27TH ST MILWAUKEE 532100000	\$28,100	\$843	\$16,600 51.08% \$300
2500 W FOND DU AV	MARVIN LEWIS	8554 N 98TH ST BROWN D 532230000	\$30,500	\$915	\$27,400 11.31% \$300
2509 W FOND DU AV	JAMES MELVIN CHAPMAN	POB 05037 MILWAUKEE 532050000	\$2,700	\$2,700	\$2,700 0.00% \$300
2516 W FOND DU AV	MKM INC	2516 W FOND DU LAC AV MILWAUKEE 532061018	\$24,000	\$720	\$21,600 11.11% \$300
2524 W FOND DU AV	RICHARD A BUSH & HEI	2530 W FOND DU LAC AV MILWAUKEE 532060000	\$21,600	\$648	\$16,000 35.00% \$300
2525 W FOND DU AV	COLVIN CLARKE	2525 W FOND DU LAC AV MILWAUKEE 532061019	\$21,100	\$633	\$19,000 11.05% \$300
2532 W FOND DU AV	SALEM SARSOUR	311 W LOCUST ST MILWAUKEE 532120000	\$56,900	\$56,900	\$56,900 0.00% \$341
2544 W FOND DU AV	JOHN L JACKSON	2544 W FOND DU LAC AV MILWAUKEE 532060000	\$41,900	\$41,900	\$41,900 0.00% \$300
2552 W FOND DU AV	FREDDIE L HOLLOWAY	3321 N 1ST ST MILWAUKEE 532120000	\$31,700	\$951	\$24,600 28.86% \$300
2600 W FOND DU AV	TPJ CO	2634 W VLIET ST MILWAUKEE 532050000	\$42,400	\$42,400	\$42,400 0.00% \$300
2624 W FOND DU AV	JUNIOR COOPER & MAR	2813 N 37TH ST MILWAUKEE 532100000	\$27,500	\$825	\$22,300 23.32% \$300
2627 W FOND DU AV	ESTHER BECKER REV	19038 N REGENT RD MILWAUKEE 532170000	\$5,400	\$5,400	\$5,400 0.00% \$300
2635 W FOND DU AV	ESTHER BECKER REV	19038 N REGENT RD MILWAUKEE 532270000	\$86,500	\$86,500	\$86,500 0.00% \$519
2652 W FOND DU AV	CFSC PROPERTIES LLC	4635 W NORTH AV MILWAUKEE 532090000	\$19,200	\$576	\$15,800 21.82% \$300
2612 W FOND DU AV	WILLIAM H SMITH	3861 N 6th St MILWAUKEE 53212	\$23,200	\$19,900	\$19,900 16.58% \$300
2816 W FOND DU AV	James Canady	205 E. North Avenue MILWAUKEE 53212	\$89,300	\$76,700	\$16,400 0.00% \$938
2824 W FOND DU AV	Neil Feldman	P. O. Box 100360 Milwaukee W 53210	\$58,000	\$52,800	\$52,800 9.85% \$348
2834 W FOND DU AV	Kil-Bac Chemical Co.	P. O. Box 100360 Milwaukee W 53211	\$64,500	\$64,500	\$64,500 0.00% \$387
2850 W FOND DU AV	Neil Feldman	P. O. Box 100361 Milwaukee W 53212	\$63,700	\$61,200	\$61,200 4.08% \$382
2905 W FOND DU AV	Diljeet Singh-Hahira	10631 W. Tumberly Dr. MEQUON, WI 53092	\$392,200	\$392,200	\$392,200 0.00% \$1,500
2910 W FOND DU AV	Ahmed Zraik	210 W. Fond du Lac Ave. MILWAUKEE 53210	\$42,200	\$36,000	\$36,000 17.22% \$300
2916 W FOND DU AV	John Pihman	6904 N. 40th St. MILWAUKEE 53209	\$71,300	\$66,700	\$66,700 6.80% \$428
2940 W FOND DU AV	Joe Williams	531 W. Garfield Ave. Milwaukee 53212	\$164,000	\$164,000	\$164,000 0.00% \$984
3000 W FOND DU AV	Anthony Hays	3004 W. Fond du Lac Ave. Milwaukee 53210	\$125,000	\$101,000	\$101,000 23.76% \$750
2322 W OAK ST	BEZELEE MARTIN	11433 N CANTERBURY DR MEQUON, WI 53092	\$228,000	\$228,000	\$228,000 0.00% \$1,368
2328 N 27TH ST	NORTH AV COMMERC	10201 INNOVATION DR # MILWAUKEE 532280000	\$1,755,000	\$1,755,000	\$1,755,000 0.00% \$1,500
2320 N 11TH ST	M.C.P. REALTY CORP	2320 N 11TH ST MILWAUKEE 532060000	\$507,500	\$507,500	\$507,500 0.00% \$1,500
2242 N 12TH ST	MURTAZA INC	301 COVENTRY CT, #208 MILWAUKEE 532170000	\$604,000	\$604,000	\$604,000 0.00% \$1,500
2300 N 12TH ST	ABALO NUNYAKE	2415 E WYOMING PL MILWAUKEE 532020000	\$37,300	\$1,119	\$30,800 21.10% \$300
2226 N 20TH ST	JT REAL ESTATE LLC	6933 W BROWN DEER RE MILWAUKEE 532230000	\$39,300	\$1,179	\$32,400 21.30% \$300
2404 N 23RD ST	BERNARD KALLMAN	3534 N SUMMIT AVE SHOREWAUKEE 532110000	\$45,600	\$1,368	\$37,600 21.28% \$300
2341 N 25TH ST	NORTH AVE COMMERC	10201 INNOVATION DR S MILWAUKEE 532260000	\$1,921,000	\$1,921,000	\$1,921,000 0.00% \$1,500
2000 W NORTH AV	BRAD T BAROR	3550 W ELM ST MILWAUKEE 532090000	\$41,600	\$41,600	\$41,600 0.00% \$300
2001 W NORTH AV	SPIC & SPAN CLEANER	4301 N RICHARDS ST MILWAUKEE 532120000	\$1,400	\$1,400	\$1,400 0.00% \$300
2100 W NORTH AV	MILWAUKEE LANDMARK	3123 W NORTH AVE MILWAUKEE 532080000	\$682,000	\$682,000	\$682,000 0.00% \$1,500
2111 W NORTH AV	PLASMA RENTALS LLC	P O BOX 60100 LAFAYETTE 705060000	\$294,000	\$294,000	\$294,000 0.00% \$1,500
2125 W NORTH AV	E RANDY RADKE	W64 N757 SHEROYGAN CEDARBU 530120000	\$24,000	\$720	\$19,800 21.21% \$300
2129 W NORTH AV	A J WILSON	7870 N PT WASHINGTON FOX POIN MILWAUKEE 532170000	\$66,000	\$66,000	\$66,000 0.00% \$396
800 W NORTH AV	SHERMAN CLAYPOOL	9300 N WAVERLY DR MILWAUKEE 532180000	\$4,800	\$4,800	\$4,800 0.00% \$300
830 W NORTH AV	CLAYPOOL-EMBRY MGR	PO BOX 18660 MILWAUKEE 532180000	\$1,900	\$1,900	\$1,900 0.00% \$300
925 W NORTH AV	BACHAN SINGH	4455 ACRE VIEW CT BROOKFIELD 530050000	\$3,000	\$3,000	\$3,000 0.00% \$300

Exhibit D

**NORTH AVENUE MARKETPLACE
BUSINESS IMPROVEMENT DISTRICT SPECIAL ASSESSMENT**

ADDRESS	OWNER NAME	OWNER ADDRESS	2004		Special Assessment	
			ASSESSMENT	Change		
928 W NORTH	AV McDONALDS CORP	4319 N 76TH ST MILWAUKI 532220000	\$47,500	\$47,500	0.00%	\$300
938 W NORTH	AV MUSA W AMIN & HUDA	1804 GERALAYNE CIRCLE WALWAT 532133404	\$36,000	\$29,700	21.21%	\$300
1002 W NORTH	AV MORESSE DAVIS	3702 N 7TH ST MILWAUKI	\$26,300	\$22,600	16.37%	\$300
1003 W NORTH	AV STEINER WISCONSIN IN	505 E SOUTH TEMPLE SAULT LAKE 841020000	\$907,400	\$907,400	0.00%	\$1,500
1026 W NORTH	AV KIRBY WILKINS	P O BOX 06261 MILWAUKI 532080000	\$13,500	\$13,500	0.00%	\$300
1028 W NORTH	AV ALVIN ROBINSON	808 N VAN BUREN #7 MILWAUKI 532020000	\$15,400	\$12,800	20.31%	\$300
1104 W NORTH	AV NAVID I MOHAMMAD	1104 W NORTH AV MILWAUKI 532060000	\$3,000	\$3,000	0.00%	\$300
1108 W NORTH	AV NAVID I MOHAMMAD	1114 W NORTH AV MILWAUKI 532050000	\$3,900	\$3,900	0.00%	\$300
1112 W NORTH	AV HAJVEN OF FAITH	1114 W NORTH AV MILWAUKI 532050000	\$75,000	\$63,500	18.11%	\$450
1118 W NORTH	AV SAMUEL B LOVE &	437 N 33RD ST MILWAUKI 532080000	\$29,700	\$29,700	0.00%	\$300
1200 W NORTH	AV DENNIS DELROSE TRUK	7900 W SILVER SPRING MILWAUKI 532182651	\$26,300	\$26,300	0.00%	\$300
1205 W NORTH	AV PRINCE HALL MASONIC	1218 W NORTH AVE JOLIET IL 604350000	\$248,000	\$248,000	0.00%	\$1,488
1319 W NORTH	AV BACHAN & PATRICIA SH	4455 ACRE VIEW CT BROOKFIELD 530050000	\$10,200	\$10,200	0.00%	\$300
1333 W NORTH	AV BACHAN SINGH	1319 W NORTH AV MILWAUKI 532120000	\$567,300	\$567,300	0.00%	\$1,500
1337 W NORTH	AV BACHAN SINGH	4455 ACREVIEW CT BROOKFIELD 530050000	\$3,900	\$3,900	0.00%	\$300
1400 W NORTH	AV NAIL F MSEITIF	641 W MAPLEWOOD CT MILWAUKI 532210000	\$4,300	\$4,300	0.00%	\$300
1419 W NORTH	AV NORMA JOYCE HOUST	3273 N 45TH ST MILWAUKI 532160000	\$54,200	\$1,500	3.63%	\$325
1426 W NORTH	AV RUTH A MC DOWELL	21770 MARYLYNN DR BROOKFIELD 530450000	\$2,100	\$2,100	0.00%	\$300
1427 W NORTH	AV FAHIM IMSEITIF	641 W MAPLEWOOD CT MILWAUKI 532210000	\$47,100	\$42,600	10.56%	\$300
1500 W NORTH	AV GALST FOODS PROPER	1622 W NORTH AVE MILWAUKI 532080000	\$900	\$900	0.00%	\$300
1515 W NORTH	AV EHAB DAOUJ	6019 W DIVERSEY AV #31 CHICAGO 606390000	\$148,000	\$148,000	0.00%	\$888
1524 W NORTH	AV PHYLLIS A POWELL	POB 05753 MILWAUKI 532050000	\$197,000	\$1,500	-22.44%	\$1,182
1527 W NORTH	AV ADEL H KHEIRIEH	1533 W NORTH AV MILWAUKI 532050000	\$28,800	\$864	21.01%	\$300
1528 W NORTH	AV GALST FOODS PROPER	1622 W NORTH AVE MILWAUKI 532050000	\$3,600	\$2,400	50.00%	\$300
1533 W NORTH	AV ADEL H KHEIRIEH	2723 W LINCOLN AV MILWAUKI 532150000	\$8,200	\$8,200	0.00%	\$300
1609 W NORTH	AV GALST FOODS PROPER	1609 W NORTH AV MILWAUKI 532051253	\$38,400	\$1,152	21.14%	\$300
1615 W NORTH	AV ANNIE LEE PARKS, WILL	2558 N 2ND ST MILWAUKI 532051253	\$9,900	\$8,900	0.00%	\$300
1622 W NORTH	AV GALST FOODS PROPER	1622 W NORTH AV MILWAUKI 532120000	\$48,500	\$47,100	5.10%	\$300
1632 W NORTH	AV JAKE S DELICATESSEN	1634 W NORTH AVE MILWAUKI 532050000	\$182,200	\$182,200	0.00%	\$1,093
1635 W NORTH	AV AMJAD TUFAI	175 BUNKER HILL DR BROOKFIELD 530050000	\$28,800	\$864	8.68%	\$300
1701 W NORTH	AV JACK L MARCUS	5300 W FOND DU LAC AV MILWAUKI 532161348	\$140,000	\$140,000	0.00%	\$840
1728 W NORTH	AV J L MARCUS CO	5300 W FOND DU LAC AV MILWAUKI 532161348	\$17,100	\$17,100	0.00%	\$300
1730 W NORTH	AV JACK L MARCUS, INC	5300 W FOND DU LAC AV MILWAUKI 532161348	\$12,500	\$12,500	0.00%	\$300
1809 W NORTH	AV WILLIE D WEEKS	3723 N 25TH ST MILWAUKI 532060000	\$400,000	\$400,000	0.00%	\$1,500
1810 W NORTH	AV JACK L MARCUS INC	5300 W FOND DU LAC AV MILWAUKI 532161348	\$15,900	\$477	3.92%	\$300
1819 W NORTH	AV WILLIE D WEEKS	1819 W NORTH AV MILWAUKI 532050000	\$56,700	\$56,700	0.00%	\$340
1824 W NORTH	AV JACK L MARCUS INC	5300 W FOND DU LAC AV MILWAUKI 532050000	\$73,800	\$73,800	0.00%	\$443
1828 W NORTH	AV DKLEIN LLC	16985 W BLUEMOUND RIBROOKFIELD 530050000	\$21,400	\$21,400	0.00%	\$300
1832 W NORTH	AV BERGER COHEN & RICH	16985 W BLUEMOUND RIBROOKFIELD 530050000	\$96,000	\$96,000	0.00%	\$576
1900 W NORTH	AV WILLIE B WEEKS SR	230 E RAVINE BAY RD BAYSIDE, 532170000	\$3,900	\$3,900	0.00%	\$300
1905 W NORTH	AV WILLIE B WEEKS SR	3723 N 25TH ST MILWAUKI 532060000	\$83,400	\$83,400	0.00%	\$500
2202 W NORTH	AV NORTH AVENUE VISION	3836 N 58TH BL MILWAUKI 532160000	\$39,100	\$39,100	0.00%	\$300
2213 W NORTH	AV JONG I KIM	535 NEWTOWN DR BLUFFALO 600890000	\$84,000	\$84,000	0.00%	\$504
2228 W NORTH	AV ANTONIO F FERNANDEZ	2230 W NORTH AV MILWAUKI 532050000	\$100,000	\$100,000	0.00%	\$600
2328 W NORTH	AV POPEYES NORTH CORP	PO BOX 427 BUTLER W 530070000	\$41,100	\$1,233	3.27%	\$300
			\$423,000	\$423,000	0.00%	\$1,500

Exhibit D

**NORTH AVENUE MARKETPLACE
BUSINESS IMPROVEMENT DISTRICT SPECIAL ASSESSMENT**

ADDRESS	OWNER NAME	OWNER ADDRESS	2004		2,003	Change	Special Assessment
			ASSESSMENT				
2451 W NORTH AV	ALEXANDER NASH	MILWAUKI 532060000	\$22,500	\$22,500	\$22,500	0.00%	\$300
2475 W NORTH AV	AUTOZONE INC	MEMPHIS 381032107	\$523,100	\$523,100	\$523,100	0.00%	\$1,500
2501 W NORTH AV	THOMAS A STEPHENS	MILWAUKI 532050000	\$31,500	\$945	\$26,000	21.15%	\$300
2529 W NORTH AV	JESSE D HYPHE	MILWAUKI 530970000	\$16,400	\$492	\$14,700	11.56%	\$300
2625 W NORTH AV	JOHN M MULLARKEY & VERA M LEWIS, ETHEL	ELM GROV 531220000	\$38,400	\$1,152	\$31,700	21.14%	\$300
2635 W NORTH AV	JOHN M MULLARKEY & VERA M LEWIS, ETHEL	MILWAUKI 532100000	\$1,800	\$1,800	\$1,800	0.00%	\$300
2204 N TEUTONIA AV	Marvin Parish	Milwaukee 53212	\$3,000	\$3,000	\$3,000	0.00%	\$300
2218 N TEUTONIA AV	Marvin Parish	Milwaukee 53213	\$36,000	\$29,700	\$29,700	21.21%	\$300
2235 N TEUTONIA AV	BACHAN SINGH	BROOKFIELD 530050000	\$1,700	\$1,700	\$1,700	0.00%	\$300
2254 N TEUTONIA AV	S&W Asphalt	Milwaukee 53224	\$76,400	\$76,400	\$76,400	0.00%	\$458
2300 N TEUTONIA AV	BACHAN SINGH	BROOKFIELD 530050000	\$15,500	\$15,500	\$15,500	0.00%	\$300
TOTAL			\$15,876,600				\$75,247

CITY OF MILWAUKEE

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
PATRICK B. McDONNELL
LINDA ULISS BURKE
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HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
MELANIE R. SWANK
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRlich
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
DAWN M. BOLAND
KATHRYN M. ZALEWSKI

Assistant City Attorneys

September 2, 2004

Ms. Martha L. Brown
Acting Commissioner
Department of City Development
809 Building

Attention: Ms. Rhonda Manuel


Re: Initial Operating Plan for Proposed Business Improvement District No. 32
(North Avenue Market Place)

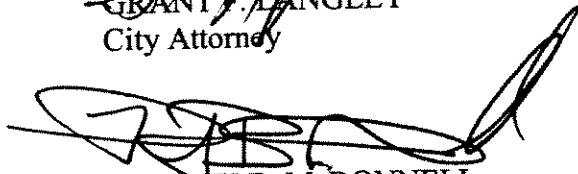
Dear Ms. Brown:

In your September 1, 2004 communication, you requested that we review the Initial Operating Plan for the above-captioned proposed business improvement district and provide the legal opinion required by sec. 66.1109(1)(f)5, Stats.

We have reviewed the plan and conclude that it complies with the provisions of sec. 66.1109(1)(f)1-4, Stats. This opinion is being rendered in accordance with the requirements of sec. 66.1109(1)(f)5, Stats.

Very truly yours,


GRANT F. LANGLEY
City Attorney


PATRICK B. McDONNELL
Deputy City Attorney

PBM:dms
1031-2004-2566:84721