



Legislation Text

File #: 020485, Version: 0

020485

ORIGINAL

000270, 001416, 020073

ALD. HENNINGSSEN

Resolution authorizing the proper City officials to undertake the necessary actions relative to the conveyance of surplus, City-owned property at 923 East Kilbourn Avenue. This resolution authorizes the proper City officials to undertake all necessary actions including, but not limited to, the execution of agreements and/or conveyances, to bring about the conveyance, either through the instrumentality of the Redevelopment Authority of the City of Milwaukee or directly, of the surplus, City-owned property at 923 East Kilbourn Avenue to New Land Enterprises, LLP, consistent with the terms and conditions set forth in Common Council File Nos. 001416, 020073 and 000270.

Whereas, The Common Council via File No. 001416, adopted February 6, 2001, declared the City-owned property at 923 East Kilbourn Avenue (the "Site") surplus to City of Milwaukee needs and further approved the conveyance of the Site to New Land Enterprises, LLP ("NLE"); and

Whereas, The Site conveyance was to be accomplished through the instrumentality of the Redevelopment Authority of the City of Milwaukee ("RACM") acting in accordance with the provisions of Section 66.1333(9), Wisconsin Statutes; and

Whereas, RACM had declared the Site as "blighted" within the meaning of Section 66.1333 (2m) (bm), Wisconsin Statutes; and a challenge to that designation is the subject matter of currently pending litigation brought by certain private parties; and

Whereas, The Common Council is authorized by the provisions of Section 66.1333(13), Wisconsin Statutes, and Section 304-49-2-a and 3, Milwaukee Code of Ordinances, to convey surplus, City-owned property, whether or not it had been declared as "blighted," to RACM for RACM's disposition under the provisions of Section 66.1333(9), Wisconsin Statutes; and

Whereas, The Common Council also is authorized by Section 304-49, Milwaukee Code of Ordinances, and Section 4-10, Milwaukee City Charter, and Section 62.11(5), Wisconsin Statutes, to directly convey surplus, City-owned property to third parties such as NLE; and

Whereas, The Common Council via File Nos. 020073 and 000270, both adopted June 25, 2002, approved a rezoning of the Site and a vacation of the right-turn bypass located at the Southwest corner of West Kilbourn Avenue and North Prospect Avenue, all such actions in furtherance and in aid of the conveyance of the Site to NLE for development in accordance with both the zoning approved by File No. 020073 and in accordance with the RACM report of sale approved by File No. 001416; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the proper City officials are authorized and directed to take any and all necessary actions, including but not limited to the execution of agreements and/or conveyances, to bring about the conveyance of the Site, either through the instrumentality of RACM or directly, to NLE consistent with the terms and conditions of Common Council File Nos. 001416, 020073 and 000270; and, be it

Further Resolved, That prior to City officials entering into any agreements or conveyances authorized by this resolution, the City Attorney shall review such documents to insure that such documents are compliant with this resolution and are otherwise legal and enforceable.

Department of City Development

City Attorney

PBM:mjw

07/16/02/B