



Legislation Text

File #: 38436, **Version:** 1

Fiscal Note

No appropriation required. This amendment extends the deadline for completing financial assistance documents. The Property is within Tax Incremental Financing District No. 37 Union Corners and the costs to acquire the Property were charged to the TID.

Title

Authorizing the Extension of the Deadline for Completing Financial Assistance Documents Related to the Union Corners Development until July 31, 2015.

Body

WHEREAS, on July 16, 2013, the Common Council of the City of Madison adopted Resolution 13-00541 authorizing the execution of a Purchase and Sale Agreement (PSA) with Gorman & Company, Inc. ("Buyer") for the conveyance of 2504, 2507 and 2340 Winnebago Street (Union Corners) (collectively, the "Property"), and the preliminary terms of financial assistance for the development of the Property; and

WHEREAS, on October 13, 2013, the City of Madison ("City") entered into a PSA with the Buyer; and

WHEREAS, the PSA granted the Buyer one hundred eighty (180) days to complete certain contingencies described in paragraph 14 of the PSA with a ninety (90) extension period; and

WHEREAS, the Common Council authorized the execution of a First Amendment to the PSA on October 21, 2014, which, among other things, extended the deadline for Buyer contingencies until April 30, 2015 with a thirty (30) day extension option; and

WHEREAS, Buyer has extended the deadline for meeting contingencies until May 30, 2015; and

WHEREAS, paragraph 14(f) of the PSA entitled "TIF Loan Documents" requires that the Buyer and City must reach agreement on the form of several documents: Master TIF Loan Agreement, Master Note, Master Mortgage, Corporate Guaranty, Phase TIF Loan Agreement, Phase Note, and Phase Mortgage; and

WHEREAS, the City cannot reach agreement on these documents without final approval from Common Council; and

WHEREAS, under the time constraints of the Legislative process, gaining City approval would not be possible by the May 30th deadline; and

WHEREAS, Buyer has made diligent efforts in applying for financial assistance.

NOW THEREFORE BE IT RESOLVED, that the Common Council authorizes an extension of the time for completing the contingencies of paragraph 14(f) of the PSA until July 31, 2015,

BE IT FURTHER RESOLVED, that no other contingencies are to be extended,

BE IT STILL FURTHER RESOLVED, that the Mayor and the City Clerk are authorized to execute any documents required to carry out the terms of this resolution on forms approved by the City Attorney.

