



## Legislation Text

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**File #:** 84358, **Version:** 1

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### **Fiscal Note**

The proposed resolution authorizes the assignment of an existing Purchase and Sale Agreement and previously allotted Affordable Housing Fund loan to a new limited liability company established by the original Buyer. No additional City appropriation is required.

### **Title**

Authorizing the assignment of an existing Purchase and Sale Agreement and previously allotted Affordable Housing Fund loan to KBJ Develop LLC, pertaining to a permanently affordable owner-occupied housing development project in the Owl Creek neighborhood. (District 16)

### **Body**

WHEREAS, on December 6, 2022, the City of Madison ("City") Common Council authorized the allocation of up to \$600,000 from the City's Affordable Housing Fund ("Funding") to Kaba-Baal LLC ("Buyer") to support the development of four permanently affordable owner-occupied homes in the Owl Creek neighborhood ("Project"), as further detailed in File ID No. 74456, Resolution Enactment No. RES-22-00824; and

WHEREAS, to further support the Project, on July 11, 2023, the City authorized a Purchase and Sale Agreement ("PSA") containing the terms and conditions of the sale of one vacant City-owned residential lot to the Buyer, as detailed in File ID No. 78332, Resolution Enactment No. RES-23-00489; and

WHEREAS, in the time since the above resolutions were authorized, the Buyer has created a new limited liability company, KBJ Develop LLC ("KBJ"), under which they desire to develop the Project; and

WHEREAS, to accommodate this request and allow the Project to proceed, City Common Council approval is necessary to authorize the assignment of the PSA to KBJ, as well as to authorize KBJ to receive the Funding.

NOW, THEREFORE, BE IT RESOLVED, that the City's Common Council hereby authorizes the City's execution of an amendment to the PSA for the purpose of assigning the Buyer's interests in the PSA to KBJ Develop LLC, a Wisconsin limited liability company; and

BE IT FURTHER RESOLVED, that the City's Common Council hereby authorizes the City to provide the Funding to KBJ Develop LLC, and authorizes the Mayor and City Clerk to execute, deliver, publish, file and record such other documents, instruments, notices and records, and take such other actions as shall be deemed necessary or desirable to accomplish the purpose of this resolution, on a form and in a manner that has been approved by the City Attorney.