

CDA RESOLUTION NO. 001-2005

**RESOLUTION OF THE CITY OF MUSKEGO COMMUNITY DEVELOPMENT
AUTHORITY TO APPROVE PRESS RELEASE**

WHEREAS, the CDA has been meeting in closed session to consider strategy with respect to litigation that appeared likely if the CDA proceeded with the proposed condemnation of the Parkland Mall site, and

WHEREAS, the public has expressed considerable interest in this matter, and

WHEREAS, the CDA deems it appropriate to make a brief explanatory statement regarding its proposed amendment this evening of the Redevelopment District No. 2 Plan to make clear that the CDA has no current intention to take the Parkland Mall site by condemnation.

NOW, THEREFORE, BE IT RESOLVED by the CDA, that the statement which is attached to this resolution as Exhibit A is approved for immediate issuance as a press release.

Adopted this 7th day of March, 2005.

Frank Waltz, Chairman
City of Muskego Community
Development Authority

Attest:

Jeff Muenkel, Executive Director
City of Muskego Community
Development Authority

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ATTACHMENT A

During the past twenty months, the Community Development Authority of the City of Muskego has worked diligently to reach agreement with Art Dyer on a mutually satisfactory, publicly subsidized development of the former Parkland Mall site. The CDA did reach agreement with Mr. Dyer last October on a physical development plan. Unfortunately, however, the CDA and Mr. Dyer have not been able to reach agreement on financial matters. Mr. Dyer believes that substantially more public money is required for the project than the CDA thinks is prudent, and Mr. Dyer believes that the property is worth substantially more than the CDA thinks it is worth. These differences are complicated by the fact that Waukesha County will require any development of the property preceding the County's proposed expansion and reconstruction of Janesville Road in approximately 2010 to pay a disproportionately heavy share of the very large cost of those roadway improvements. While the CDA has the power to acquire the Parkland Mall site by condemnation, it is clear that doing so would result in protracted and costly litigation. Having carefully investigated and considered the alternative courses of action that are available, the CDA has concluded that condemnation and the resulting litigation would be neither financially responsible nor in the public interest at this time. Consequently, the CDA has initiated formal action this evening to amend the Redevelopment District No. 2 Plan to make clear that the CDA has no current intention to take the Parkland Mall site by condemnation. The CDA stands ready to assist Mr. Dyer in any private development of the Parkland Mall site that he may choose to undertake which satisfies the applicable requirements.