

Redevelopment Authority of the City of Milwaukee

Resolution No.: 10622
Adopted on: June 16, 2016
Project / Area: Park East
Aldermanic District: 3rd

Resolution authorizing up to a \$1,000,000 loan from the EPA Brownfield Revolving Loan Fund to Cherry Water, LLC, SW Platteville, LLC, Hepatica Hill Holdings, Ltd., and Cherry Water Street Corp. to be used on the property at 1433-1475 N. Water St., Milwaukee, Wisconsin.

Whereas, the Environmental Protection Agency (EPA) has awarded \$10.2 million dollars in total Brownfield Revolving Loan Fund (BRLF) funding to the Authority for the purpose of making loans and subgrants in support of environmental cleanup on brownfield properties in Milwaukee; and

Whereas, For the Authority to utilize EPA revolving loan funds to finance environmental remediation for a property outside an urban renewal area, the property must be found to be blighted pursuant to Section 66.1333(5)(c), Wisconsin Statutes, which enables the Redevelopment Authority of a first class city to declare property blighted without designating a boundary or adopting a redevelopment plan; and

Whereas, the property at 1433-1475 N. Water St., Milwaukee, Wisconsin, is located on approximately 1.18 acres in the Park East redevelopment area. The property is contaminated with metals, polycyclic aromatic hydrocarbons, and volatile organic compounds in the soil and groundwater. The contamination at this property meets the statutory blight definition and are therefore eligible candidates for remediation using EPA loan funds; and

Whereas, Cherry Water, LLC, SW Platteville, LLC, Hepatica Hill Holdings, Ltd., and Cherry Water Street Corp. are constructing a commercial development with a total estimated investment of approximately \$31 million, and

Whereas, the EPA loan funds can be loaned at a lower interest rate than Cherry Water, LLC, SW Platteville, LLC, Hepatica Hill Holdings, Ltd., and Cherry Water Street Corp. can secure through other financing and helps ensure project feasibility; and

Whereas, the term sheet attached hereto contemplates the Authority and Cherry Water, LLC, SW Platteville, LLC, Hepatica Hill Holdings, Ltd., and Cherry Water Street Corp. are entering into a loan agreement for \$1,000,000 for environmental remediation; and

Whereas, the current owner of the land, Cherry Water, LLC, SW Platteville, LLC, Hepatica Hill Holdings, Ltd., and Cherry Water Street Corp. waived its right on June 10, 2016 to the statutory public notice pursuant to the provisions of Section 66.1333(5)(c) of Wisconsin Statutes and a Public Hearing on the blight designation; and

Whereas, To comply with federal National Environmental Protection Act (NEPA) requirements, loan recipients must consider the advantages and disadvantages of various remedial options, consider public comments, and choose a preferred remedial option; and

Whereas, the remedial options at this property include a combination of engineered barriers, institutional controls, and soil excavation as the most time efficient and cost efficient remedial action approach to protect human health, achieve case closure and support the proposed future use of the property; therefore be it

Resolved, By the Redevelopment Authority of the City of Milwaukee that the property at 1433-1475 N. Water St., Milwaukee, Wisconsin, is found to be blighted pursuant to Section 66.1333(2m)(bm), Wisconsin Statutes by virtue of their environmental condition, for the purpose of using EPA revolving loan funds to finance the remediation; and, be it

Further Resolved, that the Authority will provide a \$1,000,000 loan from its EPA Revolving Loan Fund to Cherry Water, LLC, SW Platteville, LLC, Hepatica Hill Holdings, Ltd., and Cherry Water Street Corp. for site remediation; and be it

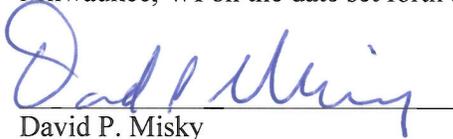
Further Resolved, that the preferred remedial option for the property identified in the attached Analysis of Brownfield Cleanup Alternatives is authorized; and be it

Further Resolved, That the proper officers of the Redevelopment Authority are authorized and directed to take all necessary actions and provide necessary assistance needed to carry out the intent and purpose of this resolution and Term Sheet.

CERTIFICATION

(seal)

I certify that the forgoing is a true and exact copy of a resolution adopted by the Redevelopment Authority of the City of Milwaukee, WI on the date set forth above.



David P. Misky
Assistant Executive Director – Secretary
