

## **RESOLUTION**

### **TO DECLARE THE NECESSITY OF TAKING THE BLIGHTED PROPERTIES AT MEMORIAL DRIVE AND EAST MAGNOLIA AVENUE AND AUTHORIZING THE TAKING OF THE PROPERTIES**

**WHEREAS**, Wisconsin Statutes 66.1333, the Blight Elimination and Slum Clearance Act (the “Act”), states that it is the policy of this state to protect and promote the health, safety and general welfare of the people of the state in which blighted areas exist by the elimination and preservation of such areas through the utilization of all means appropriate for that purpose, thereby encouraging well-planned, integrated, stable, safe and healthful neighborhoods, the provision of healthful homes, a decent living environment and adequate places for employment of the people of this state and its communities in such areas; and,

**WHEREAS**, the Common Council has created a Community Development Authority (the “Authority”) under Manitowoc Municipal Code 3.160 for the purpose of carrying out blight elimination, slum clearance, urban renewal programs and projects and housing projects; and,

**WHEREAS**, the Act allows the Authority to undertake activities within the City of Manitowoc (the “City”) for the purpose of carrying out redevelopment, blight elimination, blight prevention and urban renewal programs and projects as set forth in the Act, together with all powers necessary or incidental to effect adequate and comprehensive redevelopment, blight elimination, and urban renewal programs and projects; and,

**WHEREAS**, at a meeting held on September 18, 2023, the Common Council and Mayor of Manitowoc did declare and determine by unanimous vote that the properties at 700 East Magnolia Avenue, 828 Memorial Drive and East Magnolia, and East Magnolia Avenue, parcel number 058-520-017-010, (the “Properties”) are blighted within the meaning of Wisconsin Statute 66.1333(2m)(bm); and,

**WHEREAS**, Chapter 32 of the Wisconsin Statutes provides the authority for a city and housing and development authority to take, through condemnation and eminent domain, blighted properties; and,

**WHEREAS**, a determination of necessity of the taking is required prior to initiating condemnation and eminent domain proceedings; and,

**WHEREAS**, the City of Manitowoc desires to take the Properties and remedy the blight through redevelopment and urban renewal.

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and the Common Council of the City of Manitowoc, to declare that it is necessary to take the Properties within the meaning of Wisconsin Statutes 32.06 et seq.

**BE IT FURTHER RESOLVED**, by the Mayor and the Common Council of the City of Manitowoc, to direct staff and the Community Development Authority to take the Properties through the procedures set forth in Wisconsin Statutes 32.06 et seq for the purposes of blight remediation, redevelopment, and urban renewal.

This Resolution shall be effective as of the date of publishing.

INTRODUCED \_\_\_\_\_ ADOPTED \_\_\_\_\_

\_\_\_\_\_ APPROVED \_\_\_\_\_

Justin M. Nickels, Mayor

This resolution was drafted by Eric G. Nycz, Interim City Attorney

<b>Fiscal Impact:</b>	Anticipated \$25,000 for appraisal fees, and in the event of litigation occurs, anticipate a minimum of \$100,000 in litigation costs.
<b>Funding Source:</b>	Fund 2420 – Housing Programs (aka Blight) or Fund 1100 General Fund
<b>Finance Director Approval:</b>	/SMA
<b>Approved as to form:</b>	/EGN