



Whitewater CDA - Agenda  
Monday, March 28, 2011  
4:30 PM – CDA Board of Directors  
1<sup>st</sup> Floor Community Room - 312 W Whitewater Street  
Whitewater, WI 53190

1. Call to order and roll call
2. Approval of the Agenda
3. **HEARING OF CITIZEN COMMENTS.** *No formal CDA Action will be taken during this meeting although issues raised may become a part of a future agenda. Items on the agenda may not be discussed at this time.*
4. Approval of the February 28, 2011 Minutes
5. Discussion and Possible Action on Proposal for Listing of the Business Park Vacant Parcels for Sale with MLG Commercial
6. Review of City Municipal Code, Chapter 2.48 Industrial Development Commission
7. Housing Subcommittee Report
8. CDA Coordinator Updates
  - a. Retention Visits
  - b. WUP 0033 & WSS 00060 – North Jefferson Street
    - i. Appraisal Status
    - ii. Brownfield Status
    - iii. RFP for Listing Agents
  - c. Crop Lease for Whitewater Business Park/Whitewater University Technology Park
  - d. Attendance at upcoming International Council of Shopping Centers Idea Exchange Conference in Milwaukee
9. EDA Project No 06-01-05479 Updates
  - a. Reimbursement Requests
  - b. Enhancement Requests
    - i. Innovation Center Shell Build-Out
    - ii. Innovation Center Lab Build-Out
    - iii. Monument Signs
    - iv. Starin Road Enhancements
    - v. Other Infrastructure Enhancements
  - c. MOU – Tech Park Board and University of Wisconsin-Whitewater
  - d. Tenant Status
10. Future Agenda Items
11. Adjourn to closed session at approximately 6:00PM not to reconvene per Wisconsin State Statutes 19.85(1)(c) considering employment, promotion, compensation or performance evaluation data of any public employee over which the government body has jurisdiction or exercises responsibility and Per Wisconsin Statute 19.85 (1)(e).
  - a. Performance Review - CDA Coordinator

*It is possible that a quorum of Common Council and Technology Park Board members may attend this meeting. Even if a quorum is present, no Common Council and/or Technology Park Board business will be conducted at this meeting. Anyone requiring special arrangements is asked to call the office of the City Manager/ City Clerk at least 24 hours prior to the meeting.*



## MEMORANDUM

DATE: 03/25/2011  
TO: Whitewater CDA Board of Directors  
FROM: Mary S. Nimm, Coordinator  
**RE: Notes on the March 28, 2011 Board of Directors Meeting**

### **Retention Visits**

During the month of March, the Retention Team visited with Executives at Trostel Packings and iPacesetters. On March 7<sup>th</sup> calls were placed and voice messages were left requesting Retention Visits with these businesses:

HUSCO

Golden State Foods

Generac

Universal Electronics

Polymer Tech

None of those listed, returned my phone calls. I am working with the Retention Team to coordinate schedules, so that I may call again requesting a visit.

### **WUP 0033 & WSS 00060 - North Jefferson Street**

**Appraisal Status** - A copy of the contract for the appraisal is included in your packet.

**Brownfield Status** - I have been working with Public Works, Strand, Ayres and Wall McDonell to assemble the information necessary to submit the forms to the Wisconsin DNR.

**RFP for Listing Agents** - A draft copy of the RFP is included in your packet. Please review and make suggestions for change and added content.

### **Crop Lease for Whitewater Business Park/Whitewater University Technology Park**

The lease payment for the Crop Lease properties will remain at \$140 per acre for 42 acres for the 2011 season (73 acres +/- in 2010). With the infrastructure improvements (two new cul-de-sacs, multi-use trail and ponds) to the Technology Park, the farmer lost a significant amount of crop late last season and, with improvements to be completed this season, it has been agreed that the farmer will crop vacant properties in the Technology Park at "Risk" of potentially losing crop, but at no charge to the farmer. The 42 acres represents the vacant farmed parcels in the business park north of Innovation Drive and south of Enterprise Drive.

### **Attendance at upcoming International Council of Shopping Centers (ICSC) Idea Exchange Conference in Milwaukee**

On April 7<sup>th</sup>, I will be attending the ICSC Conference in Milwaukee with Tamara Brodnicki, Director for Downtown Whitewater and Mike Vandenbosh, Director for Walworth County Economic Development Alliance. It is our intention to divide and conquer during the break-out sessions and to team-up during the Municipal Showcase. We will have the opportunity to display marketing materials relevant to the potential for retail development in Whitewater. I have contacted the Real Estate Agents listing retail properties in Whitewater, both buildings and vacant lands, requesting updated listing sheets for distribution.

## EDA Project No 06-01-05479 Updates

**Reimbursement Requests** – On March 9<sup>th</sup> Doug Saubert and I met with EDA officials in Chicago. We reviewed each reimbursement request, to include every invoice submitted. My notes on the meeting are as follows:

1. *Priority Item: Equipment. We must decide ASAP if we are going to use the grant to purchase qualifying equipment. If the answer is no, then we must ask to have the special condition waived. There will be no more reimbursements until this item is satisfied with either the request to waive or with UCC's on file. Of something to note – the furniture purchases are not categorized as Equipment item on the budget.*
2. *When EDA has paid a grant budget line item at 90% of the total line item grant award, all remaining reimbursement requests under that category will be withheld until project close.*
3. *Budget Category basic AE (Strand/EU) is at 90% of Award total. City shall continue to submit invoices under basic AE, but EDA will hold remaining reimbursements until project close-out.*
4. *Admin expenses are “contracted services” and payroll is not a qualifying expense.  
Items that do not classify and are not reimbursable as Admin are:
  - a. City Attorney Fees
  - b. City Staff TimeItems that do classify and are considered Admin are:
  - c. Legacy Bogs
  - d. DNR
  - e. WiSOR Permits
  - f. Advertisements
  - g. Postage
  - h. Travel (to Chicago)*
5. *Budget for other AE is minimal (\$2,129), there will be some discussion at EDA and then with the City on how to handle the qualifying expenses. Several Items fall under “other AE” such as:
  1. CGC
  2. Giles*
6. *EDA will discuss the invoice for Boss Design Builders (rebuild of City Garage Storage Building) and decide if that is a reimbursable expense and under which category.*
7. *JP Cullen
  - a. Payments to JP Cullen for Construction Manager Services are NOT REIMBURSABLE
  - b. Payments to JP Cullen for General Contracting will be reimbursed at less 10%*
8. *EDA would like the following from us:
  - a. A contract between the City/Strand/City of Janesville for Inspection services.
  - b. Reimbursement request and explanation for the remainder of the TNT sign invoice submitted with Request # 1 (why the check was written for less than the total paid).
  - c. CGC contract and study*
9. *Project enhancements were discussed
  - a. Infrastructure Enhancements
    - i. EDA will discuss with Mark Fisher
  - b. Innovation Center Enhancements
    - i. EDA will consider shell and lab build-out
      1. EDA wants a formal request from the City
      2. EDA stated there will be no JP Cullen participation allowed
  - c. Monument signs
    - i. EDA will consider
    - ii. Must provide EDA with written request and proposals*
10. *Extension of Grant Award Deadline was discussed
  - a. EDA will consider for enhancements
  - b. City shall illustrate the need for more time to complete the enhancements*

As of March 18, 2011 the City has received payment for reimbursement requests 1, 2, 3 & 4 and has been reimbursed \$3,103,146. Reimbursement request #5 shall be sent to the EDA at the end of the March to be processed by EDA the first week in April.

**Enhancement Requests** – Kevin has been working with the University on the proposed Enhancements to the Innovation Center and can offer you the best detail.

**Innovation Center Shell Build-Out**

**Innovation Center Lab Build-Out**

**Monument Signs** – In 2009 the work was started on monument signs for the Technology Park (2) and for the Innovation Center (1). Because we were not sure of the funding source, the work stopped with the intention of potentially receiving funding from EDA as a project enhancement. I am working with the sign company selected in 2009 to receive updated quotes on the selected signs. A request has been made to the EDA. We are waiting on their decision.

**Starin Road Enhancements**

Starin Road Pedestrian Islands

The Starin Park neighborhood association has expressed concern about potential increased traffic volumes on the segment of existing Starin Road between Prairie Street and Fremont Street. Pedestrian refuge islands and improved crosswalks have been requested as traffic calming measures.

Aleckson Area Shared-Use Path

Even though the proposed path along the Aleckson Property is within the City's right-of-way, the property owner has objected to the location of the proposed path. An alternative has been developed which addresses the property owner's concerns. This alternative involves narrowing of the existing segment of Starin Road between Fremont Street and the existing vehicular bridge.

**Other Infrastructure Enhancements**

George Street Path Connection

The City has expressed interest in connecting the George Street cul-de-sac to the new shared-use path constructed along Starin Road. The path would provide a connection for pedestrian and bicycles and an enhanced emergency access for the George Street neighborhood.

George Street Water Main Connection

The City has expressed interest in "looping" the water main on George Street by connecting it to the water main along Starin Road. An ideal time to do this is before the Starin Road multi-use path and the proposed George Street path connection are constructed.

Business Park Streets Surface Course Paving

Several existing streets in the business park still need to have surface course asphalt placed.



**Whitewater CDA - MINUTES**  
**Monday, February 28, 2011**  
**4:30 PM – CDA Board of Directors**  
**1<sup>st</sup> Floor Community Room - 312 W Whitewater Street**  
**Whitewater, WI 53190**

**1. Call to order and roll call**

Tom Miller called the meeting to order at 4:32PM  
Present: Jeff Knight, Alan Marshall, Tom Miller, Patrick Singer, Jim Stewart  
Absent: Jim Allen  
Others Present: Mary Nimm, Kevin Brunner

**2. Approval of the Agenda**

Al Marshall motioned to approve the agenda. Stewart seconded.  
Ayes: Knight, Marshall, Miller, Singer, Stewart  
Nays: None  
Absent: Allen  
The motion to approve the agenda passed on a voice vote.

**3. HEARING OF CITIZEN COMMENTS.** *No formal CDA Action will be taken during this meeting although issues raised may become a part of a future agenda. Items on the agenda may not be discussed at this time.*  
**NO CITIZEN COMMENTS**

**4. Approval of the January 24, 2011 Minutes**

Al Marshall motioned to approve the January 24, 2011 Minutes. Singer seconded.  
Ayes: Knight, Marshall, Miller, Singer, Stewart  
Nays: None  
Absent: Allen  
The motion to approve the Minutes passed on a voice vote.

**5. January 2011 Financials**

The January 2011 Financials stand approved as presented.

**6. Consideration of Vandewalle Proposal for Whitewater Economic Development Strategy**

Nimm/Brunner noted that enclosed in the packet is a proposal for City of Whitewater Economic Development Strategy. The proposal comes to the CDA as a result of discussions on how Vandewalle might provide Economic Development Assistance to the City and/or CDA. The plan was not solicited, but the plan was submitted by Vandewalle and is in front of the CDA for consideration. There is a possibility of receiving a CDBG for ½ of the cost. Marshall – estimated cost \$40-\$50k?  
Knight – with current economic conditions, the staff should address the points as part of their duty.  
Stewart – concur with Knight and believe we are at a time where this would be an over-step of our limits.  
Stewart motioned to receive the proposal and place on file. Singer seconded.  
Ayes: Knight, Marshall, Miller, Singer, Stewart  
Nays: None  
Absent: Allen  
The motion to accept and file the proposal passed on a roll-call vote.

**7. Review and Approval of Innovation Center Change Order #16 for UW-Whitewater Lab Build-Out**

Brunner noted this is a recommendation from UTP Board, the first floor space (not yet built out) would be built-out under this Change Order at total cost of \$128,312. The space is intended to be UWW Wet labs, two for UWW and two for other tenants. UWW responsible for completing the remainder of the build out.  
Knight motioned approval of the Change Order for the Lab Build Out in the Innovation Center. Marshall seconded.  
Ayes: Knight, Marshall, Miller, Singer, Stewart  
Nays: None  
Absent: Allen  
The motion passed on a roll-call vote.

**8. Discussion and Possible Action on Proposal to Assist with Preparing a NR 724 Construction Documentation and a Site Closure Report for the Former Alpha Cast site**

Nimm noted at the January CDA meeting there was discussion the possible development of the former Alpha Cast site. With the extension of Starin Road, there has been some interest by developers in this site. Research has been done on the status of the Brownfield and it has been discovered that the site was officially never "Closed" under DNR standards.

It has been discovered that the City did the remedial actions of filling the site without assistance by the Environmental consultants. As it stands today, the site was not submitted for closure and a cap maintenance plan does not appear to have been prepared. Also, an NR 724 remedial construction documentation report should have been prepared documenting the capping of the site, cap maintenance plan, and closure of the property. You will note in the Exemption for Development of the Alpha Cast Property Where Solid Waste had been Disposed that this exemption was limited to the proposed changes (roadway) and single and multi-family development. If a different end use is proposed, a new exemption form will have to be filled out.

Since this discovery, subsequently Nimm asked the question on the benefits of closing the site versus not closing the site and was advised that the benefits to closing it are related solely to the City/CDA selling the land. In this day and age, it is hard to image that anyone, and most importantly, any bank associated with the financing, would proceed with any development on an open site with the WDNR. If the property stays in the possession of the City, there are not a lot of compelling benefits to closing it until some case manager stumbles across the open file and asks questions. Still they may not require going through the formal closure proceedings.

If the intention is selling the land, it is prudent to get a formal closure from the WDNR. In a lender or buyers eyes, there are too many unknowns. A formal NR 724 remedial documentation report and request for case closure request can answer those questions and get the paperwork needed to provide the buyer and lender assurances. Also, if they are skittish about buying and developing land on an unclosed historically filled site, they may want to get a voluntary party liability exemption (VPLE) from the WDNR prior to purchase. The Department won't do this without going through the formal closure process.

Included in the packet is a proposal to assist with the necessary steps and paperwork to complete the steps above from Ayres Associates (I have been consulting with Ayres on this case as they were the consultants who completed the Phase I and Phase II studies and are familiar with the site).

Please note, in addition to the costs as proposed by Ayres, there will be additional engineering costs incurred through Strand Associates, and additional costs in DNR fees.

Stewart – funds come from?

Brunner – TID 4. Proceeds from future sale of the property and where would they go?

Stewart motioned to take action to close the site. Knight seconded.

Ayes: Knight, Marshall, Miller, Singer, Stewart

Nays: None

Absent: Allen

The motion to take action to close the site passed on a roll-call vote.

**9. Discussion and Possible Action on Seeking Requests for Proposals (RFP's) for the Development of the Former Alpha Cast Site**

Knight – CDA has gone beyond getting land ready for sale. Am opposed to RFPs for development. It is my recommendation we get proposals for marketing the site from local realtors and get the site back into private sector.

Stewart – don't move forward until all DNR documentation is in place. Important to let the neighborhood "digest" the potential development.

Knight motioned an appraisal of the site and moving forward with preparing the site for sale. Marshall seconded.

Stewart – benefit of RFP route?

Brunner – benefit of RFP is that CDA/City can choose development.

Ayes: Knight, Marshall, Miller, Singer, Stewart

Nays: None

Absent: Allen

The motion to take action to close the site passed on a roll-call vote.

**10. Discussion and Possible Action on Providing Additional Funding Towards the Lakes Area Realtors East Gateway Photo Simulation Grant Award**

Nimm noted that in the packet she has included the photo simulation project awarded to the City of Waterford. To note when reviewing the award, is that each transition slide is valued at approximately \$1,000. The Waterford project as shown, has a total of 5 transition slides to show the potential of redevelopment.

The City of Whitewater award value of \$5,000 translates to 5 transition slides. I have met with the representative from the Lakes Area Realtors as well as the director of Downtown Whitewater to discuss the project. It was thoroughly discussed and decided that to effectively show the redevelopment potential for both sides of the street in East Gateway neighborhood intersection more than 5 total slides is critical.

Downtown Whitewater has agreed to contribute an additional \$1,000 towards the project, increasing the number of slides to 6 – potentially giving us 3 transition slides for each side of the street. We are asking the CDA to consider contributing additional funding so that we may expand the project.

Stewart motioned to contribute \$500 towards the project, sharing the cost with Downtown Whitewater. Singer seconded.

Ayes: Knight, Marshall, Miller, Singer, Stewart

Nays: None

Absent: Allen

The motion to contribute \$500 to the project, sharing the cost with Downtown Whitewater passed on a voice vote.

**11. Review City Municipal Code, Chapter 2.48 Industrial Development Commission**

Stewart – name changes, bring up to date with what we are doing and how we are doing it. Charter Ordinance?

Should we submit to an Attorney for thoughts in draft form, and then bring back for our review?

Brunner – have City Attorney review, and bring back draft reflecting current procedure.

**12. Housing Subcommittee Report**

Knight – King Street property owners removed the distressed property without City investment. Initial list had 10-12 homes needing attention/removal, four will be down soon and another three shortly thereafter. Next steps: review lists, look at specific procedures to follow for expedited review process; study by Russ Kashian – survey employers to find out why people live where they live, what changes might influence decision to live here, what are the costs associated with subdivisions and where is the breakeven as opposed to using public funds to help build out without increasing taxes, review market conditions in the housing market; next meeting include Chancellor and WUSD Superintendent Zentner.

Miller – property owners are taking it upon themselves and realize the benefit.

**13. CDA Coordinator Updates**

**EDA - Reimbursements Request Status**

In a phone conversation on February 23, 2011 EDA agreed to process the first reimbursement request totaling \$745,506.14. A meeting has been scheduled in Chicago on March 9<sup>th</sup>. At that meeting the team will review all reimbursement requests with the CDA, City Finance, University, Architect and Engineer. At that time, all remaining reimbursement requests shall be processed.

**April Energy Event**

As part of the 25x2025 Energy Independent Communities Planning Grant, the City is encouraged to conduct energy outreach and education efforts. I am working with UW-Extension on a community Event scheduled April 18<sup>th</sup> to be hosted at the Innovation Center.

**14. Future Agenda Items**

**a. Update of Business Retention Visits**

**15. Adjourn**

Jim Stewart motioned to adjourn at 5:15PM. Singer Seconded.

Respectfully Submitted,

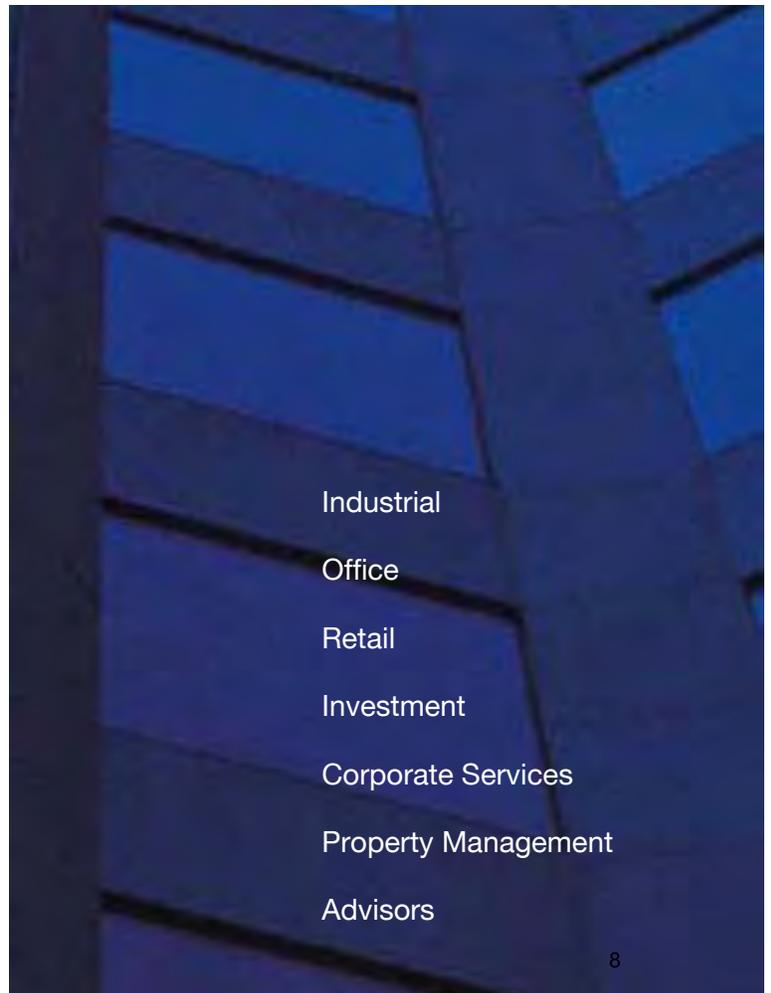
*Mary S Nimm*  
CDA Coordinator

# NAI MLG Commercial

Commercial Real Estate Services Worldwide.

## Exclusive Sale Proposal

City of Whitewater, WI



Submitted to:  
**Mary S. Nimm**  
**City of Whitewater**  
**Community Development Authority**

By:  
**John Henderson, SIOR**  
Senior Vice President  
**(262) 938-4430**  
*jhenderson@mlgcommercial.com*

**Vytautas Barcas**  
Vice President  
**(262) 938-4428**  
*vbarcas@mlgcommercial.com*

March 23, 2011

Industrial

Office

Retail

Investment

Corporate Services

Property Management

Advisors

**Brookfield**  
13400 Bishop's Lane  
Suite 100  
Brookfield, Wisconsin 53005  
**tel 262 797-9400**  
fax 262 797-8940

**Milwaukee**  
1110 North Old World Third Street  
Suite 400  
Milwaukee, Wisconsin 53203  
**tel 414 347-9400**  
fax 414 347-9401

Offices also in Madison and  
the Fox Valley

March 22, 2011

Mary S. Nimm  
Coordinator  
City of Whitewater, Community Development Authority  
312 W. Whitewater Street  
Whitewater, WI 53190

Dear Mary:

NAI MLG Commercial is very much interested in, and qualified to serve as the exclusive marketing agent for the Whitewater Business Park in the City of Whitewater. We are familiar with the Business Park as well as the surrounding community and would like to market it with pride and professionalism.

NAI MLG Commercial is the exclusive marketing agent for 16 Wisconsin business parks. Currently, John and Vytav are marketing The Gateway Business Park in Beloit, Edgerton Business Park, East Troy Business Park, Clinton Industrial Park, Robert L. Klement Business Park in Fort Atkinson, the Elkhorn Business Park, the Delavan Industrial Park and the Darien Business Park. Between 2002 and 2008, NAI MLG Commercial sold 1,500 acres of business park land for MLG Development, which resulted in the creation of nearly 16,000 jobs. Furthermore, NAI MLG Commercial has sold in excess of 5,000 acres of land since 2001.

As your exclusive agents, we will provide the needed focus for this project. We are prepared to implement an aggressive marketing plan in order to sell the property at the highest possible rate and in the shortest time frame possible. We are proponents of co-brokerage and will encourage other brokers to make their prospects aware of this opportunity.

We pride ourselves in taking an active role in communities when involved with the sale of City owned land. This includes appropriate attendance at meetings for economic development or others that our expertise would be beneficial, even when not directly related to land sales.

Attached is a brief Representation Proposal. This proposal outlines our real estate marketing plan and will familiarize you with NAI MLG Commercial and the team responsible for the project.

We appreciate the opportunity to be considered for this project and look forward to hearing from you soon to discuss any questions you may have. We are confident in our ability to deliver your property to the marketplace and are ready to begin our efforts today!

Sincerely,



John H. Henderson, SIOR  
Senior Vice President



Vytav Barcas  
Vice President

Enclosure

# Contents



## Section 1:

### The Property

- Overview
- Lot Information
- Aerial Photo and Plat Map
- Zoning Maps/Descriptions



## Section 2:

### A) Marketing Plan

- REALTrac™ Online

### B) Website Advertising

- NAI MLG Commercial
- NAI Global
- CoStar
- Xceligent
- Loopnet
- Property Drive

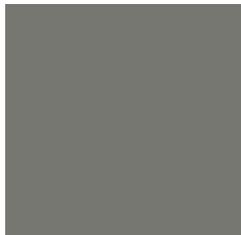
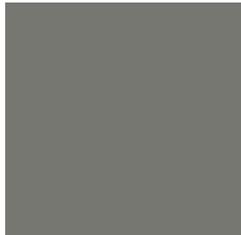
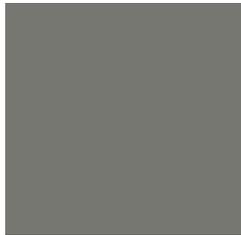


### C) Marketing Brochure Examples

## Section 3:

### About US

- NAI MLG Commercial
- MLG Family of Companies
- Your Brokerage Team
- Brokerage Team Business Parks





# Section 1:

## The Property

- Overview
- Lot Information
- Aerial Photo and Plat Map
- Zoning Maps/Descriptions

**The Leader In Commercial Real Estate.**

**NAI** MLG Commercial

Commercial Real Estate Services Worldwide.

The information contained within this section is believed to be reliable but is not warranted and is subject to change without notice. Measurements are approximate. Results may vary depending on the methodology used. A prospective purchaser should independently verify measurements and any and all matters believed to be material.

# Overview

The Whitewater Business Park was established in 1986 and consists of nearly 540 acres. The Business Park has the potential to expand to 1,000 acres. Approximately 107 acres are available as planned lots now. The lots have been marketed for \$34,900 per acre.

Major employers currently in the Business Park include: Generac, Husco International, Lavelle Industries, Trek Bicycle Corporation and Trostel, Ltd.

The Business Park is zoned M-1 General Manufacturing District, with additional overlay zoning districts that include Flood Fringe (FF), Shoreland Wetland (C-1) and Non-Shoreland Wetland (C-2).

The Whitewater University Technology Park is located adjacent to and south of the Whitewater Business Park. The Technology Park has one multi-story improvement and approximately 70 acres available for development. The Technology Park is zoned Whitewater University Technology Park District (WUTP).

Covenants are in place to protect the interests of the City of Whitewater and the long term investment of the Buyers.

# Whitewater Business Park

&

# Whitewater University Technology Park

59

Whitewater, Wisconsin

Lot	Acres	Lot	Acres
2A	8	8C	1
2B	8	2D	7
3A	4	12	9
3B	4	13	15
3C	4	8B	4
3D	3	8A	4
2C	3	7	6
4	4	16	23
6	11	15	23
9	8	14	13
10	5	17	2
11	6	18	2

ENTERPRISE BLVD

2A

2B

3A

3B

3C

3D

2C

PROSPECT

ENDEAVOR DR

2D

4

Jefferson County

Walworth County

6

EXECUTIVE DR

NEWCOMB ST

INDUSTRIAL DR.

UNIVERSAL BLVD

7

TECHNOLOGY

8A

8B

9

COMMERCE DR.

10

COMMERCIAL AVE

MORaine VIEW PARK

BARK PARK

INNOVATION DR.

12

13

HOWARD ROAD

14

## Legend

Whitewater Business Park

Whitewater University Technology Park

City of Whitewater

Railroads

County Boundary



15

16

17

18

13



Enterprise Blvd

2A

2B

3A

3B

3C

3D

2C

2D

4

N Prospect Dr

Endeavor Dr

Executive Dr

E Universal Blvd

Commercial Ave

Industrial Dr

Howard Rd

6

7

8A

8B

9

10

12

13

14

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16

17

18

# City of Whitewater Official Zoning Map

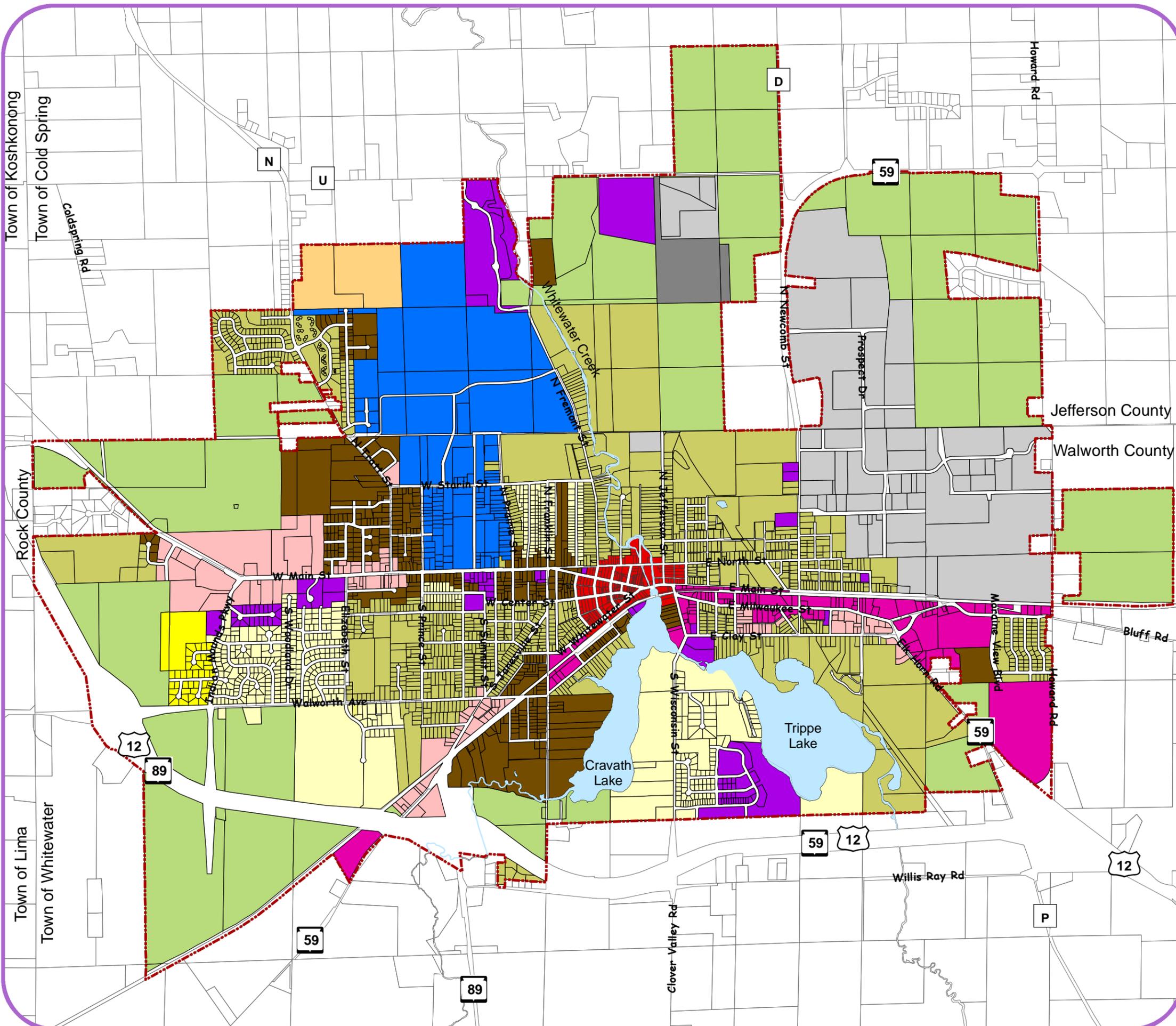
## Base Zoning Districts

-  R-1 One Family Residence
-  R-1x One Family Residence
-  R-2 One and Two Family Residence
-  R-3 Multi Family Residence
-  R-4 Mobile Home
-  B-1 Community Business
-  B-2 Central Business
-  B-3 Highway Commercial and Light Industrial
-  M-1 General Manufacturing
-  M-2 Manufacturing and Miscellaneous Use
-  WUTP Whitewater University Technology Park
-  PCD Planned Community Development
-  AT Agricultural Transition
-  I Institutional

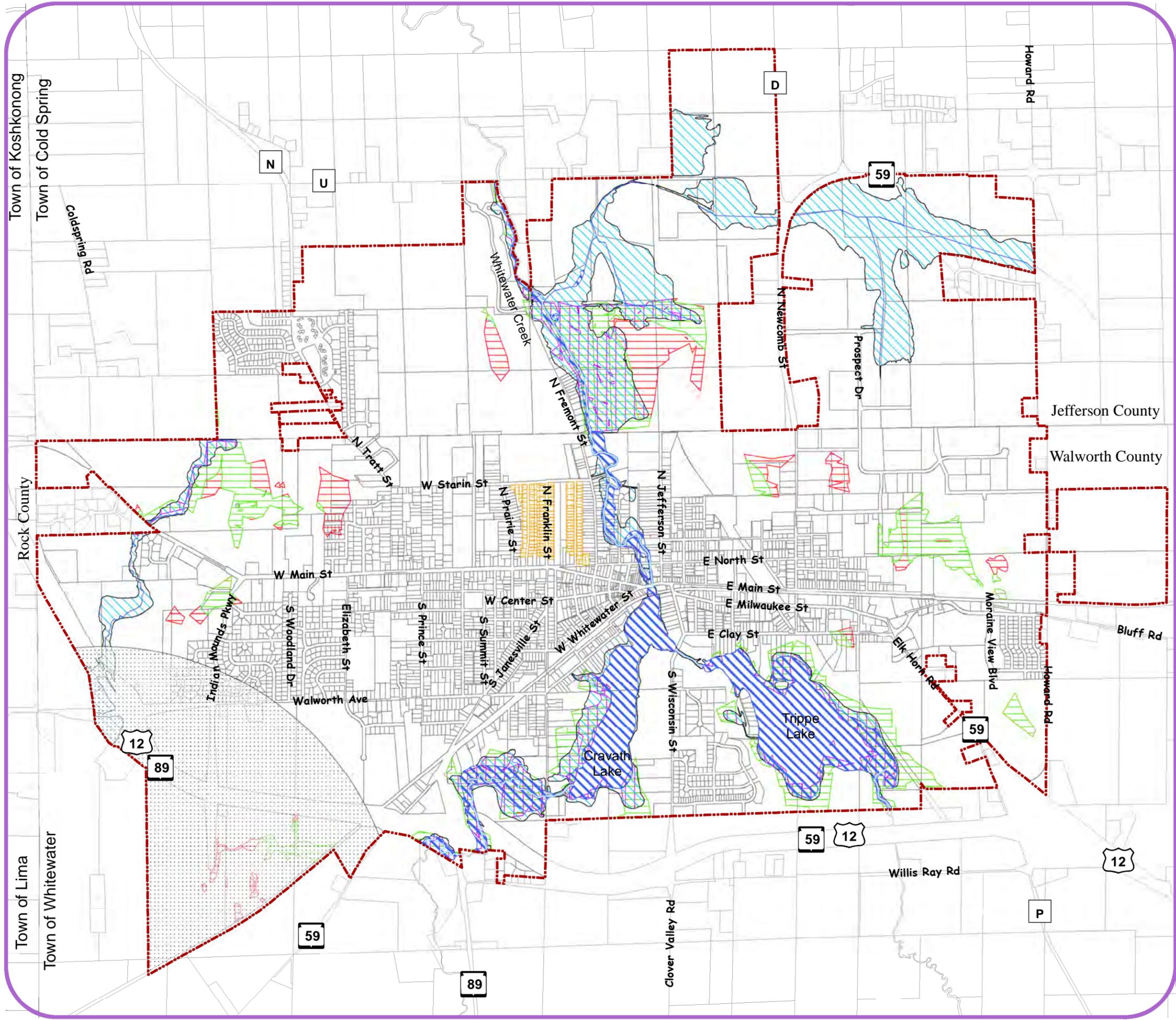
-  Right of Way
-  Surface Water
-  City of Whitewater Municipal Limits
-  Parcel Boundaries
-  Area Outside City



December 16, 2010  
15



# City of Whitewater Official Zoning Map Overlay Zoning Districts



-  WHP Wellhead Protection
-  R-O Residential Overlay
-  FW Floodway
-  FF Floodfringe
-  FWW Floodway/Wetland
-  C-1 Shoreland Wetland
-  C-2 Non-Shoreland Wetland
  
-  Right of Way
-  City of Whitewater Municipal Limits
-  Parcel Boundaries



## Chapter 19.36 M-1 GENERAL MANUFACTURING DISTRICT

### Sections:

- [19.36.010 Purpose.](#)
- [19.36.020 Permitted uses.](#)
- [19.36.030 Conditional uses.](#)
- [19.36.040 Lot area.](#)
- [19.36.050 Lot width.](#)
- [19.36.060 Yard requirements.](#)
- [19.36.070 Lot coverage.](#)
- [19.36.080 Building height.](#)
- [19.36.090 Buffer screening.](#)

### **19.36.010 Purpose.**

The M-1 general manufacturing district is established to accommodate a wide range of industrial uses, and to preserve and protect lands for future industrial use.

(Ord. 994 § 3.13(part), 1982).

### **19.36.020 Permitted uses.**

Permitted uses in the M-1 district include:

- A. Manufacturing, fabrication, packing, packaging and assembly of products from furs, glass, leather, metals, paper, plaster, plastics, textiles, clays and woods, and similar materials;
- B. Freight terminals, truck servicing and parking, warehousing and inside storage;
- C. Research facilities;
- D. Offices;
- E. Retail sales and services that are incidental to a manufacturing or warehousing use;
- F. Public and semipublic uses;
- G. Salvage yards;
- H. Any similar uses not specifically listed that can comply with the performance standards listed in Chapter 19.57;
- I. The second or greater wireless telecommunications facility located on an alternative support structure already supporting a wireless telecommunications facility or on a pre-existing wireless telecommunications facility, with wireless telecommunications support facilities allowed as permitted accessory uses, all per the requirements of Chapter 19.55.

(Ord. 1499 § 18, 2001; Ord. 994 § 3.13(A), 1982).

### **19.36.030 Conditional uses.**

Conditional uses in the M-1 district include:

- A. More than one principal structure on a lot;

B. Wireless telecommunications facilities, per the requirements of Chapter 19.55.  
(Ord. 1499 § 19, 2001; Ord. 1315 § 1, 1995; Ord. 994 § 3.13(B), 1982).

**19.36.040 Lot area.**

Minimum lot area in the M-1 district is twenty thousand square feet.  
(Ord. 994 § 3.13(C), 1982).

**19.36.050 Lot width.**

Minimum lot width in the M-1 district is one hundred fifty feet.  
(Ord. 994 § 3.13(D), 1982).

**19.36.060 Yard requirements.**

Minimum yard requirements for the M-1 district are:

- A. Front, thirty feet;
- B. Side, fifteen feet, corner lots thirty feet;
- C. Rear, thirty feet, except the rear yard setback to any railroad right-of-way shall be at least fifteen feet under a conditional use;
- D. Shore, seventy-five feet.

(Ord. 1460 § 3, 2000; Ord. 994 § 3.13(E), 1982).

**19.36.070 Lot coverage.**

Maximum lot coverage in the M-1 district is fifty percent.  
(Ord. 994 § 3.13(F), 1982).

**19.36.080 Building height.**

Maximum building height in the M-1 district is three stories or forty-five feet.  
(Ord. 994 § 3.13(G), 1982).

**19.36.090 Buffer screening.**

Where the M-1 district boundaries adjoin any residential district boundary, a screen or buffer yard as described in Section 19.57.140 shall be required. This provision shall be applied to new construction and alterations to existing structures or uses that result in an increase in the level of nuisance. Only the area of the nuisance shall require screening.

(Ord. 994 § 3.13(H), 1982).

## **Chapter 19.38 WHITEWATER UNIVERSITY TECHNOLOGY PARK DISTRICT (WUTP DISTRICT)**

[19.38.010 Purpose.](#)

[19.38.020 Creation of architectural review committee.](#)

[19.38.030 Permitted uses.](#)

[19.38.040 Conditional uses.](#)

[19.38.050 Lot area and lot width requirements.](#)

[19.38.060 Floor area ratio.](#)

[19.38.070 Yard requirements.](#)

[19.38.090 Lot coverage.](#)

[19.38.100 Building height.](#)

[19.38.110 Development standards.](#)

### **19.38.010 Purpose.**

The WUTP district is established to provide an aesthetically attractive working environment exclusively for and conducive to the development and protection of offices; research, testing, and development institutions; and certain specialized manufacturing establishments compatible with an office and research setting, all of a non-nuisance-type and public parks. The essential purpose of this district is to achieve development which is practical, feasible and economical and an asset to the owners, neighbors and the community and to promote and maintain desirable economic development activities in a park like setting with well designed sites and buildings.

(Ord. No. 1747A, § 1, 9-15-2009)

### **19.38.020 Creation of architectural review committee.**

Upon the mapping of any WUTP district, there shall be established an architectural review committee for the district. No building or improvements shall be erected, placed or altered on any building site in the technology park until the plans and use for such building or improvements, including site plans, landscaping plans, building plans, and specifications have been approved by the WUTP architectural review committee (ARC). Zoning permit applicants in the WUTP district are subject to all plan review requirements set forth in Chapter 19.63 of the Whitewater Municipal Code. The plan and architectural review commission's functions under Chapter 19.63 shall be delegated to the architectural review commission. The ARC shall consist of one city council member, a member of the plan and architectural review commission of the City of Whitewater to be appointed annually by the plan commission, the City Manager of the City of Whitewater, the Chancellor of the University of Wisconsin-Whitewater, two members appointed by the Chancellor of the University of Wisconsin-Whitewater, two citizens of the City of Whitewater appointed by the city council of the City of Whitewater, and one member of the community development authority of the City of Whitewater to be appointed by the CDA. The ARC shall organize and adopt rules for its own governance. Officers shall be elected from the membership for terms of one year. Meetings shall be open to the public unless closed for appropriate legal reasons, and shall be held at the call of the chairman. Minutes shall be kept showing actions taken, and shall be a public record. Quorum shall be five members, and all actions shall require the concurring vote of at least five members. In cases where the ARC has not been formed or is unable to act on the matter, all actions normally assigned to the ARC shall be reassigned to the City of Whitewater Plan and Architectural Review Commission. The City of Whitewater Plan and Architectural Review Commission shall retain the exclusive authority to grant and review or deny conditional use permits in the WUTP district, where required.

(Ord. No. 1747A, § 1, 9-15-2009)

### 19.38.030 Permitted uses.

Permitted uses in the WUTP district include:

1. Production, or processing, cleaning, servicing, testing or repair of materials, goods or products, limited to the following uses, products, components, or circumstances:
  - a. Electronic and electrical products and instruments, such as transistors, semiconductors, small computers, scanners, monitors and compact communication devices.
  - b. High technology products related to the fields of physics, oceanography, astrophysics, metallurgy, chemistry, biology, or other scientific field offered for study at the University of Wisconsin-Whitewater.
  - c. Laser technology, radiology, X-ray and ultrasound products, manufacturing and assembly.
  - d. Medical and dental supplies.
  - e. Optical, fiber optical and photographic products and equipment.
  - f. Orthopedic and medical appliances, such as artificial limbs, brace supports and stretchers.
  - g. Products related to process design, process simulation, computer hardware and software development, and safety engineering.
  - h. Scientific and precision instruments and components, including robotics.
2. Research, development and testing laboratories, including testing facilities and equipment.
3. Business and professional offices.
4. Pilot plants or other facilities for the testing of manufacturing, processing or fabrication methods, or for the testing of products or materials.
5. Telecommunication centers (not including wireless telecommunication facilities as regulated in Section 19.55).
6. Accessory uses, (which shall be accessory uses to principal use on-site), including the following:
  - a. Educational or training centers or institutions.
  - b. Nursery schools or day care centers for children of employees on the site.
  - c. Temporary buildings for construction purposes, for a period not to exceed the duration of such construction.
  - d. Reproduction processes related to a primary function including printing, blueprinting, photostating, lithographing, engraving, stereotyping, publishing and bookbinding.
  - e. Wholesaling of goods and merchandise manufactured or produced on the premises.
  - f. The generation of power via a local energy system, with the primary purpose of supplying energy to the principal use being conducted on the lot.
  - g. The fabrication of products in conjunction with a research, development, or testing laboratory as the principal use.
  - h. Garages for storage of vehicles, equipment or materials in conjunction with operation of the principal use on the lot;

- i. Off-street parking and loading areas, subject to landscaping and screening requirements where applicable;
  - j. Trash dumpsters where located outside of the required yards in Section 19.38.080 of this chapter and enclosed by a decorative opaque fence, wall or landscaping designed to provide a total visual screen;
  - k. Outdoor seating for restaurants within designated areas;
  - l. Outdoor eating and recreation areas;
  - m. Essential services;
  - n. Health clubs, banks and other financial institutions, medical, dental and optical clinics, barbershops, beauty parlors, or similar retail establishments;
  - o. Conference centers.
- 7. Restaurants, without drive-up or drive-through service.
  - 8. Colleges and universities (not including housing or residential uses).
  - 9. Public parks and public recreation use facilities, including but not limited to Morraine View Park and the planned athletic facilities, trail and possible playground therein.

(Ord. No. 1747A, § 1, 9-15-2009)

#### **19.38.040 Conditional uses.**

Conditional uses in the WUTP district include:

- 1. Parking facilities, open and accessory, for the storage of private passenger automobiles only, when located elsewhere than on the same zoning lot as the principal use served.
- 2. Public utility and public service uses as follows:
  - a. Bus turnarounds (off-street), bus transfer points.
  - b. Electric substations.
  - c. Gas regulator stations, mixing stations and gate stations.
  - d. Radio, television, and telecommunication towers and wireless telecommunication facilities meeting the standards of Section 19.55.
  - e. Railroad passenger stations.
  - f. Railroad rights-of-way.
  - g. Sewerage system lift stations.
  - h. Telephone exchanges, microwave relay towers, telephone transmission equipment buildings and service yards.
  - i. Electric generator which serves a principal use located on the zoning lot and is capable of providing electricity for off-site use provided:
    - i. The electric output is less than three thousand kilowatts and said generator is operated no more than two hundred hours per year;
    - ii. The location of every generator shall be not less than twenty feet from any zoning lot which permits residential uses; and,
    - iii. Said generator shall be located and screened so as to reduce the visual impact of the generator from neighboring property and to be compatible with neighboring structures and the character of the community. This may include

screening with materials similar in appearance to those used for the principal structure on the zoning lot, and landscaping or fencing as approved by the architectural review committee.

j. Water pumping stations and reservoirs.

3. Any production, or processing, cleaning, servicing, testing or repair of materials, goods or products, limited to the following uses, products, components, or circumstances:

a. Cameras and other photographic equipment.

b. Ceramic products, such as pottery, figurines and small glazed tiles.

c. Cosmetics and toiletries, drugs, perfumes, and perfumed soaps.

d. Drugs and pharmaceutical products.

e. Electrical appliances, such as lighting fixtures, irons, fans and toasters.

f. Electrical equipment assembly, such as home radio and television receivers and home movie equipment, but not including electrical machinery.

g. Electrical supplies manufacturing and assembly, such as wire and cable assembly, switches, lamps, insulation and dry cell batteries.

h. Products from the following previously prepared materials: bone, canvas, cellophane, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastic, precious and semiprecious stones, rubber, shell, wood (but not including a planing mill) and yarn.

i. Products related to material research and development in such areas as prepared glass, ceramics, carbon fiber, metals, textiles, polymers, plastics, chemical foams and inorganic chemicals such as liquid crystals, and synthetic fuels.

j. Small-scale products (finished weight not exceeding fifty pounds) related to energy, environmental, telecommunications, or satellite applications.

k. Small-scale products (finished weight not exceeding fifty pounds) related to the resource industries of agriculture and food production, forestry, petrochemicals and mining.

l. Specific products not listed above but similar in intent and character and which may be defined as being produced or assembled manually or by a light industrial process by virtue of the use of only light machinery; being conducted entirely within enclosed substantially constructed buildings; in which the open area around such buildings is not used for storage of raw materials or manufactured products, or for any industrial purpose other than loading and unloading operations; which are not noxious or offensive by reason of emission of smoke, dust, fumes, odors, noise, or vibrations beyond the confines of the building.

5. Outside storage areas, subject to the development standards in Section 19.38.110.

6. Day care centers.

(Ord. No. 1747A, § 1, 9-15-2009)

### **19.38.050 Lot area and lot width requirements.**

In the WUTP district, there shall be provided a lot area of not less than one acre and a lot width of not less than one hundred feet.

(Ord. No. 1747A, § 1, 9-15-2009)

### **19.38.060 Floor area ratio.**

In the WUTP district, the floor area ratio shall not exceed 1.5.

(Ord. No. 1747A, § 1, 9-15-2009)

### **19.38.070 Yard requirements.**

Minimum required yards for principal buildings, outside storage areas, parking lots, and dumpsters in the WUTP district are:

1. Front yard--Twenty-five feet, except fifty feet on any roadway with a right-of-way of eighty feet or greater existing at the time of development or as indicated on the city's official map.
2. Side yard--Each side, fifteen feet. On corner lots, fifty feet for side yard adjoining an arterial highway and twenty-five feet for side yard adjoining other streets.
3. Rear yard--Thirty feet.
4. Environmental corridor or wetland yard. Adjacent to any mapped environmental corridor, as defined by the Southeastern Wisconsin Regional Planning Commission, or a delineated wetland as approved by the agency with jurisdiction--Thirty feet.
5. Parking lots and associated circulation drive aisles may extend into normal interior side or rear yard setbacks, but not into front or street side yard setbacks.

(Ord. No. 1747A, § 1, 9-15-2009)

### **19.38.090 Lot coverage.**

Minimum landscaped surface area is thirty percent.

(Ord. No. 1747A, § 1, 9-15-2009)

### **19.38.100 Building height.**

Maximum building height in the WUTP district is four stories or sixty feet, whichever is less, except as may be otherwise approved by the architectural review committee upon the finding that such increased height will not be detrimental to the character of the park or adjoining buildings and uses.

(Ord. No. 1747A, § 1, 9-15-2009)

### **19.38.110 Development standards.**

In the WUTP district, the following development standards shall apply, in addition to any standards that may be required by covenant:

1. Building design and materials. The exterior appearance of any building constructed in this district shall be compatible with that of adjoining structures within the district, especially as it

relates to rooflines and building materials. Permitted materials shall include masonry, concrete, stone, Exterior Insulation and Finish System (EIFS), Dry-vit, glass, and decorative architectural grade metal as a design detail, except where other quality materials are also allowed by the architectural review committee.

2. Accessory off-street parking and loading. Accessory off-street parking lots, loading berths, and access driveways shall be located, designed and improved so as to provide for safe and convenient access from adjoining streets, safe and convenient circulation within the site, and an aesthetically pleasing site design. Parking lots and access driveways shall be designed and located so that such facilities do not provide a direct unlandscaped view from the street to the parking lot or access driveway.

3. Landscaping and site development. To provide a park-like setting, all lots shall be landscaped, including the provision of canopy-type shade trees. Where possible, all existing mature, healthy trees shall be retained and protected during construction as per City of Whitewater Forestry Guidelines. All land areas not covered by buildings, structures, storage areas, parking lots, loading areas and driveways, shall be landscaped and maintained. Landscaping shall mean decorative plazas, mounds, pools or the planting of grass, shrubs, trees and other plant materials or other comparable surface cover.

4. Storage areas. All storage, except for licensed motor vehicles in operable condition, shall be within completely enclosed buildings or effectively screened from adjoining properties and public rights-of-way by an opaque screening wall or fence with such wall or fence not less than six feet nor more than eight feet in height, and no materials stored shall exceed the height of such screening wall or fence. All outside storage areas shall be located to the rear of buildings and shall be limited to not more than five percent of the total lot area. Landscaping shall be required on the outside of the opaque screen wall or fence.

5. Signs. All signs shall meet applicable standards in Chapter 19.54, and the specific requirements set forth for the M-1 district in the table contained in 19.54.052.

a. No ground sign shall exceed a maximum height of eight feet and a maximum gross area of forty-eight square feet. All ground signs shall be incorporated in the landscape plan, including the provision of plant materials at the base of such signs.

6. Prohibited site uses. No use shall be so conducted as to cause the harmful discharge of any waste materials into or upon the ground, into or within any sanitary or storm sewer system, into or within any water system or water, or into the atmosphere. All uses shall be conducted in such a manner so as to preclude any nuisance, hazard, or commonly recognized offensive conditions or characteristics, including creation or emission of dust, gas, smoke, noise, fumes, odors, vibrations, particulate matter, chemical compounds, electrical disturbance, humidity, heat, cold, glare, or night illumination. Prior to issuance of a zoning permit or occupancy permit, the zoning administrator may require evidence that adequate controls, measures, or devices have been provided to ensure and protect the public interest, health, comfort, convenience, safety, and general welfare from such nuisance, hazard, or offensive condition.

7. Uses required to be enclosed. All business, servicing, or processing shall be conducted within completely enclosed buildings, except for the following:

- a. Off-street parking and off-street loading;
- b. Drive-up service windows for banks and other financial institutions.

8. Truck parking. Parking of trucks as an accessory use, when used in the operation of a permitted business, shall be limited to vehicles of not over one and one-half tons of capacity when located within one hundred fifty feet of a residential district boundary line.

(Ord. No. 1747A, § 1, 9-15-2009)



# Section 2:

## A) Marketing Plan

- REALTrac™ Online

## B) Website Advertising

- NAI MLG Commercial
- NAI Global
- CoStar
- Xceligent
- Loopnet
- Property Drive

## C) Marketing Brochure Examples

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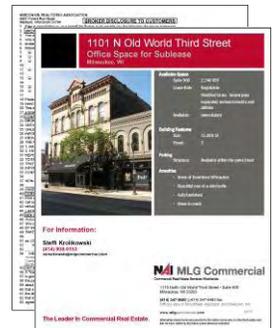
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# Marketing Plan

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Our goal is to consummate a successful transaction at the highest possible return, within a time frame that fits your needs. We have customized the following marketing process that will lead to the inevitable achievement of your goal as follows:

1. Agreement on a marketable price and terms is key to the successful sale of the Property. We will review the perception and rationality of the range of the Property market values with you and arrive at an appropriate pricing strategy for all scenarios. All marketing efforts will be futile if the property is not priced within a range that the market will pay.
2. Create a descriptive, easy to understand marketing package. Because this marketing material will represent your property to prospects, it must be of the highest quality to present a first class image. Included will be site data, area/access information, target uses, graphic aerial photographs of the property labeling highways, buildings, etc.
3. Identify the most likely users and promote the property to them in an effective manner. The property will be *personally* presented to as many qualified prospects in the immediate area and market as possible, and we will screen and qualify all prospect inquiries.
4. The primary area in which we differentiate our local/regional efforts from other companies is through our direct sale efforts. Included in our program is a combination of telephone, mail, in-person canvassing, internet reporting, and most importantly, direct contact with existing NAI MLG Commercial relationships. A direct mailing of the marketing materials will be made to targeted prospects, local Chambers of Commerce, local, state and public government agencies. Property data will be entered into local and regional databases to insure that all possible prospects are made aware of the availability of the property.
5. Present the property to the Southeastern Wisconsin brokerage community through direct e-mails, along with entering the marketing information into CoStar, Xceligent, Loopnet, Property Drive, NAI MLG Commercial's websites and the NAI Global website.
6. Keep you fully informed of our activities and progress. We recommend frequent email updates as each marketing item is completed, monthly/weekly telephone conferences, faxes, and personal meetings. Our reporting will also include personal contacts, notification of immediate inquiries, comments from prospects, changes in market conditions, and the status of offers and contracts in negotiation.



# Marketing Plan

*“. . . a successful transaction at the highest possible return”*

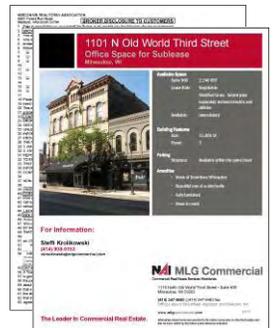
- Advise and represent you in a highly professional manner. We are prepared to negotiate toward a transaction in your best interest with all qualified prospects. These negotiations will include preparing offers and counter-offers that meet your established goals. It is continually proven that there is oftentimes more gained or lost in negotiation of contract terms than during negotiation for the economic structures of a sale. Much of what has been gained during economic negotiation can be lost or seriously misdirected without an experienced brokerage team.
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- ensures service consistency
- keeps internal client team members informed and up-to-date

## A Dashboard on Your Desktop:

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Williard Wells  
Manager, Corporate Real Estate



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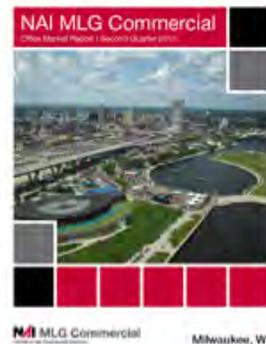
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Lower Level: +/-20,500SF (training room & storage)

Meadowood Shopping Center Madison, Wisconsin



Availability: Sale  
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### Featured Property Starion Financial Building



#37921  
1651 John Q Hammons Dr  
Middleton WI 53562

New construction! Class A office building in Greenway Center. 3,000 sf avail on 2nd fl & 2,450 sf avail on the 1st fl. Shared break room w/vending, conference, patio area, storage & restrooms in the lower level. \$16 psf incl \$25 buildout allowance. See attached sheet for green/sustainable features. Beltline visibility w/42,500 cars per day. Available now! More info: <http://lease.svn.com/starion>

[Learn More](#)

Sperry Van Ness

608-821-1401

[jeff.jansen@svn.com](mailto:jeff.jansen@svn.com)



# Fort Atkinson's Robert L. Klement Business Park Lots For Sale



## The Business Park

- Adjacent to STH 26 by-pass and proposed STH 12 by-pass
- Quick access to I-90/39, I-94 and I-43
- Tax Incremental District
- Protective Covenants
- Fully improved lots
- Competitive land prices
- Lots can be subdivided to suit Buyer's needs
- Zoning is M2/Heavy Industrial District

## The Community

- Diverse Industrial Base includes 40+ Employers
- Home of Madison Area Technical College's regional campus
- Airport with 3,800 foot paved, lighted runway with instrument approaches
- Locally Administered Revolving Loan Fund

## Lot Pricing (see Business Park Map attached)

Lot #	Tax Key #	Acreage	List Price/Ac
3	226-0514-1741-001	16.195	\$40,000
6	226-0514-1632-001	9.281	\$20,000
7	226-0514-1633-000	17.154	\$20,000
9	226-0514-1744-001	13.809	\$20,000
10	226-0514-1744-000	16.362	\$20,000
11	226-0514-1741-004	5.807	\$20,000
12	226-0514-1742-000	10.791	\$40,000

## For Information:

**Vytau Barcas**

**(262) 938-4428**

[vbarcas@mlgcommercial.com](mailto:vbarcas@mlgcommercial.com)

**John Henderson, SIOR**

Designated Member  
Society of Industrial & Office Realtors

**(262) 938-4430**

[jhenderson@mlgcommercial.com](mailto:jhenderson@mlgcommercial.com)

- Pro-Business City Government
- Dynamic Chamber of Commerce
- Regional Healthcare Delivery System

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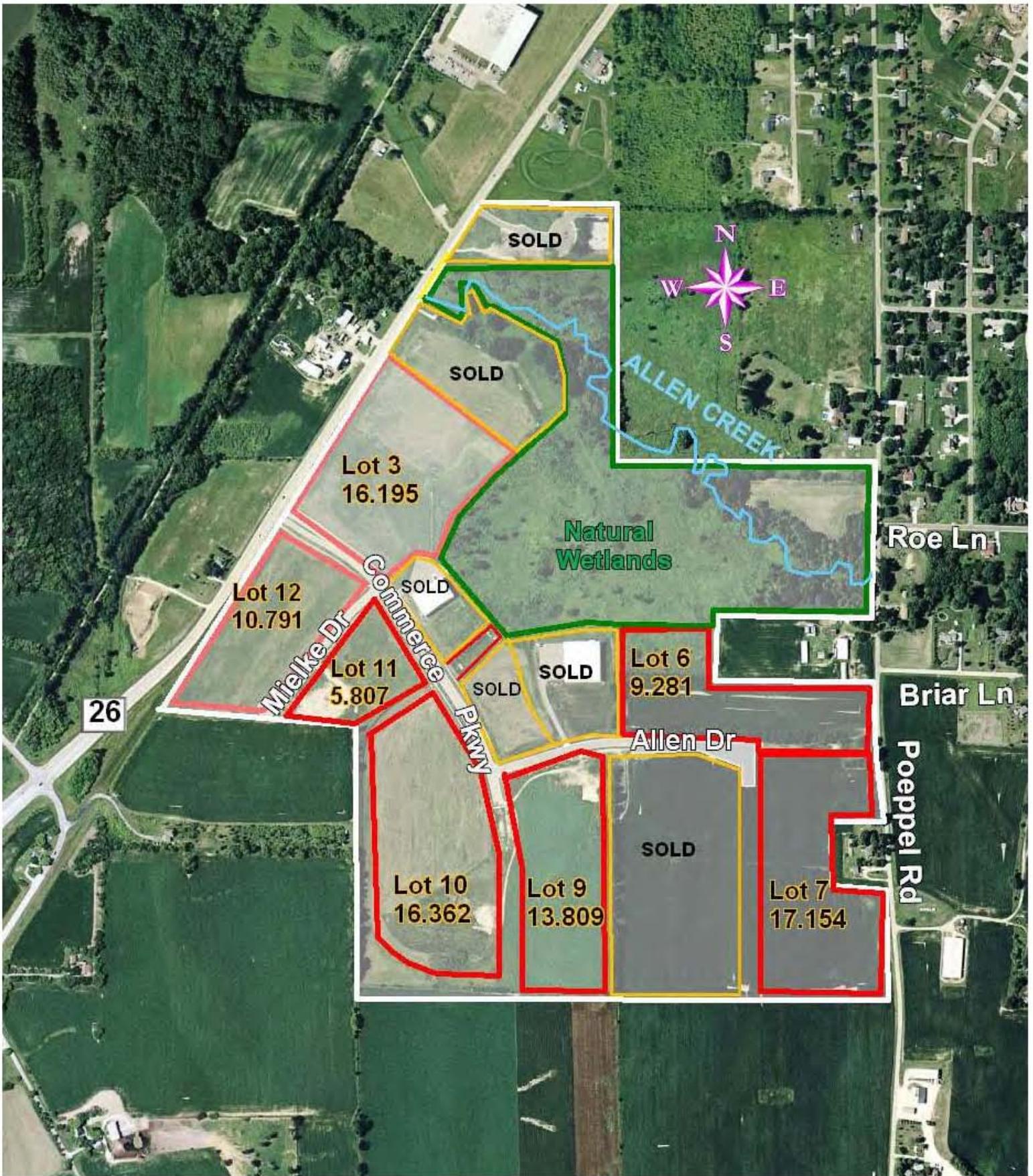
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# ELKHORN BUSINESS PARK

For Sale

Hwy 67 & I-43 · Elkhorn, WI



## Comments

- 44 acres are remaining in the 300 acre Elkhorn Business Park
- Fully improved sites for commercial and light manufacturing businesses
- Located at the I-43/State Highway 67 Interchange  
Easy Access to US Highway 12
- The City of Elkhorn Revolving Loan Fund in excess of \$1 Million is available to assist eligible development projects with low interest loans
- Local electrical utility - economical rates
- Elkhorn is the county seat of Walworth County
- Elkhorn is nearly equidistant from Chicago, Madison, Milwaukee and Rockford
- Two hospitals service Elkhorn
- Gateway Technical College is adjacent to the Business Park
- Ample affordable housing and quality school system
- Access to recreational and cultural amenities

## For Information:

**John Henderson, SIOR**

**(262) 938-4430**

[jhenderson@mlgcommercial.com](mailto:jhenderson@mlgcommercial.com)

**Vytas Barcas**

**(262) 938-4428**

[vbarcas@mlgcommercial.com](mailto:vbarcas@mlgcommercial.com)

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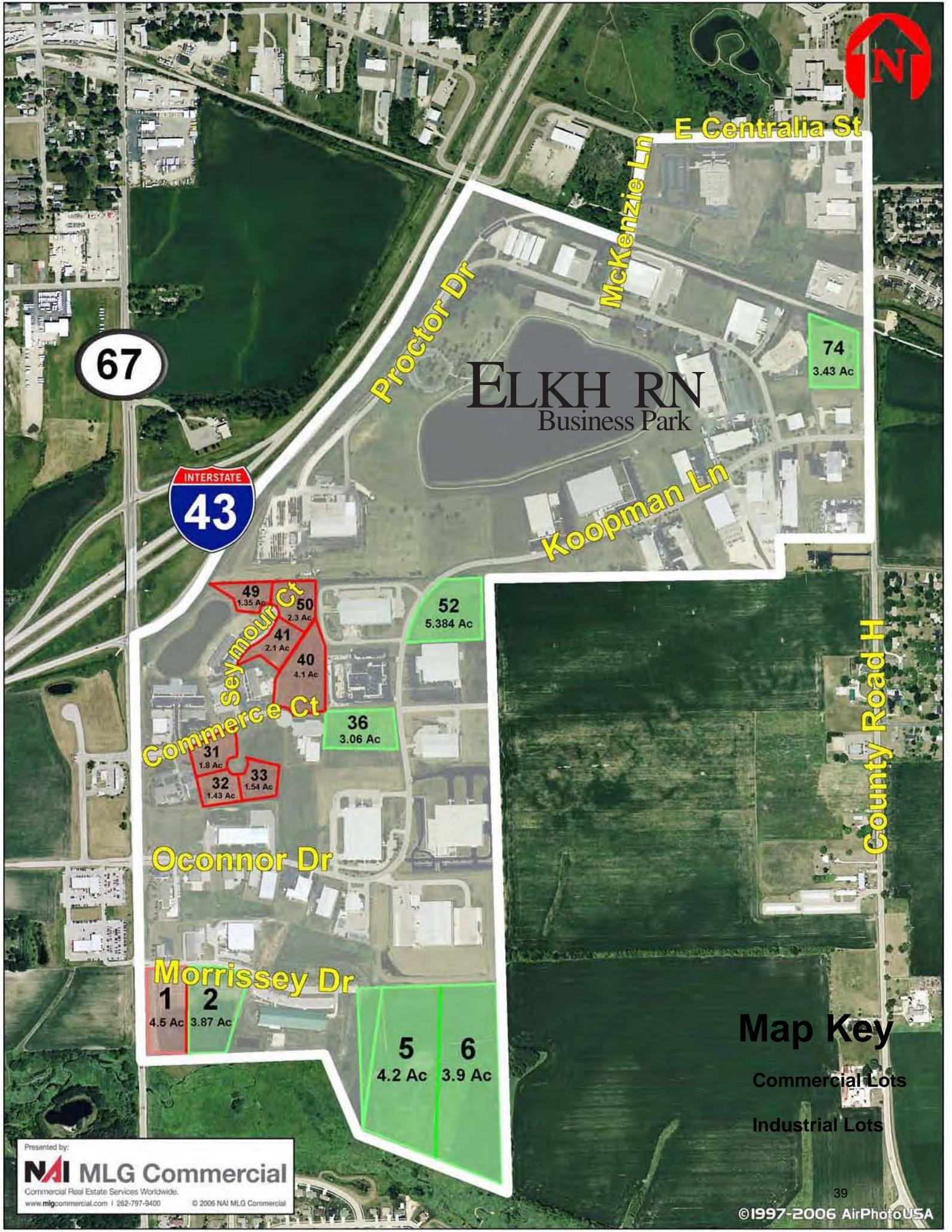
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67

INTERSTATE  
43

E Centralia St

Proctor Dr

McKenzie Ln

ELKH RN  
Business Park

74  
3.43 Ac

Koopman Ln

Seymour Ct

52  
5.384 Ac

Commerce Ct

49  
1.35 Ac

50  
2.3 Ac

41  
2.1 Ac

40  
4.1 Ac

36  
3.06 Ac

31  
1.8 Ac

32  
1.43 Ac

33  
1.54 Ac

Oconnor Dr

Morrissey Dr

1  
4.5 Ac

2  
3.87 Ac

5  
4.2 Ac

6  
3.9 Ac

County Road H

Map Key

Commercial Lots

Industrial Lots

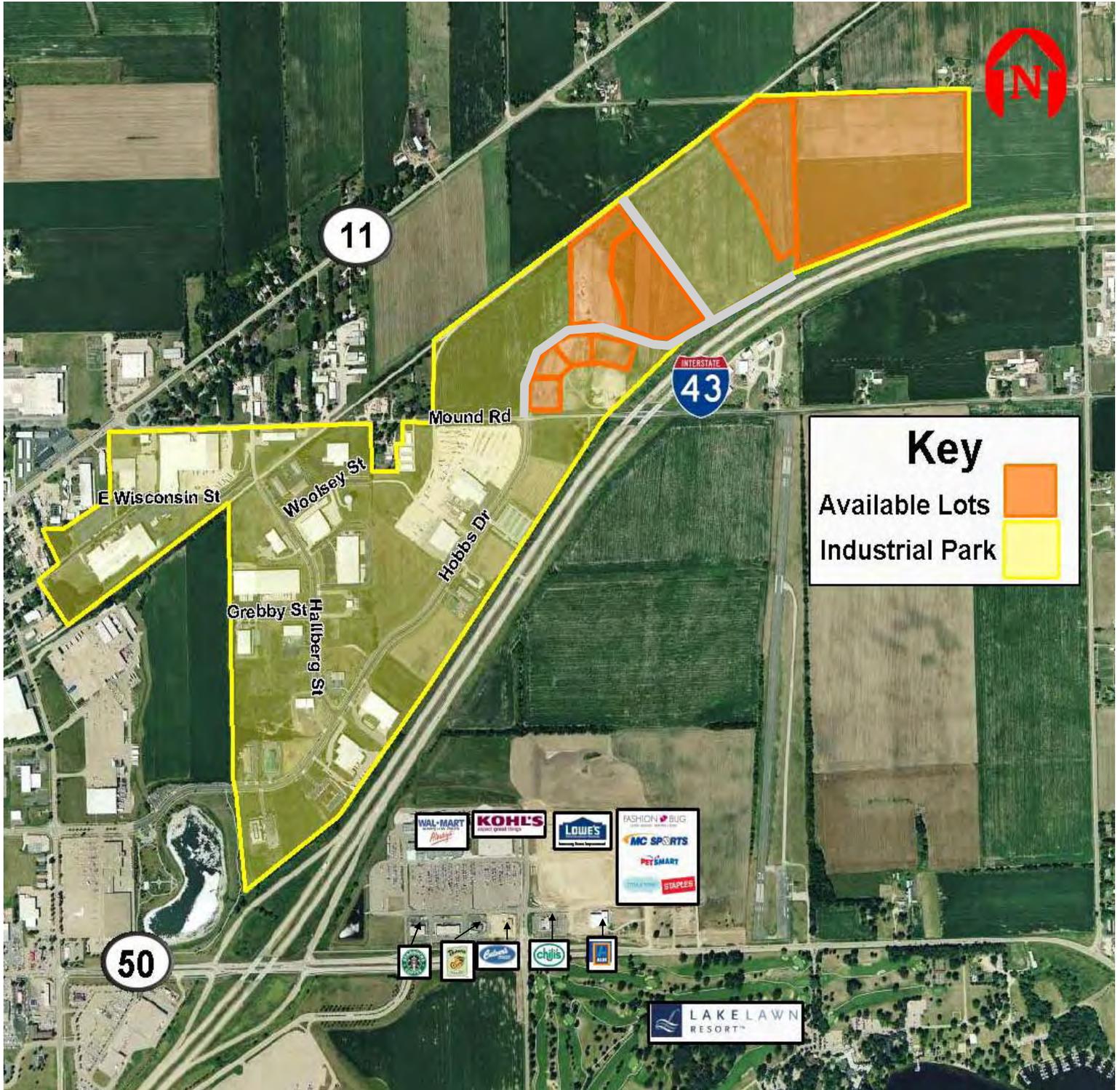
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# Delavan Industrial Park

Lots For Sale

I-43 & Mound Road/Hobbs Drive



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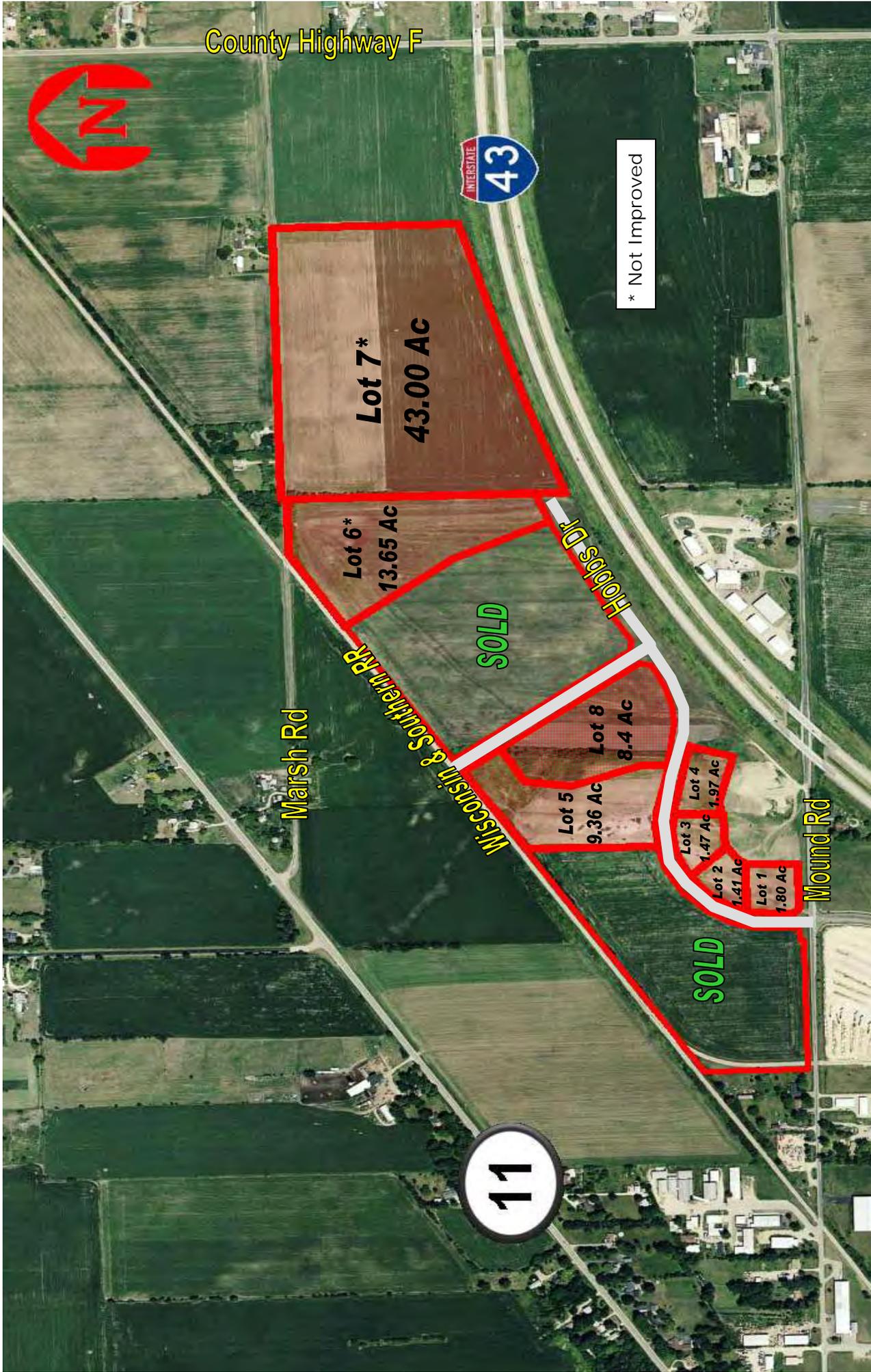
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County Highway F



\* Not Improved



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# I-43 and Hwy 14 · Darien, WI For Sale



## Size

Acreage: +/- 43.85 Acres  
Zoning: Northern portion is zoned SC, Suburban Commercial  
Southern section is zoned SI, Suburban Industrial

## Utilities

Electric: Madison Street  
Gas: Madison Street  
Water: Madison Street  
Sewer: Madison Street

## Tax Information

Tax Key: QVD00149

## Traffic Counts

I-43: 12,800 VPD  
US-14: 8,200 VPD

## Availability

Immediate

## Sale Price

\$15,000 per acre for SI Zoning (Industrial)  
\$20,000 per acre for SC Zoning (Commercial)

## For Information:

### John Henderson, SIOR

Designated Member  
Society of Industrial & Office Realtors  
**(262) 938-4430**

[jhenderson@mlgcommercial.com](mailto:jhenderson@mlgcommercial.com)

### Vytau Barcas

**(262) 938-4428**

[vbarcas@mlgcommercial.com](mailto:vbarcas@mlgcommercial.com)

- Parcel is part of a TIF District
- Great visibility from I-43
- Full interchange at I-43 & US-14

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# Development Concept\*



Existing site boundary in yellow

\* Includes additional land

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# 1171 Universal Blvd. • Whitewater, WI

## For Lease

### Warehouse/Manufacturing Space



#### Building Features

Size:	+/- 34,088 SF (Total)
Available SF:	+/- 19,188 SF (Divisible)
Construction:	Decorative block and metal
Year Built:	1998
Sprinkler:	Yes
Parking:	Ample
Zoning:	M-1

#### Warehouse Manufacturing Features

Size:	+/- 12,564 SF
Ceiling Height:	+/- 18' Clear
Drive-Ins:	2 - 12' x 12'
Dock Doors:	3 - 8' x 8'
Power:	1200 Amp, 480 Volt, 3 Phase (TBV by Tenant)

#### Office Features

Size:	+/- 6,624 SF
HVAC:	Yes
Finish:	Large reception and customer waiting area (9-offices, 2-conference rooms and kitchen)

#### Tax Information

Parcel Size:	+/- 3.7 Acres
2010 Taxes:	\$29,828.72
Tax Key #:	/A295900001

#### Lease Rate

\$3.25 Per SF, NNN (Warehouse)
\$6.50 Per SF, NNN (Office)

## For Information:

### Vytau Barcas

(262) 938-4428

vbarcas@mlgcommercial.com

### John Henderson, SIOR



Designated Member  
Society of Industrial & Office Realtors

(262) 938-4430

jhenderson@mlgcommercial.com

- Available September 2010 (or sooner)
- Ultra clean warehouse
- High-end office finishes

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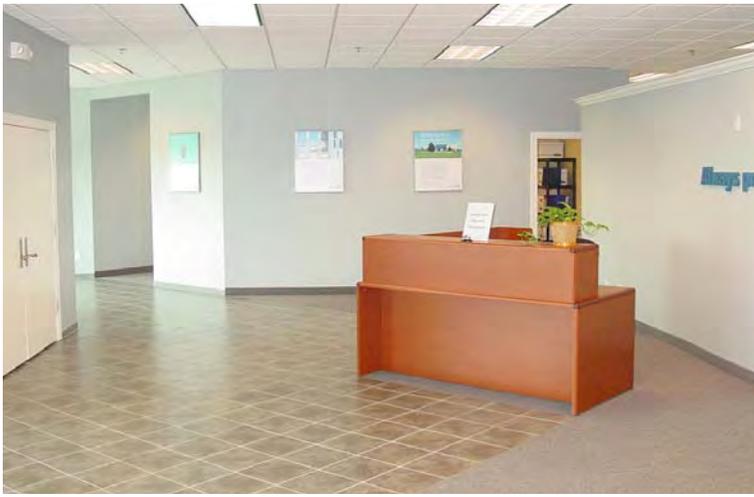
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## For Information:

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**John Henderson, SIOR**



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**(262) 938-4430**

*jhenderson@mlgcommercial.com*

# **NAI** MLG Commercial

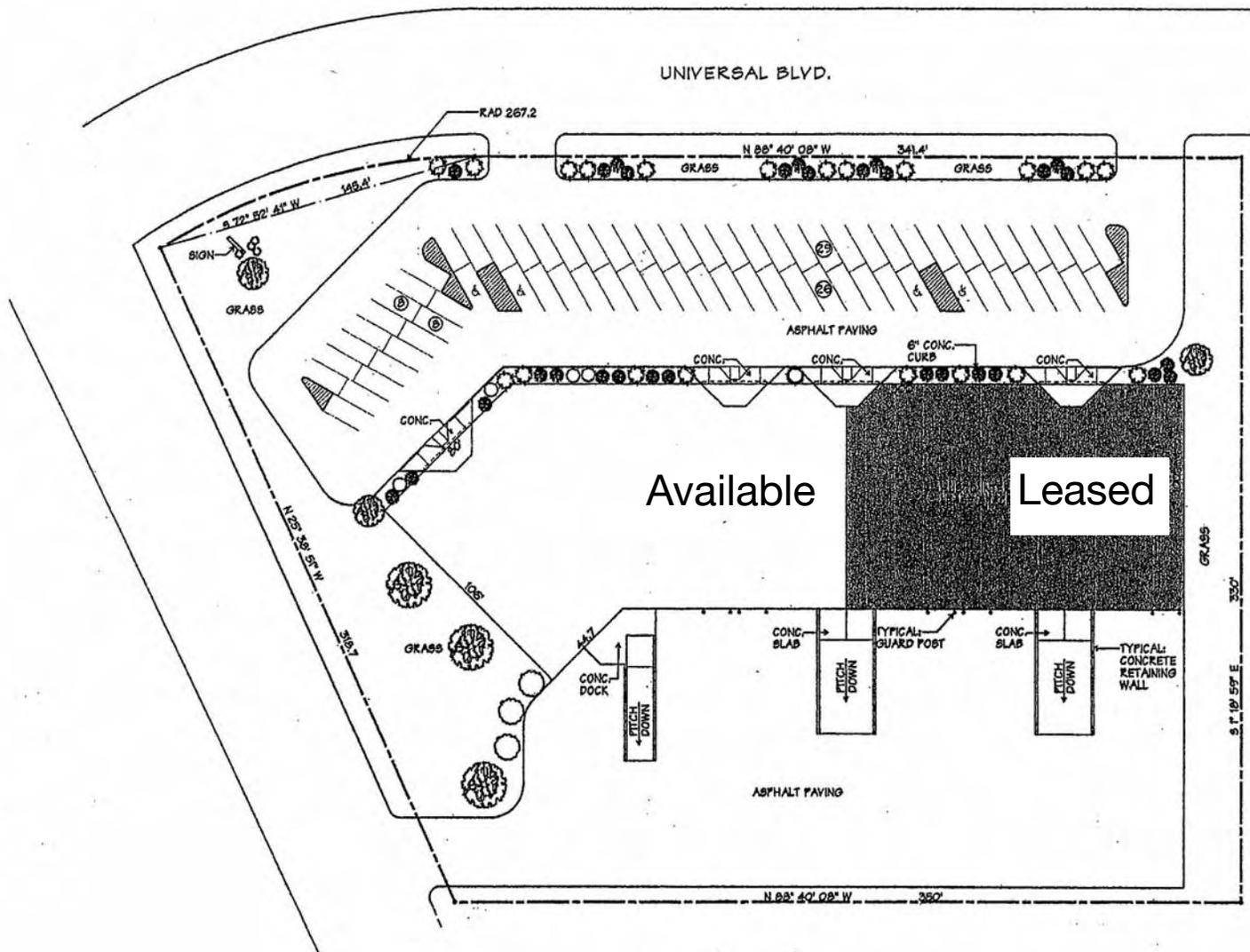
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**SITE PLAN**

SCALE: 1" = 40'

NORTH

**NAI MLG Commercial**

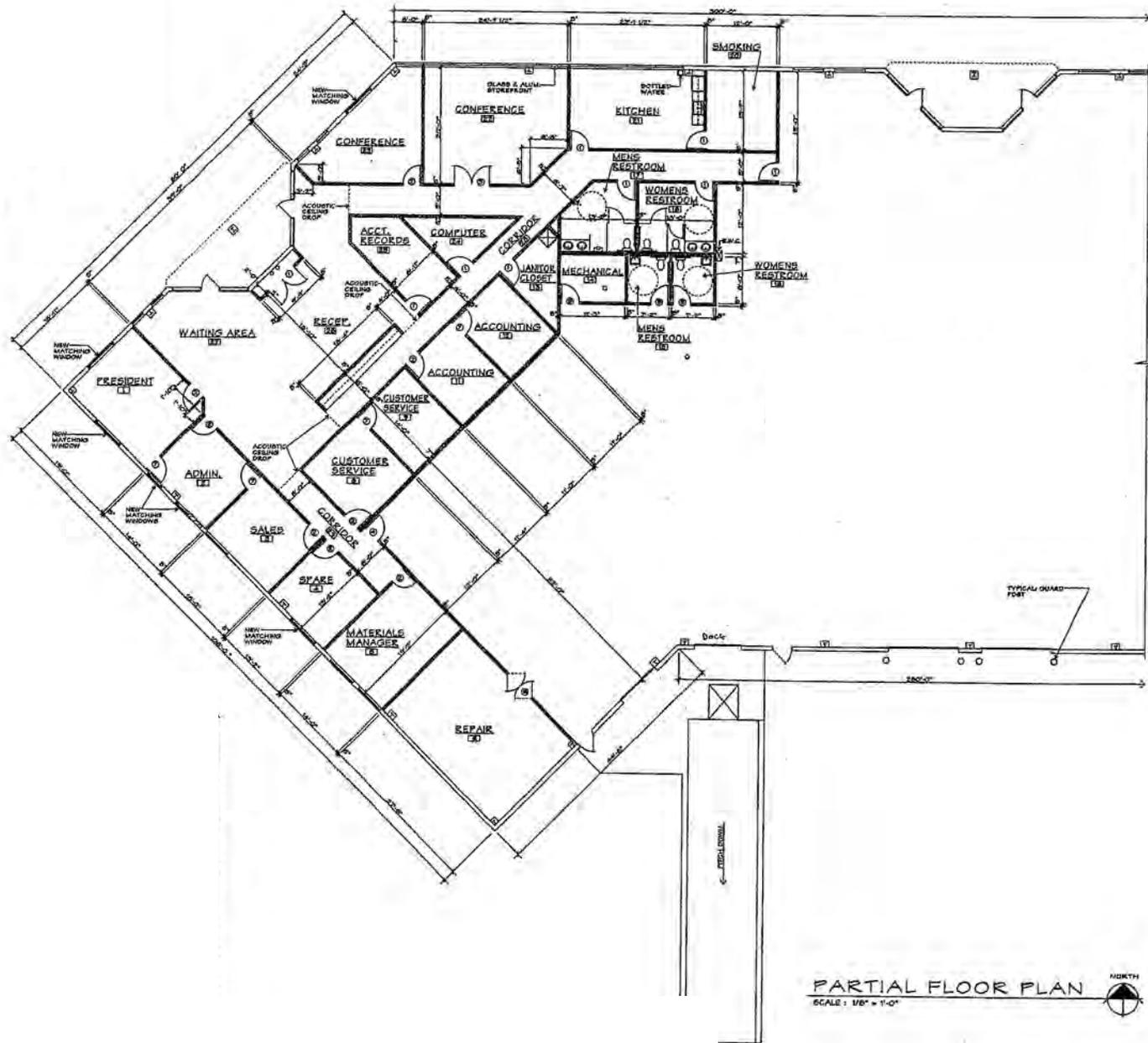
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PARTIAL FLOOR PLAN  
SCALE: 1/8" = 1'-0"

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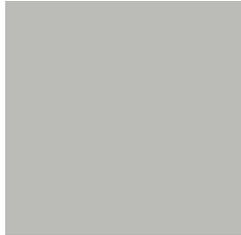
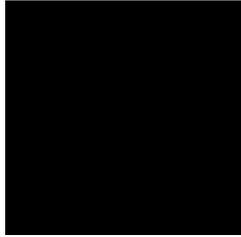
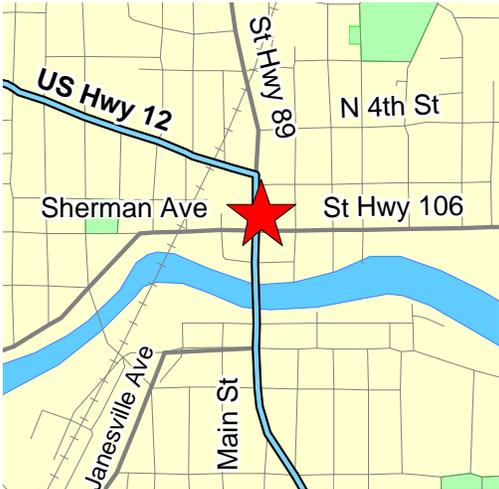
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# 201 & 245 N. Main St. · Fort Atkinson, WI

## For Sale - The Creamery Building

±98,729 SF Mixed Use Commercial, 5-Story Historic Building



### Property Features

Construction:	Masonry and Brick
Zoning:	M-2, Heavy Industrial District
Parking:	Private parking for 50 cars Indoor parking for 20 cars

### South Building (201 N. Main St.)

1st Floor:	±15,976 SF	Leased, Retail
2nd Floor:	±15,976 SF	Available
3rd Floor:	±14,279 SF	Available
4th Floor:	±15,976 SF	Available
5th Floor:	±15,976 SF	Owner-Occupied, Office

### North Building (245 N. Main St.)

1st Floor:	±9,393 SF	Available
2nd Floor:	±9,393 SF	Available

**Total Gross Area:** ±98,729 SF

### Demographics

	1 Mile	3 Mile	5 Mile
Total Population:	8,048	14,677	19,473
Median HH Income:	\$54,997	\$57,111	\$59,131

### Traffic Counts

N. Main Street:	15,400 VPD
Madison Avenue:	10,400 VPD

### Parcel Size

201 N. Main Street:	1.383 AC
245 N. Main Street:	.855 AC
Total:	2.238 AC

### Price

Sale:	\$5,995,000
-------	-------------

## For Information:

**John Henderson**

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**Vytas Barcas**

(262) 938-4428

[vbarcas@mlgcommercial.com](mailto:vbarcas@mlgcommercial.com)

- Located in the heart of downtown Fort Atkinson
- Large energy efficient low e-rated glass windows
- New state-of-the-art HVAC systems
- Glass backed elevator at main entry
- Freight elevator and interior elevator
- 2 dock doors
- Back up power generator

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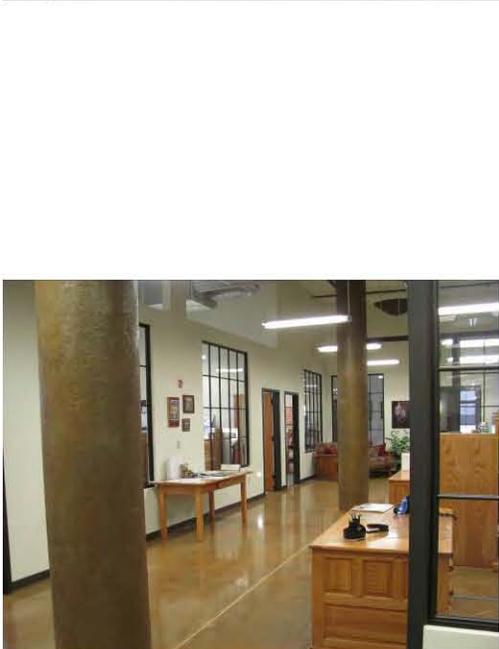
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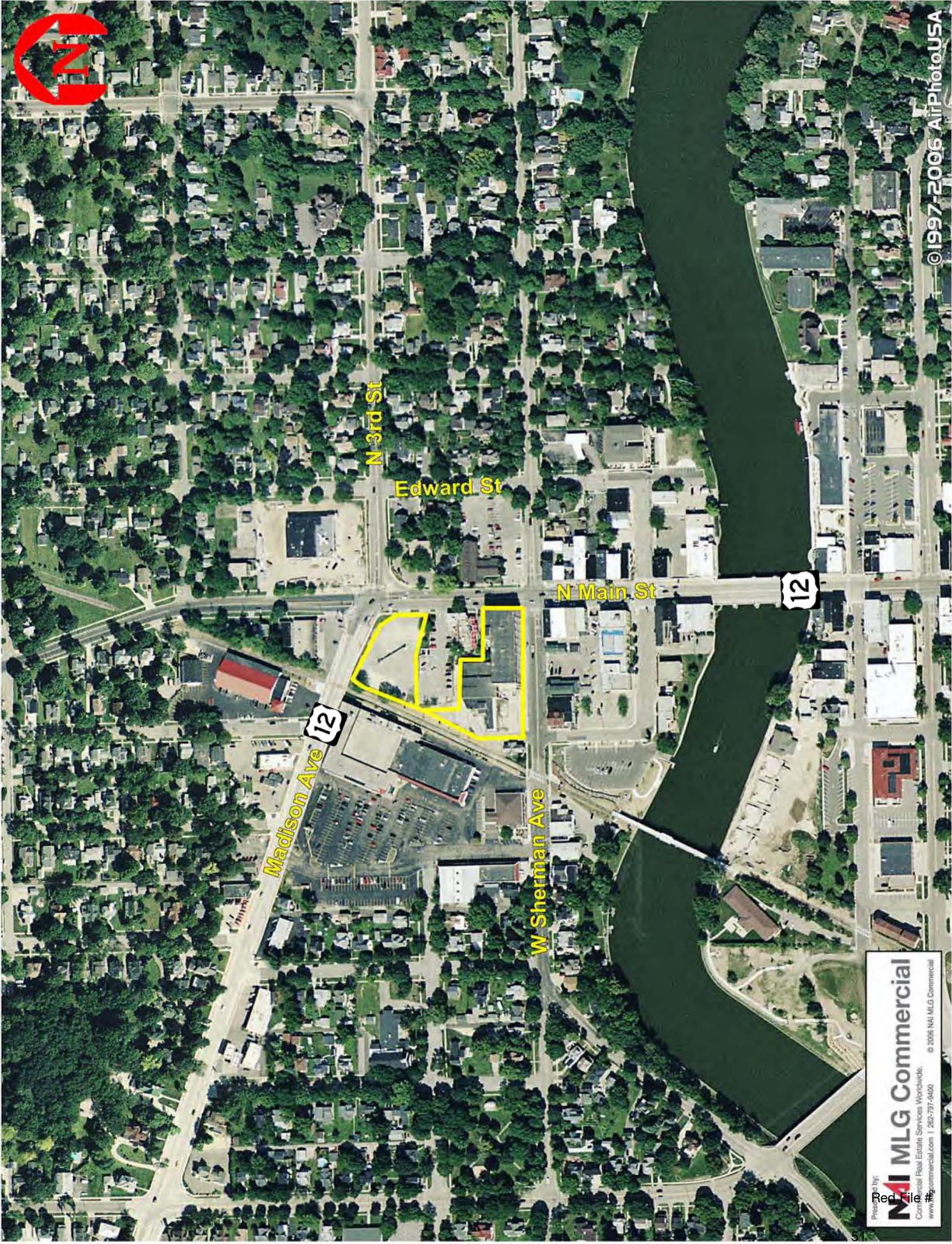


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**WISCONSIN REALTORS® ASSOCIATION**

4801 Forest Run Road  
Madison, Wisconsin 53704

**BROKER DISCLOSURE TO CUSTOMERS**

1 Prior to negotiating on your behalf the Broker must provide you the following disclosure statement:

2 **BROKER DISCLOSURE TO CUSTOMERS**

3 You are a customer of the broker. The broker is either an agent of another party in the transaction or a subagent of another broker  
4 who is the agent of another party in the transaction. The broker, or a salesperson acting on behalf of the broker, may provide  
5 brokerage services to you. Whenever the broker is providing brokerage services to you, the broker owes you, the customer, the  
6 following duties:

- 7  The duty to provide brokerage services to you fairly and honestly.
- 8  The duty to exercise reasonable skill and care in providing brokerage services to you.
- 9  The duty to provide you with accurate information about market conditions within a reasonable time if you request it, unless  
10 disclosure of the information is prohibited by law.
- 11  The duty to disclose to you in writing certain material adverse facts about a property, unless disclosure of the information is  
12 prohibited by law (**See Lines 55-63**).
- 13  The duty to protect your confidentiality. Unless the law requires it, the broker will not disclose your confidential information or the  
14 confidential information of other parties (**See Lines 22-39**).
- 15  The duty to safeguard trust funds and other property the broker holds.
- 16  The duty, when negotiating, to present contract proposals in an objective and unbiased manner and disclose the advantages and  
17 disadvantages of the proposals.

18 Please review this information carefully. A broker or salesperson can answer your questions about brokerage services, but if you  
19 need legal advice, tax advice, or a professional home inspection, contact an attorney, tax advisor, or home inspector.  
20 This disclosure is required by section 452.135 of the Wisconsin statutes and is for information only. It is a plain-language summary of  
21 a broker's duties to a customer under section 452.133 (1) of the Wisconsin statutes.

22 **CONFIDENTIALITY NOTICE TO CUSTOMERS**

23 BROKER WILL KEEP CONFIDENTIAL ANY INFORMATION GIVEN TO BROKER IN CONFIDENCE, OR ANY INFORMATION  
24 OBTAINED BY BROKER THAT HE OR SHE KNOWS A REASONABLE PERSON WOULD WANT TO BE KEPT CONFIDENTIAL,  
25 UNLESS THE INFORMATION MUST BE DISCLOSED BY LAW OR YOU AUTHORIZE THE BROKER TO DISCLOSE PARTICULAR  
26 INFORMATION. A BROKER SHALL CONTINUE TO KEEP THE INFORMATION CONFIDENTIAL AFTER BROKER IS NO LONGER  
27 PROVIDING BROKERAGE SERVICES TO YOU.

28 THE FOLLOWING INFORMATION IS REQUIRED TO BE DISCLOSED BY LAW:

- 29 1. MATERIAL ADVERSE FACTS, AS DEFINED IN SECTION 452.01 (5g) OF THE WISCONSIN STATUTES (**SEE LINES 55-63**).
- 30 2. ANY FACTS KNOWN BY THE BROKER THAT CONTRADICT ANY INFORMATION INCLUDED IN A WRITTEN INSPECTION  
31 REPORT ON THE PROPERTY OR REAL ESTATE THAT IS THE SUBJECT OF THE TRANSACTION.
- 32 TO ENSURE THAT THE BROKER IS AWARE OF WHAT SPECIFIC INFORMATION YOU CONSIDER CONFIDENTIAL, YOU MAY LIST  
33 THAT INFORMATION BELOW (**SEE LINES 35-36**). AT A LATER TIME, YOU MAY ALSO PROVIDE THE BROKER WITH OTHER  
34 INFORMATION YOU CONSIDER TO BE CONFIDENTIAL.

35 **CONFIDENTIAL INFORMATION:**

36 \_\_\_\_\_

37 **NON-CONFIDENTIAL INFORMATION** (The following information may be disclosed by Broker): \_\_\_\_\_

38 \_\_\_\_\_

39 (INSERT INFORMATION YOU AUTHORIZE THE BROKER TO DISCLOSE SUCH AS FINANCIAL QUALIFICATION INFORMATION.)

40 **CONSENT TO TELEPHONE SOLICITATION**

41 I/We agree that the Broker and any affiliated settlement service providers (for example, a mortgage company or title company) may  
42 call our/my home or cell phone numbers regarding issues, goods and services related to the real estate transaction until I/we  
43 withdraw this consent in writing.

44 **List Home/Cell Numbers:**

45 \_\_\_\_\_

46 *Notice: You may obtain information about the sex offender registry and persons registered with the registry by contacting the  
47 Wisconsin Department of Corrections on the Internet at: <http://offender.doc.state.wi.us/public/> or by phone at 877-234-0085.*

48 BY INITIALING AND DATING BELOW I/WE ACKNOWLEDGE RECEIPT OF A COPY OF THIS DISCLOSURE AND  
49 THAT \_\_\_\_\_ and \_\_\_\_\_ are working

50 Sales Associate ▲ Firm Name ▲

51 as: (Owner's Listing Broker's Agent) (Buyer's/Tenant's Agent or Buyer's Broker's Agent) **STRIKE ONE**.

52 **INITIALING THIS FORM TO ACKNOWLEDGE RECEIPT DOES NOT CREATE ANY LEGAL OBLIGATIONS TO BROKER.**

53 \_\_\_\_\_

54 Initials ▲ Date ▲ Print Name (optional) ▲ Initials ▲ Date ▲ Print Name (optional) ▲

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Phone (262) 797-9400

Drafted by Attorney Richard J. Staff

Fax (262) 797-8940

55 **DEFINITION OF MATERIAL ADVERSE FACTS**

56 A "material adverse fact" is defined in Wis. Stat. § 452.01(5g) as an adverse fact that a party indicates is of such significance, or that  
57 is generally recognized by a competent licensee as being of such significance to a reasonable party, that it affects or would affect  
58 the party's decision to enter into a contract or agreement concerning a transaction or affects or would affect the party's decision  
59 about the terms of such a contract or agreement. An "adverse fact" is defined in Wis. Stat. § 452.01(1e) as a condition or occurrence  
60 that a competent licensee generally recognizes will significantly and adversely affect the value of the property, significantly reduce  
61 the structural integrity of improvements to real estate, or present a significant health risk to occupants of the property; or information  
62 that indicates that a party to a transaction is not able to or does not intend to meet his or her obligations under a contract or  
63 agreement made concerning the transaction.



# Section 3:

## About US

- NAI MLG Commercial
- MLG Family of Companies
- Your Brokerage Team
- Brokerage Team Business Parks

# NAI MLG Commercial

## **Innovative Professionals.**

Founded in 1987, NAI MLG Commercial has grown into the largest commercial real estate firm in Wisconsin. Today, NAI MLG Commercial and its more than 50 licensed professionals offer a full range of commercial brokerage services including industrial, office, retail, investment and corporate services.

## **NAI MLG Commercial offers more than just world-class brokerage services.**

The MLG family of companies provides property management, development and investment services to meet your real estate needs. Our innovative professionals and support staff provide these comprehensive services to individuals and companies with real estate needs throughout Wisconsin, the United States and around the world. Several brokers have attained accreditations and designations such as the Society for Industrial and Office Realtors (SIOR) designation, the Institute of Real Estate Management's (IREM) Certified Property Manager (CPM) designation and the Certified Commercial Investment Member (CCIM) accreditation. Accreditations such as these show commitment to continuing education, ethics and client service.

## **We're Everywhere.**

Offering global reach with local expertise, we're where you need us. NAI MLG Commercial has a strong market presence across the United States. As a member of NAI Global – the world's largest real estate managed network – NAI MLG Commercial is affiliated with over 5,000 real estate professionals in more than 325 offices in 55 countries around the world. Our connection to a managed network, entrepreneurial culture and best-in-class technology enables us to find locations faster, minimize costs and maximize value for each client we serve.

## **We're in Your Market.**

Our local knowledge is unsurpassed. With offices in Brookfield, Milwaukee, Madison and the Fox Valley, NAI MLG Commercial offers local expertise in your market. Our experienced brokers and knowledgeable support staff provide a host of real estate services to individuals and companies across Wisconsin, ensuring comprehensive, local expertise in the areas that matter to you.



# MLG Family of Companies

## NAI MLG Commercial

NAI MLG Commercial is Wisconsin's largest full-service brokerage firm with highly qualified sales associates specializing in retail, office, industrial and investment, as well as corporate services and commercial and residential lot sales. [www.mlgcommercial.com](http://www.mlgcommercial.com)

## MLG Management

MLG Management is a full-service property management company specializing in comprehensive asset, facility, property and construction management services for office, retail, industrial and multi-family properties. [www.mlgmanagement.com](http://www.mlgmanagement.com)

## MLG Capital

MLG Capital offers real estate investment services to interested accredited investors. Our portfolio consists of office buildings, multi-family complexes, retail and industrial properties and mixed-use land developments. [www.mlgcapital.com](http://www.mlgcapital.com)

## Advisors LLC

Advisors LLC offers innovative real estate solutions customized to meet client needs. Project teams can identify problems, deliver a menu of solutions, recommend a course of action and implement the plan upon approval. Each team is comprised of experts with a diverse array of real world experience, knowledge and skills. [www.AdvisorsRE.com](http://www.AdvisorsRE.com)

## MLG Communities

MLG Communities creates carefully designed subdivisions offering a unique blend of serene, beautiful settings and convenient city access. We have developed superior residential communities and prestigious home sites in Virginia, Florida and throughout Wisconsin - thousands of families call one of our developments home. [www.mlgcommunities.com](http://www.mlgcommunities.com)

## MLG Development

MLG Development has extensive experience in commercial, industrial and mixed-use projects throughout Wisconsin. Our developments create high-value returns for our investors and quality tax base for our many municipal partners. We have set the precedent for public/private partnerships in Wisconsin with numerous projects involving thousands of acres. [www.mlgdevelopment.com](http://www.mlgdevelopment.com)

## TIMELINE

NAI MLG Commercial (MLG) is proud to be recognized by leaders, business professionals, the media and our clients throughout Wisconsin and nationwide. Highlighted below are some of the honors that we have received.

1987 - MLG Commercial is founded with 12 staff members and associates.

1988 - MLG Commercial becomes an exclusive member of NAI— a reflection of MLG's premier standing in the regional commercial real estate community and its commitment to be part of an integrated global real estate delivery system.

1996 - MLG Management, MLG's property management company, is formed.

1997 - MLG Commercial opens a second office in Appleton, Wisconsin.

1998 - MLG Capital is formed, MLG's first investment-only enterprise.

2001 - MLG garners a significant presence in Madison and MLG Commercial opens a third office in Madison, Wisconsin.

2002 - Bruce Westling is awarded NAI Global Best of Class, a retail award presented to the individual who generated the most business for the NAI Retail Council, and the NAI Fitzgerald Award, an award to the individual who has done the most to foster the growth, directly or indirectly, of cooperative NAI business.

2004 - MLG receives NAI Worldwide Member of the Year – Central Region Award

2006 - MLG grows to 131 employees, 46 brokers and 13 principals, with more than 70 licensed real estate professionals.

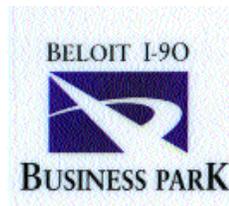
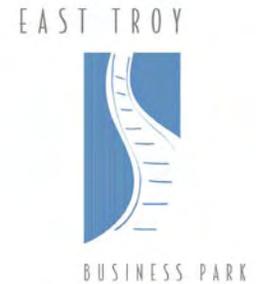
2006 - Stephen Provancher and Bob Gintoft, SIOR received the Commercial Association of Realtors Wisconsin (CARW) award for the Deal of the Year in the Industrial Category.

2007 - MLG receives Wisconsin Corporate Citizenship Award

2008 - MLG receives Waukesha County Executive Award

2009 - MLG is again recognized as the largest Milwaukee-area real estate firm by the *Business Journal of Greater Milwaukee*.

# Staying Ahead of the Curve in Wisconsin Business Parks



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Commercial Real Estate Services Worldwide.

Wisconsin's Leader in Commercial Real Estate

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# John Henderson, SIOR

## Senior Vice President—Corporate Services

jhenderson@naiglobal.com • (262) 938-4430

## Professional Profile

### Scope of Service Experience

John specializes in assisting multi-market corporations manage their real estate portfolio. Advises on space acquisitions and dispositions, site selection, lease management, real estate strategy and financial analysis.

### Background and Experience

John serves as a Corporate Real Estate Services Team (CREST) Executive, NAI Business Director and Senior Vice President for NAI MLG Commercial and has been with the company since 1989. As a CREST Executive, John is a full, strategic partner and consultant for local, national and international clients to set performance standards, benchmarks and objectives. He delivers a wide range of real estate services from strategic consultative services, to expansions, acquisitions and dispositions.

John was honored with the 2008 NAI Global "Circle of Excellence" designation for achieving top performance standards through the NAI network for 11 years. John has been "Associate of the Year" at NAI MLG Commercial four times and is consistently a top producer. John has also received the NAI "Chairman's Award" for the Central Region three times.

### Professional Affiliations and Designations

- NAI Global Corporate Services Team Member
- NAI Global Leadership Board Member (2001-2003)
- NAI CREST Council Member (Chairman 2001-2003)
- Charter Member of the Elkhorn Rotary Club (40 years)
- Commercial Association of Realtors Wisconsin, Inc. (CARW)
- Former Board Member of the Community Foundation of Southern Wisconsin, Inc. (6 years)
- Founding Board Member of The Elkhorn Fund - an endowed community fund
- Society of Industrial and Office Realtors (SIOR)
- NAI CREST Designation
- NAI NAFTA Regional Director
- NAI Business Director - Wisconsin
- National Association of Realtors (NAR)
- Wisconsin Realtors Association (WRA)

### Education

- BBA Marketing, University of Wisconsin - Madison
- CCIM Candidate
- MCR Candidate

### Significant Transactions

John's clients include: Novo\_1, School Specialty, MGIC, WOW Logistics, Miller Brewing, Clear Channel Outdoor, Harley-Davidson, Hypro, Roadway Express, CTI, Crown Cork & Seal, Massey Ferguson, Prologis, SPX Process Equipment and Invensys



13400 Bishop's Lane • Suite 100  
Brookfield, WI 53005

**(262) 797-9400**

Offices also in Appleton, Milwaukee and  
Madison, WI

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# Vytautas Barcas

## Vice President—Industrial

vbarcas@mlgcommercial.com • (262) 938-4428

### Professional Profile

#### Scope of Service Experience

Vytautas joined NAI MLG Commercial as a sales associate for the industrial group.

#### Background and Experience

Prior to joining NAI MLG Commercial, Vytautas developed his comprehensive sales background as a sales consultant with a high tech software value-added reseller. He constantly maintained above quota sales margins and volumes, making him the top sales producer for five consecutive years. Before his sales career, Vytautas was vice president of human resources and project manager at Standard Federal Savings. He served on the board of directors of EFT Service Corporation. As a project manager, Vytautas conducted cost reduction studies, planned and implemented new financial services, checking services and remote funds transfers at point of sale for consumers and developed administration programs for compensation plans. Vytautas has extensive experience in outside sales, project management, human resources and consulting.

#### Professional Affiliations and Designations

He is currently a member of the Commercial Association of Realtors Wisconsin (CARW).

#### Education

Vytautas holds an M.B.A. from the University of Florida and a Bachelor's degree in engineering from the University of Illinois.

#### Significant Transactions

The clients Vytautas has worked with include GE, ProLogis, S&C Electric, Life Fitness (Brunswick), F& M Bank, Chicago Title, Tuscarora, Chaney Instrument, Interstate Bakeries, Amcore Bank, Walgreens Health Initiatives, the City of Beloit and the Village of East Troy.



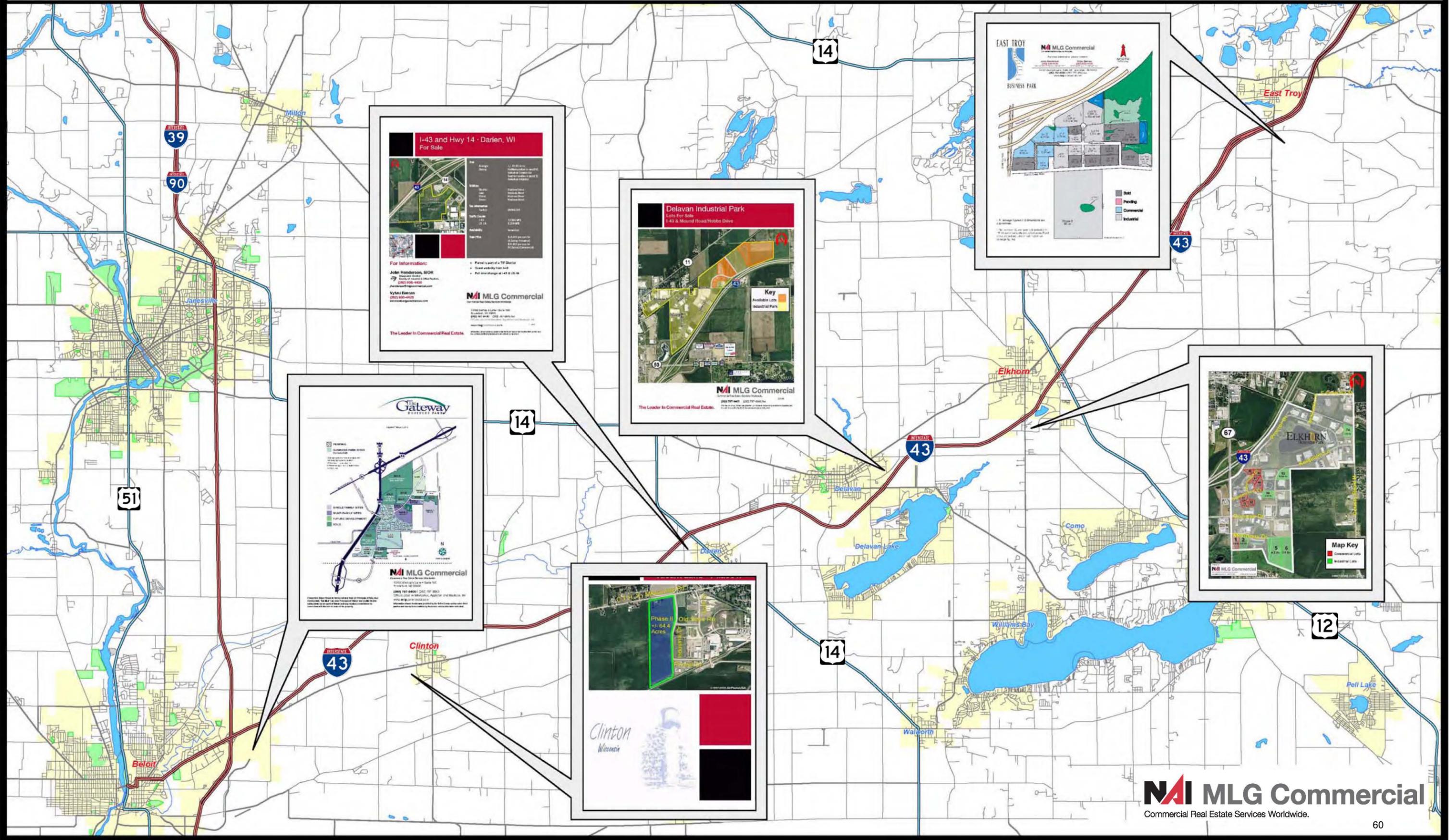
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# I - 43 CORRIDOR BUSINESS PARKS MARKETED BY MLG



**I-43 and Hwy 14 - Darlen, WI For Sale**

**For Information:**  
 John Henderson, BCR  
 Director of Sales & Marketing  
 (920) 898-8400  
 jhenderson@mlg.com

Vytas Barcus  
 (920) 898-8400  
 vbarcus@mlg.com

**MLG Commercial**  
 The Leader in Commercial Real Estate.

**Delavan Industrial Park Lots For Sale**  
 I-43 & Mound Road/Noobs Drive

**Key**  
 Available Lots  
 Industrial Park

**MLG Commercial**  
 The Leader in Commercial Real Estate.

**EAST TROY BUSINESS PARK**

**MLG Commercial**

**Map Key**  
 Sub  
 Parking  
 Commercial  
 Industrial

**The Gateway BUSINESS PARK**

**MLG Commercial**

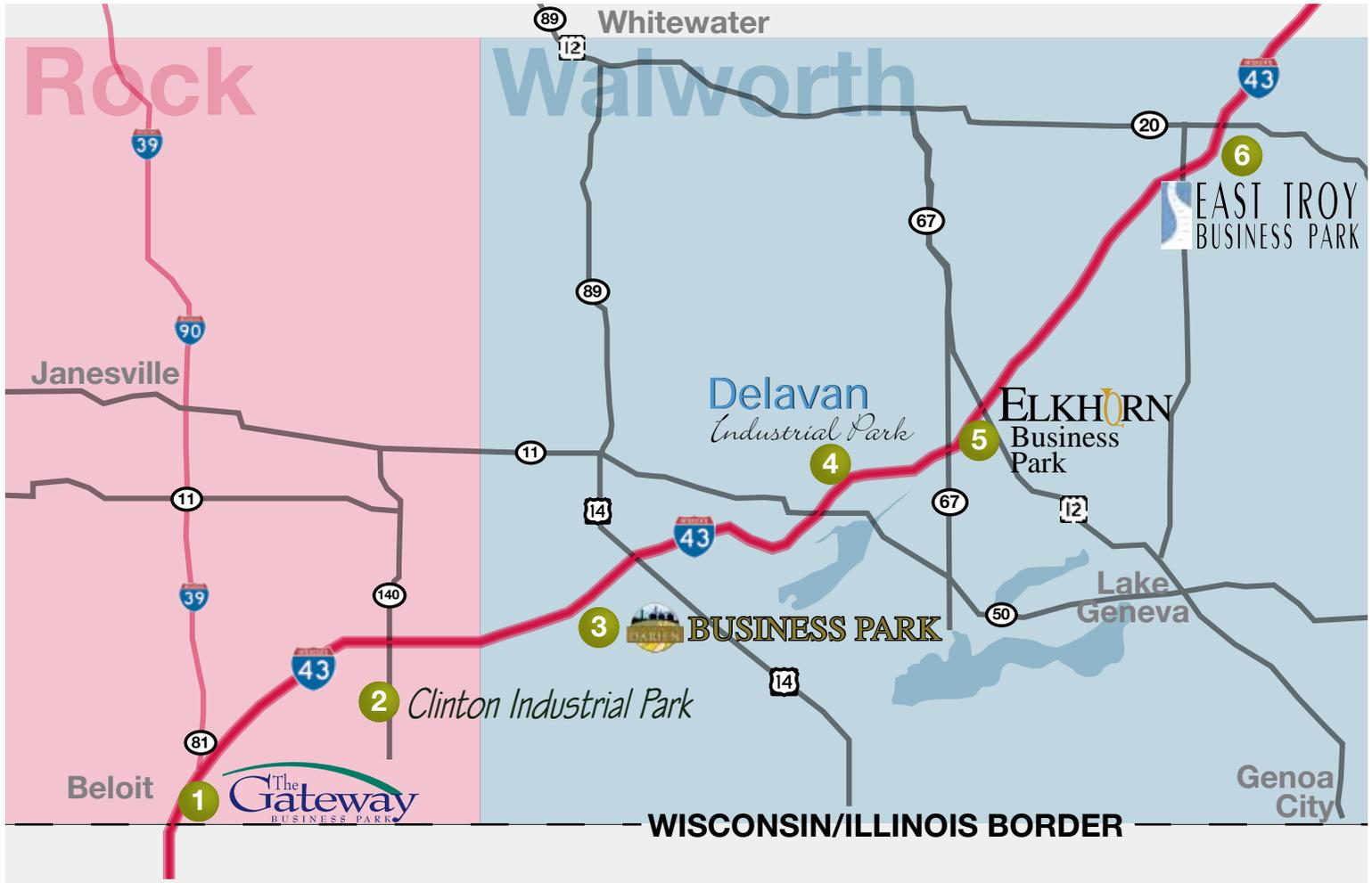
**ELKHORN**

**Map Key**  
 Commercial Lots  
 Industrial Lots

**Phase II +/- 64.4 Acres**  
 Old State Rd  
 Industrial Park

**Clinton Wisconsin**

# Rock County & Walworth County I-43 Corridor Business Parks



## For Information:

**Vytou Barcas**

**(262) 938-4428**

[vbarcas@mlgcommercial.com](mailto:vbarcas@mlgcommercial.com)

**John Henderson**

**(262) 938-4430**

[jhenderson@mlgcommercial.com](mailto:jhenderson@mlgcommercial.com)

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Information contained herein is believed to be reliable but is not warranted and is subject to change without notice. Measurements are approximate. Results may vary depending on the methodology used. A Prospective purchaser/Lessor should independently verify measurements and any and all matters believed to be material.

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# Rock County & Walworth County I-43 Corridor Business Parks

1



- Sites from 2 to 200 AC
- Adjacent to I-43 and I-90/39
- Economic Development Incentives Available
- Central Distribution Location
- Low energy costs
- From \$49,900/AC

2

## Clinton Industrial Park



- Sites from 2 to 64 AC
- Non-restrictive covenants
- Professional business climate
- Rail potential
- Convenient to I-43
- \$34,900/AC

3



- 43.85 AC
- Adjacent to I-43 and US 14
- TIF in place
- Commercial and Industrial Zoning
- \$15,000/AC Industrial
- \$20,000/AC Commercial

4

## Delavan Industrial Park

- Sites from 1.4 to 59.6 AC
- I-43 visibility
- Near destination shopping center
- Community is a resort destination
- \$40,000/AC

5

## ELKHORN Business Park

- Sites for commercial and light manufacturing
- Low interest loans available through Revolving Loan Fund
- Local electrical utility = economical rates
- Adjacent to I-43
- From \$36,000/AC

6



- Sites from 2 to 80 AC
- Corporate campus environment created through high-quality protective covenants
- Pregraded sites
- Rapid approval process
- From \$52,900/AC

### For Information:

**Vytautas Barcas**

**(262) 938-4428**

[vbarcas@mlgcommercial.com](mailto:vbarcas@mlgcommercial.com)

**John Henderson**

**(262) 938-4430**

[jhenderson@mlgcommercial.com](mailto:jhenderson@mlgcommercial.com)

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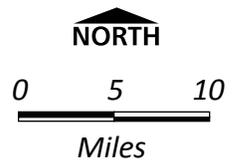
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**Business Parks Currently Marketed by: Vytautas Barcas & John Henderson**



ID	Park
1	Edgerton Business Park
2	Robert L Klement Business Park
3	Gateway Business Park
4	Clinton Industrial Park
5	Darien Business Park
6	Delavan Industrial Park
7	Elkhorn Business Park
8	East Troy Business Park





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Clients Choose NAI MLG Commercial

because...

We utilize **cutting edge technology**

We have **the strongest presence in our local market**

We have **state, national and global market coverage**

We are **the experts in commercial real estate**

We provide **unparalleled comprehensive real estate services all under one roof**

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**ORDINANCE NO. \_\_\_\_\_**  
**AN ORDINANCE AMENDING CHAPTER 2.48**  
**INDUSTRIAL DEVELOPMENT COMMISSION RENAMING IT**  
**COMMUNITY DEVELOPMENT AUTHORITY**  
(10/2/2009 3:50 PM)

The Common Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, do hereby ordain as follows:

**SECTION 1:** Whitewater Municipal Code Chapter 2.48 is hereby amended to read as follows:

**2.48.010 Purpose.**

It is found and declared that industries located in the city have been induced to move their operations in whole or in part to, or to expand their operations in other states or municipalities all to the detriment of the city's revenue raising through the loss or reduction of real estate and other local taxes, and thereby causing a decrease in employment opportunities and an increase in unemployment; that such conditions now exist in the city and may well continue to exist in the future; that economic insecurity due to unemployment is a serious menace to the general welfare of the people of the city; that unemployment results in obligations to grant public assistance and in the payment of unemployment compensation; that the absence of new economic opportunities has caused workers and their families to migrate elsewhere to find work and establish homes, which has resulted in a reduction of the tax base of the city impairing its financial ability to support education and other local governmental services; that security against unemployment and the preservation and enhancement of the tax base can best be provided by the promotion, attraction, stimulation, rehabilitation and revitalization of commerce, industry and manufacturing; that there is a need to stimulate a larger flow of private investment funds from banks, investment houses, insurance companies, and other financial institutions. A need exists in the City of Whitewater for blight elimination, slum clearance, urban renewal and community development programs and projects and housing projects.

It is therefore declared to be the policy of the city to promote the right of gainful employment, business opportunities and the general welfare of the inhabitants thereof and to preserve and enhance the tax base by the creation of an industrial development commission for the purpose of fulfilling the aims of this section and such purposes are hereby declared to be public purposes.

**2.48.020 Short title.**

This chapter shall be known and may be cited as the "City of Whitewater ~~Industrial Development Commission~~ Community Development Authority Ordinance."

**2.48.030 Definitions.**

For the purposes of this chapter, the following terms, phrases, words, and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular

number, and words in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

(1) “Chairman” is the chairman of the ~~industrial development commission~~ The Community Development Authority as provided for hereunder.

(2) “City” is the city of Whitewater, Walworth and Jefferson Counties, Wisconsin.

(3) “~~Commission~~” “Authority” is the ~~industrial development commission~~ of the city of Whitewater as created by this chapter. The commission is also at times referred to as the Community Development Authority of the City of Whitewater.

(4) “Council” is the city council of the city of Whitewater, Walworth and Jefferson Counties, Wisconsin.

(5) “Secretary” is the secretary of the ~~industrial development commission~~ Community Development Authority as provided for hereunder.

#### **2.48.040 Establishment.**

The City of Whitewater previously established an industrial development commission which has acted as the City’s community development authority. The City hereby changes the name of the industrial development commission to the Community Development Authority of the City of Whitewater and re-establishes it pursuant to Wisconsin Statute 66.1335 as a housing and community development authority to be known as the Community Development Authority of the City of Whitewater. Any redevelopment authority created under Wisconsin Statute 66.1333 operating in the city, shall henceforth terminate its operation as provided for in Wisconsin Statute 66.1335(5). The Community Development Authority shall also have authority, as specifically authorized by the City Manager and the Common Council, to act as the agent of the City in planning and carrying out community development programs and activities under the Federal Housing and Community Development Act of 1974, and to act as agent to perform all acts when specifically authorized by the City Manager and the Common Council which may be otherwise performed by the Planning Commission under Wisconsin Statute 66.105, 66.1301 to 66.1329, 66.1331 or 66.1337.

~~An industrial development commission is hereby established in and for the city.~~

#### **2.48.050 Composition.**

The commission shall be made up of the city manager and four additional members ~~appointed by him and approved by the council.~~

#### **2.48.060 Appointment and compensation of members.**

The seven member Community Development Authority shall be composed of four (4) citizen members, two (2) City Council members, and one (1) appointee from the Plan

Commission. The City Council members shall be appointed to the Community Development Authority on an annual basis by the City Council. The Plan Commission representative shall be appointed by the Plan Commission on an annual basis. The four citizen members shall be appointed under the procedures set forth in Whitewater Municipal Code Section 2.12 for three-year terms. In no event shall any member of the Authority serve as a member for more than six successive years.

~~The city manager shall, immediately after May 18, 1971, nominate to the council the names of four individuals to serve on the commission. One of the nominees shall be nominated for a term of one year, one shall be nominated for a term of two years, and the remaining two shall be nominated for a term of three years. Thereafter, the city manager shall nominate to the council a successive commission member to fill the term of the commission member or members whose commission expires in any year for a period of three years. In no event shall any member of the commission serve as a commissioner for more than two successive terms.~~

#### **2.48.070 Vacancies.**

Citizen vacancies occurring on the ~~commission~~ Authority shall be filled for the unexpired term under the procedures set forth in Chapter 2.12. by nomination by the city manager subject to the approval of the council. The City Council and Plan commission shall appoint a ~~council~~ member to complete any unexpired term if their representative position becomes vacant.

#### **2.48.080 Removal of members.**

~~The council, by a majority vote, shall have the authority to remove any member of the ~~commission~~ Authority from office for just cause when the best interests of the city shall be served thereby. It shall be considered just cause for the removal of a commission member his failure to attend two consecutive regular or special meetings with unexcused absences. Members may be excused from attendance of any meeting only by the city manager. In order that the above definition of just cause for removal shall not be exclusive, a commission member may be removed for malfeasance, misfeasance, or nonfeasance in office at the discretion of the city manager.~~

#### **2.48.090 Election of officers.**

Within ten days after their appointment, the members of the ~~commission~~ Authority shall meet in regular session and organize by electing from their members a chairman and secretary to serve until the first council meeting of the following May or until a successor has been appointed.

#### **2.48.100 Duties of officers.**

(a) CHAIRMAN. It shall be the duty of the chairman to preside over all meetings of the ~~commission~~ Authority. In his or her absence, a vice chairman may be elected to preside.

(b) SECRETARY. It shall be the duty of the secretary to keep a record of all proceedings of the ~~commission~~, Authority transmit its recommendations to the council, and perform such other duties as are usually performed by the secretary of a deliberative body.

#### **2.48.110 ~~Commission~~ Authority staff.**

The ~~commission~~ Authority shall have the authority to employ such professional and other personnel as it shall deem necessary within the means provided by appropriations made therefore by the council. All employees of the ~~commission~~ Authority shall be under the direction of the administrative head of the city, the City Manager. The compensation of such employees shall be fixed by the council.

#### **2.48.120 Rules and procedures.**

The ~~commission~~ Authority shall adopt a set of rules to govern its own meetings and procedures. The rules may be amended from time to time, but only upon notice to all members that the proposed amendments shall be acted upon at a specified meeting. A majority vote of the ~~commission~~ Authority shall be required for the approval of the proposed amendment.

#### **2.48.130 Meetings.**

(a) The ~~commission~~ Authority shall meet regularly at least once each month at a time to be selected by the ~~commission~~ Authority as a body.

(b) Written notice of special meetings shall be given to all members at least three days prior to the meeting; provided, however, that the written notice may be waived by the members of the ~~commission~~ Authority in the minutes of the meeting by a majority of a quorum of the ~~commission~~ Authority.

#### **2.48.140 Powers and duties.**

The ~~industrial development commission~~ Community Development authority shall have the following powers and duties:

(1) To confer with and advise the council and Planning Commission on all matters concerning the industrial development of the city;

(2) To advertise the industrial advantages and opportunities of the city within the means provided by any appropriations made therefore by the council;

(3) To collect data and information as to the type of industries best suited to the city;

(4) To develop, compile and coordinate information regarding available areas suitable for industrial development;

5) To encourage the proper zoning and orderly development of areas suitable for industrial development and to promote the interest of industrialization of such areas of the city;

(6) To aid the City Council and Planning Commission in the attraction of new industries and in the encouragement of expansion by existing industries and businesses;

(7) To cooperate with all community groups which are dedicated to orderly industrial and economic expansion of the city, and to furnish them such aid and advice as is deemed appropriate;

(8) To cooperate with all industries and businesses in the city in the solution of any community problems which they might have, and to encourage the management of such concerns to have a healthy and constructive interest in the city's welfare;

(9) To periodically survey the overall condition of the city from the standpoint of determining whether the city has a community climate and furnishes such services and facilities as are conducive to industrial and economic expansion;

(10) To recommend to the council the leasing, sale or use of city-owned properties for industrial purposes.

(11) All powers set forth in Wisconsin Statute Sections 66.1335 (Housing and Community Development Authorities) and any amendments thereto

#### **2.48.150 Advisory Capacity.**

Except as may otherwise be provided by ordinance, the powers and duties of the ~~industrial development commission~~ Community Development Authority ~~are of an advisory nature only, and the commission shall not have any powers or duties which conflict with or supersede the powers and duties of other city commissions or boards.~~ do not supercede the powers and duties of the City Council.

#### **2.48.160 City officials to cooperate.**

All officers and division heads of the city shall cooperate with the ~~commission~~ Authority and render all reasonable assistance.

#### **2.48.170 Power to incur liability limited.**

Neither the ~~commission~~ Authority nor any member thereof shall incur any financial liability in the name of the city.

#### **2.48.180 Annual report.**

The ~~commission~~ Authority shall render annually a full report of its work to the council.

Ordinance introduced by Councilmember \_\_\_\_\_, who moved its adoption. Seconded by Councilmember \_\_\_\_\_.

AYES:

NOES: \_\_\_\_\_  
Kevin Brunner, City Manager

ABSENT: \_\_\_\_\_  
Michele R. Smith, City Clerk

DATED:

# REQUEST FOR PROPOSALS



**North Jefferson Street/Starin Road  
WUP 00033 & WSS 00060**

## PROPERTY FOR SALE



DESCRIPTION: Seeking Listing Agent for Vacant Residential Property

DUE DATE: Aril 18, 2011  
4:00 PM

General Information:

- a. The City of Whitewater owns the property commonly referred to as the Former Alpha Cast Site, situated in the City of Whitewater and in the County of Walworth.
- b. The property consists of parcels WUP 00033 and WSS 00060
- c. The property is approximately 5.6+/- acres of vacant property located at the north end of Jefferson Street and south of the newly extended Starin Road.
- d. The property is a former Brownfield site. The Whitewater CDA is working with Environmental Consultants to obtain a "No further Action" statement and to have the property officially registered as a "Closed" Brownfield through the Wisconsin Department of Natural Resources.
- e. The property is zoned as R-2; One and Two Family Residential
- f. The Wisconsin Department of Natural Resources has issued an Exemption for Development for the premises. An Exemption for Development Where Solid Waste had been Disposed of limits the development of the premises roadway and single and multi-family development. If a different end use is proposed, a new exemption form will have to be filled out.
- g. The Site is bordered by a pedestrian/bike trail on the west and is made up of residential properties to the south and east; Light Manufacturing to the north; and a City-owned facility directly northwest.

The purpose of this RFP is to seek proposals from qualified individuals or firms to list the Premises for sale for fair market value.

Responses must be organized in a manner that allows for complete review of each project element.

- a. Letter of Intent;
- b. Project Name;

- c. Company name, address, telephone number, and contact person; A one-page statement of interest and qualifications for this project;
- d. Key personnel proposed as project team members;
- e. Marketing Plan to include:
  - i. Presentation of Property Listing
  - ii. Listing resources such as: Internet, Mobile, News Paper
  - iii. Reporting to the City/CDA
- f. Descriptions of recent and related projects completed by your firm;
- g. A brief (maximum two-page) project understanding description;
- h. Fees to include commission and co-brokerage commissions.
- a. *Respondents shall have experience providing these services, and provide a listing of and references from no fewer than four (4) jobs completed within the past two years.*

The City of Whitewater CDA reserves the right to fully investigate all references, and to communicate with and investigate other references regardless of the source from which it was secured.

**Reference information must include:**

- Name of owner
- \*Project name
- \*Brief description of firm's involvement
- \*Contact person
- \*Address
- \*Telephone number
- \*Firm's key personnel assigned to the referenced project

Inquiries and other communications about this Request for Proposals shall be made through the City's Community Development Authority. Direct inquiries to:

Mary Nimm  
 Coordinator, Community Development Authority  
 312 W Whitewater Street  
 Whitewater, WI 53190  
 262-473-0148  
[mnimm@whitewater-wi.gov](mailto:mnimm@whitewater-wi.gov)

Questions from all Agents will be accumulated and answers sent simultaneously to all Agents to ensure that identical responses are received to the same questions. Any clarifications made, or additional information will be provided to all Agents.

Proposals shall be delivered to the City Clerk's office no later than 4:00 PM on April 18, 2011. The City reserves the right not to consider proposals received after this date and time.

Proposals shall be submitted to:

City of Whitewater  
City Clerk's Office  
312 W Whitewater Street  
Whitewater, WI 53190

Submit one (1) original and nine (9) copies of the proposal in a sealed envelope. On the front of the envelope, place the following information:

"Sealed Proposal"  
Listing of Vacant Residential Property For Sale

**Sealed proposals will be opened at , on**

Board members of the Community Development Authority and Staff members of the City of Whitewater will review all proposals soon after their opening. Selected Agents may be asked to give an oral presentation to the CDA and City Council describing their proposals. If an oral presentation is requested, at least a five (5) working day lead time will be allowed for the Agent to prepare. Presentations by Agent's, at the discretion of the CDA and City Council, may be held in closed session. All proponents will be invited to the public hearing, which will be held by the Community Development Authority and the City of Whitewater on the selected development proposals for the purchase and redevelopment of this block of three connected buildings in the downtown district.

- A. The CDA will review all proposals. Selection will be based upon the evaluation criteria set forth. The terms, conditions, and other material provisions of the contract are also subject to approval by the Whitewater Common Council prior to entering into a contract.
- B. The CDA has the right to reject any and all proposals received, reserving the right to utilize any ideas or concepts contained with the proposals, without any obligation or permission of the Agent(s). All Agent's, by submitting a proposal; agree to all terms and conditions of this Request for Proposal. The Whitewater Common Council has final approval.

Law Compliance - It is expected that all respondents are thoroughly conversant with, and will perform work in conformance with, all applicable federal and state regulatory requirements. If applicable, the respondent must be licensed to transact business in the State of Wisconsin.

Final sales require the appropriate plan reviews and permits from local permitting authority, and will be reviewed by the Whitewater Common Council.

Public Records - Public records containing this Request for Proposal and each response received, together with copies of all documents pertaining to the award of contracts, will be on file with the City of Whitewater CDA and shall be open to public inspection after the selection process is completed.

ANY DEVIATION FROM THE ABOVE INSTRUCTIONS AND REQUIREMENTS MAY BE GROUND FOR DISQUALIFICATION AND REJECTION OF AN OFFER. IN ADDITION, THE COMMUNITY DEVELOPMENT AUTHORITY HAS THE STATUTORY RIGHT TO REJECT OR WAIVE ANY AND ALL PROPOSAL REQUIREMENTS OR PROPOSALS OR TO IMPOSE ADDITIONAL REDEVELOPMENT REQUIREMENTS.