

**Project Plan Amendment
for Designation of
Tax Incremental Finance District No. 4
as a
Distressed TID
Within the
CITY OF WHITEWATER, WISCONSIN**



**City of
WHITEWATER**

September 1, 2010 **[DRAFT]**

Public Hearing Held:	
Adopted by Plan Commission:	
Adopted by City Council:	
Anticipated approval by Joint Review Board:	

Project Plan Amendment for Designation of Tax Incremental Finance District No. 4 as a Distressed TID

City of Whitewater Officials

City Council

Patrick Singer	Council Member
James Olsen	Council Member
Marilyn Kienbaum	Council Member
Jim Stewart	Council Member
Jim Winship	Council Member
Lynn Binnie	Council Member
Javonni Butler	Council Member

City Staff

Kevin Brunner	City Manager
Mary Nimm	Community Development Coordinator
Michele Smith	City Clerk
Doug Saubert	Finance Director
Connie DeKemper	City Treasurer
Dean Fischer	Public Works Director
Wally McDonell	City Attorney

Plan Commission

Bruce Parker	Building & Plumbing Inspector, Zoning & Building & Code Enforcement Director
Gregory Torres	Chair
Lynn Binnie	Vice Chair, Council Representative
David Stone	Park Board Representative
Karen Coburn	Member
Kristine Zaballos	Member
Thomas Miller	Member
Rod Dalee	Member

Community Development Authority

Tom Miller	Chair
Jeff Knight	Vice Chair
Jim Stewart	Member
Patrick Singer	Member
Alan Marshall	Member
Jim Allen	Member
Albert Stanek	Member

Joint Review Board

Council Appointment	City Representative
Jessica Lanser	Walworth County
Mark Zlevor	Gateway Technical College District
Dr. Suzanne Zentner	Whitewater School District
Joint Review Board Appointment	Public Member

TABLE OF CONTENTS

HISTORY OF TID #4.....	5
REQUIREMENTS FOR DISTRESSED TID DESIGNATION.....	6
DEVELOPMENT ASSUMPTIONS.....	7
PROJECTED REVENUE.....	9
DISTRESSED FEASIBILITY STUDY.....	10
MAP OF EXISTING DISTRICT BOUNDARY.....	16
OPINION OF ATTORNEY.....	17

1

HISTORY OF TID #4

The City of Whitewater created Tax Incremental District No. 4 (the "District") in 1990 under authority of Wisconsin §66.1105 primarily to promote the orderly development of the City. The addition, construction of streets and utilities were needed in order to provide incentives for industrial recruitment and growth, as well as to stimulate private sector development throughout the TID. The new development, which has occurred as a result of the projects undertaken within the District boundaries, has provided the City with additional tax base and provided employment opportunities.

The Project Plan and boundaries were amended in 1996. The primary purpose for the amendment was to expand the Whitewater Business Park in order to allow for continued industrial growth, stimulate job creation and tax base expansion and diversification. In addition, infrastructure needed to be constructed, business recruitment incentives needed to be put in place, and downtown improvements were needed to assist in retail and commercial expansion as well as blight elimination.

The Project Plan was amended in 2005. The City determined that it would continue to benefit the overall community to expand its economic base by amending the Project Plan to provide for the undertaking of additional expenditures. In order to promote additional development, the City's second amendment to the District included additional projects.

The City's original intent was to create a tax incremental district to assure that high quality industrial, distributor, and related private development would be located in the District. The goal was also to provide and preserve employment opportunities within the City, promote growth, and to provide rehabilitation and conservation of lands currently lacking adequate infrastructure, roadways, sewers, and platting consistent with the City's Master Plan. To date, the City has yet to complete all of the projects proposed in the original Project Plan. A summary of the projects found in the original Project Plan and first amendment, along with the related cost estimates, can be found in the original and amended Project Plan.

To further the goals contained in the original creation Project Plan, the City of Whitewater in 2005 found it desirable to amend the District's boundaries to add Additional Territory, and subtract property to add same back to the tax roll for the benefit of the taxpayers of the overlapping jurisdictions of the City, and to amend the Project Plan to provide for the undertaking of additional expenditures. Up to four boundary amendments are allowed during the life of the District. The 2005 amendment was the second boundary amendment of Tax Incremental District No. 4.

In the project plan that follows the City has only addressed the elements or subject areas (required by Statute) that are affected by the distressed designation. All other subject areas remain unchanged and can be referenced in the original TID#4 project plan or subsequent amendments.

2

REQUIREMENTS FOR DISTRESSED TID DESIGNATION

REQUIREMENTS FOR DISTRESSED TID #4:

1. The TID must have been created before October 1, 2008.
City of Whitewater TID #4 Created September 18, 1990.
2. The TID has been in existence for at least 7 years before the resolution.
City of Whitewater TID #4 has been in existence for 20 years.
3. The TID has not been amended after October 1, 2009.
City of Whitewater TID #4 was last amended in May, 2005.
4. The projected TID increments are insufficient to pay project costs and debt during the TID's life.
Insufficient increments are illustrated on schedules provided by Robert W Baird.
5. The TID's increment in any year has declined at least 25% from the highest value increment (Severely Distressed only).
6. Any increment that exceeds the TID's annual expenditures shall retire any debt of the TID or establish a reserve used only to retire debt of the distressed, or severely distressed TID.

DISTRESSED TID #4 MAY NOT:

1. Make any expenditures after its original expenditure period ends.
City of Whitewater TID #4 expenditure period ends September 18, 2012.
2. Amend its project plan to add any new project costs.
3. Become part of a TID with overlapping boundaries.
4. Expend any funds outside its boundaries.
5. Add territory.
6. Become a donor TID.

The designation of TID 4 as Distressed will allow the extension of the TID's maximum life by 10 years beyond its original termination date of September 18, 2017.

3

DEVELOPMENT ASSUMPTIONS

The City of Whitewater projects, to the best of its knowledge, estimated new construction increment (which is projected to occur in TID #4) over the next several years.

The increment estimates are reviewed periodically based on economic information at the time of review. Due to the economic downturn, several proposed projects have either been downsized or have not occurred.

Refer to the development assumptions in the amendment for detail.

The assumptions used for the Distressed TID Designation are reflected in the column titled "7/16/10 Increment Assumptions." The amounts are reflected in column 'e' of the schedules.

4

PROJECTED REVENUE

Exhibit 1 estimates the TIF revenues that will be available to retire the debt incurred to finance project costs for the years 2010-2013. These numbers are reflected in schedules on page 8 and pages 12-15.

This Exhibit is based on the following assumptions:

The base value of the District is \$22,445,300

Tax base will be generated as of January 1 each year as follows:

ESTIMATED INCREMENT	
2009	\$ 970,000
2010	\$ 400,000
2011	\$ 400,000
2012	\$3,900,000
2013	\$6,940,000

Exhibit 1

See schedule son page 12-15 of this plan for tax base estimates provided by the City Staff.

The equalized tax rate in 2010 is projected to be \$19.44 per thousand. It is projected to remain constant throughout the pro forma.

Annual Inflation is assumed to be zero during the remaining life of the TID.

5

DISTRESSED FEASIBILITY STUDY

The City of Whitewater, is located in both Jefferson and Walworth County, is a community of approximately 14,454 in population.

Effective October 1, 2009, Act 310, allows a municipality to designate a TID as distressed. The ability to designate a TID as distressed or severely distressed is available for a two-year period and expires on September 30, 2011.

Within TID 4, the City of Whitewater has several Development Agreements with contractual PILOT (Payments In Lieu of Tax) Payments within each of the agreements. Each PILOT agreement guarantees a minimum property value benchmark establishing a systematic method of repaying the district. Developer PILOT Payments are outlined in column 'O' on page 13 or column 'A' on page 15.

The City and Elkhorn Road Venture, L.L.C. entered into a Redevelopment Agreement on January 26, 2007. The City invested \$978,319.00 for the purposes of assisting the redevelopment project by installing infrastructure improvements in the form of, but not limited to, the relocation of Bluff Road, installation of stormwater, water, and sewer, a round-a-bout intersection, curb cuts along Elkhorn Road and at Elkhorn Road and Bluff Road/Clay Street recognizing that "revitalization promotes economic stability" within the City and within Tax Increment Finance District #4.

The redevelopment agreement identifies a "Guaranteed Property Value" for the project in the amount \$8,500,000 for each year subsequent to 2008. A "payment in lieu of tax" was agreed to be paid by the developer representing the difference between the taxes actually assessed on the Development based on the assessed value of the Development and the taxes which would have been assessed on the Development for that year. "Term of the Agreement" is the making of such PILOT payment up to the year 2017 or the termination of TID 4.

As of the Distressed TID Plan Amendment of September 1, 2010, no development and/or redevelopment has occurred as a part of the Redevelopment Agreement with Elkhorn Road Ventures. Subsequently the projected revenues from this agreement have not been met, leaving the district with a short-fall in revenues.

In addition to the lack of increment from the development of the Elkhorn Road Ventures Agreement, the State of Wisconsin Tax Appeals Commission entered into a settlement agreement with Generac Corporation that will further reduce the TID 4 revenues.

The State of Wisconsin, Department of Revenue Manufacturing TELCO Division established the assessed values for an identified portion of the Generac Corporation office and manufacturing complex, located in the City of Whitewater Tax Increment Finance District #4. The settlement agreement reduced the

Assessed Value of said property by \$2,500,000 for the tax years 2007-2013. As a result, a refund was issued to the Generac Corporation, paid in full by Tax Increment Finance District #4, in the amount of \$91,023.30 for the years 2007-2008.

Assessed values for the Generac Corporation properties for the years of 2009-2013 have been established as \$8,100,000, resulting in an assessed value reduction of \$2,500,000 subsequently resulting in a yearly reduction of increment to the district of approximately \$49,125.

As illustrated above, the City of Whitewater Tax Increment District #4 has experienced a lack of projected development and a reduction in property value, thus reducing the project increment as identified in the 2005 Project Plan Amendment.

Whitewater's TID #4 was one of the Wisconsin Tax Increment Districts that was cited by the League of Wisconsin Municipalities during its testimony in support of the passage of ACT 310 which allows for the designation of Distressed TIF Districts. The League, as well as the City, submitted information to the State Legislature that included financial projections that indicated that Whitewater TID #4 project costs incurred would exceed the amount of revenues from all sources that the City expects that TID #4 would generate to pay off these costs during the life of the district. This situation that confronts Whitewater TID #4 as well as a number of other Wisconsin TID's was very compelling and ultimately led to the passage of ACT 310 in April of 2010.

The charts and exhibits on the following pages demonstrate that the revenue from the District will be insufficient to pay for improvements made.

TID #4 Current Status as of July 16, 2010

City of Whitewater Tax Increment District No. 4 Cash Flow Proforma Analysis

Assumptions	
Annual Inflation During Life of TID.....	0.00%
2009 gross tax rate (per \$1000 equal. value) -- pro rata.....	\$19.65
2010-2017 estimated gross tax rate (per \$1000 equal. value) -- pro rata.....	\$19.44
Investment rate for Investment Proceeds.....	0.70%
Data above dashed line are actual	

Background Data						Revenues			
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)
Val. Date	TIF District Valuation (January 1)	Value of Exempt Computers (December 31)	Inflation Increment	Inflation Increment	TIF Increment Over Base	Tax Rate	Tax Revenue	Investment Proceeds (2)	Total Revenues
	Base Value								
1990	\$21,728,300								
2005	\$22,445,300								
2003	\$77,704,300	\$1,045,000			\$57,297,900		\$1,520,006	\$0	\$1,520,006
2004	\$77,981,200	\$1,172,100			\$70,980,000		\$1,527,782	\$0	\$1,527,782
2005	\$81,536,200	\$786,400			\$63,194,800	\$18.24	\$1,535,558	\$0	\$1,535,558
2006	\$84,853,700	\$1,029,400			\$72,628,700	\$18.46	\$1,561,374	\$0	\$1,561,374
2007	\$84,044,600	\$809,200			\$76,680,200	\$19.65	\$1,746,287	\$0	\$1,746,287
2008	\$88,296,300	\$897,300			\$78,603,200	\$19.65	\$1,746,287	\$0	\$1,746,287
2009	\$88,151,200	\$897,300			\$78,189,600	\$19.44	\$1,746,287	\$0	\$1,746,287
2010	\$91,297,600	\$897,300	\$0	\$400,000	\$78,589,600	\$19.44	\$1,504,973	\$1,346	\$1,506,319
2011	\$100,137,600	\$897,300	\$0	\$400,000	\$78,989,600	\$19.44	\$1,520,006	\$0	\$1,520,006
2012	\$100,537,600	\$897,300	\$0	\$3,900,000	\$82,889,600	\$19.44	\$1,527,782	\$0	\$1,527,782
2013	\$104,437,600	\$897,300	\$0	\$6,940,000	\$89,829,600	\$19.44	\$1,535,558	\$0	\$1,535,558
2014	\$111,377,600	\$897,300	\$0	\$0	\$89,829,600	\$19.44	\$1,561,374	\$0	\$1,561,374
2015	\$111,377,600	\$897,300	\$0	\$0	\$89,829,600	\$19.44	\$1,746,287	\$0	\$1,746,287
2016	\$111,377,600	\$897,300	\$0	\$0	\$89,829,600	\$19.44	\$1,746,287	\$0	\$1,746,287
2017	\$111,377,600	\$897,300	\$0	\$0	\$89,829,600	\$19.44	\$1,746,287	\$0	\$1,746,287
2018									
2019									
2020									
2021									
2022									
2023									
2024									
2025									
2026									
2027									
2028									
2029									
							\$14,444,928	\$1,346	\$14,446,273

9/18/1990 TID Inception
 9/18/2012 Final Year to incur TIF-related costs. (1) Per City. Estimates as of July 16, 2010.
 9/18/2017 Maximum legal life of TID (27 Years) (2) Includes investment earnings from all sources

TID #4 Distressed Designation
 Restructure / New Money
 Includes Elkhorn Road PILOT 2011-2017 - \$123,483

**City of Whitewater
 Tax Increment District No. 4
 Cash Flow Proforma Analysis**

		EXAMPLE NEW MONEY										TID Status			
FINAL PRICING															
Val. Date	(k) Existing Debt Service	(l) Less: Refunded Debt Service	(m) Principal (9/1)	(n) Interest (3/1 & 9/1)	(o) Debt Service	(p) Principal (9/1)	(q) Interest (3/1 & 9/1)	(r) Subsidy	(s) Debt Service	(t) Combined Debt Service	(u) Annual Balance	(v) Developer PILOT Payments (f)	(w) Year End Cumulative Balance (December 31)		
2003															
2004															
2005															
2006															
2007															
2008															
2009	\$1,966,464	(\$607,025)	\$935,000	\$65,988	\$1,000,988	\$915,000	\$84,288	\$969,288	\$29,421	\$1,301,590	\$447,781	\$148,093	\$1,033,576	2009	
2010	\$2,141,695	(\$686,680)	\$690,000	\$40,275	\$730,275	\$690,000	\$40,275	\$730,275	\$29,421	\$1,030,905	\$722,617	\$112,968	\$1,869,161	2010	
2011	\$2,239,275	(\$753,655)	\$710,000	\$21,300	\$731,300	\$710,000	\$21,300	\$731,300	\$29,421	\$1,031,339	\$92,500	\$2,689,694	\$2,689,694	2011	
2012	\$2,434,993	(\$741,310)	\$125,000	\$45,263	\$154,421	\$125,000	\$45,263	\$154,421	\$29,421	\$424,049	\$92,500	\$4,123,260	\$4,123,260	2012	
2013	\$2,620,785	(\$778,020)	\$130,000	\$34,450	\$152,993	\$130,000	\$34,450	\$152,993	\$29,421	\$423,887	\$92,500	\$5,566,612	\$5,566,612	2013	
2014	\$2,286,617	(\$411,390)	\$135,000	\$28,470	\$163,506	\$135,000	\$28,470	\$163,506	\$29,421	\$423,887	\$92,500	\$7,020,478	\$7,020,478	2014	
2015	\$1,709,133	(\$410,190)	\$140,000	\$22,068	\$154,337	\$140,000	\$22,068	\$154,337	\$29,421	\$428,188	\$92,500	\$8,480,575	\$8,480,575	2015	
2016	\$1,622,797	(\$407,940)	\$145,000	\$15,198	\$154,878	\$145,000	\$15,198	\$154,878	\$29,421	\$428,188	\$92,500	\$9,947,782	\$9,947,782	2016	
2017	\$271,182	(\$407,940)	\$150,000	\$7,875	\$155,119	\$150,000	\$7,875	\$155,119	\$29,421	\$429,721	\$92,500	\$11,428,016	\$11,428,016	2017	
2018	\$271,210											\$192,241	\$1,033,576	2018	
2019	\$270,618											\$506,421	\$1,869,161	2019	
2020	\$269,628												\$2,689,694	2020	
2021	\$273,291												Expenditures Recovered	2021	
2022	\$271,495												Expenditures Recovered	2022	
2023	\$274,329												Expenditures Recovered	2023	
2024	\$276,607												Expenditures Recovered	2024	
2025	\$273,309												Expenditures Recovered	2025	
2026	\$274,603												Expenditures Recovered	2026	
2027	\$275,366												Expenditures Recovered	2027	
2028	\$275,421												Expenditures Recovered	2028	
	\$20,288,816	(\$4,796,210)	\$4,145,000	\$924,975	\$4,969,975	\$950,000	\$640,795	(\$224,278)	\$1,366,517	\$21,829,098	\$3,293,123	\$12,917,078	\$12,917,078	2029	

6

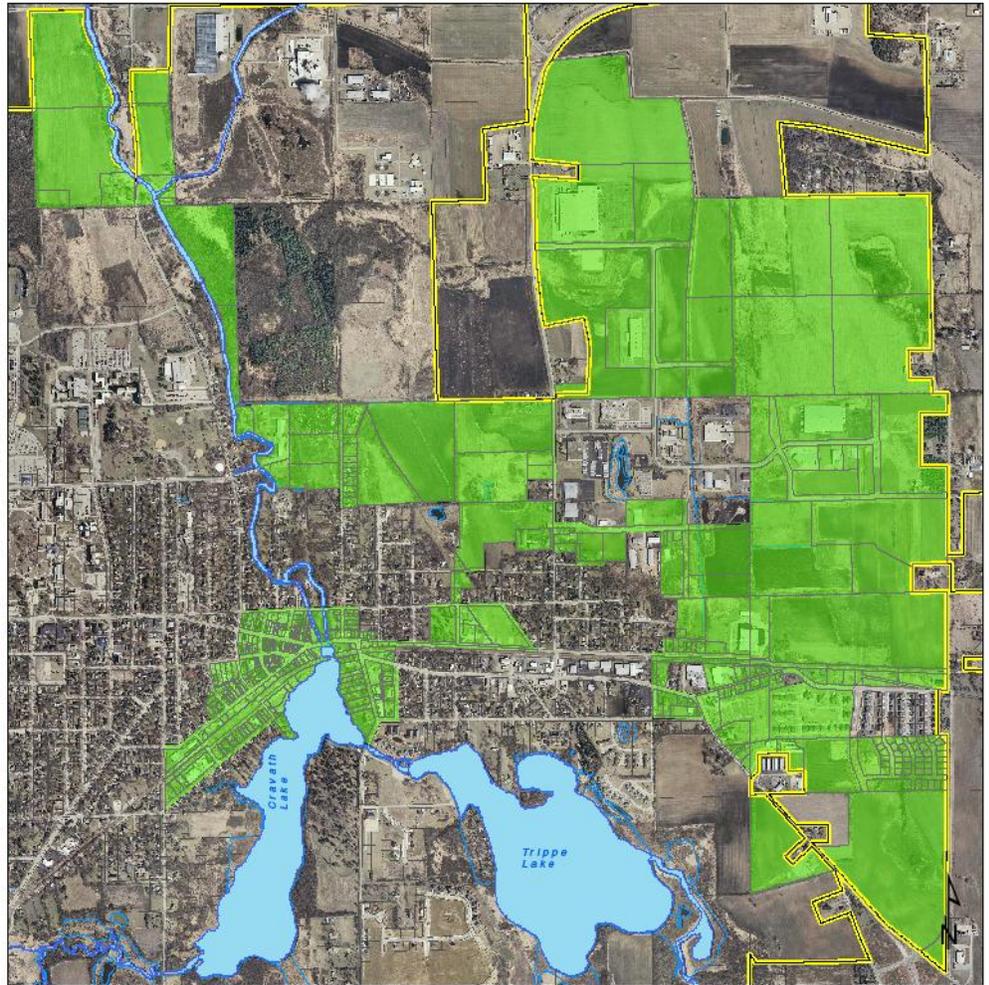
MAP OF EXISTING DISTRICT BOUNDARY

The following map identifies the existing District's boundaries.

City of Whitewater

Tax
Increment
Finance
District 4

/A 2060001	/OT 0002B	/TR 0002C	/WFE 0002E
/A 2060002	/OT 00021	/TR 0002D	/WFE 0002F
/A 4450001	/OT 00022	/TR 0002E	/WFE 0002G
/A 4710002	/OT 00023	/TR 0002F	/WFE 0002H
/A 7090001	/OT 00024	/TR 0002G	/WFE 0002I
/A 7090002	/OT 00025	/TR 0002H	/WFE 0002J
/A 7090002A	/OT 00027	/TR 0002I	/WFE 0002K
/A 7520001	/OT 00028	/TR 0002J	/WFE 0002L
/A 7520002	/OT 00029	/TR 0002K	/WFE 0002M
/A 7530001	/OT 00031	/TR 00012	/WFE 0003E
/A 7530002	/OT 00033	/TR 00014A	/WFE 0003F
/A 8430001	/OT 00034	/TR 00015	/WFE 0003G
/A 8290001	/OT 00034	/TR 00015	/WFE 0003H
/A 8290002	/OT 00035	/TR 00017	/WFE 0003I
/A 9320001	/OT 00035A	/TR 00018	/WFE 00040
/A 9320002A	/OT 00036	/TR 00022	/WFE 00041
/A 9320002B	/OT 00037	/TR 00023	/WFE 00042
/A 15570001	/OT 00038	/TR 00024	/WFE 00043
/A 15570002	/OT 00039	/TR 00025	/WFE 00044
/A 15570003	/OT 00040	/TR 00026	/WFE 00045
/A 1440001	/OT 00041	/TR 00027	/WFE 00046
/A 1440002	/OT 00042	/TR 00027A	/WFE 00047
/A 1930001	/OT 00043	/TR 00027B	/WFE 00048
/A 2550001	/OT 00044	/TR 00027C	/WFE 00049
/A 2590001	/OT 00047	/TR 00027D	/WFE 00050
/A 2590001A	/OT 00048	/TR 00028	/WFE 00050A
/A 2590002	/OT 00049	/TR 00029	/WFE 00050B
/A 2590003	/OT 00070	/TR 00030	/WFE 00053
/A 2590004	/OT 00071	/TR 00031	/WFE 00054
/A 2590005	/OT 00072	/TR 00048	/WFE 00054C
/A 25740002	/OT 00073	/TR 00049	/WFE 00058
/A 25740003	/OT 00074	/TR 00050	/WFE 00059
/A 27030001	/OT 00075	/TR 00051	/WFE 00059F
/A 27030002	/OT 00076	/TR 00051	/WFE 00060
/A 27030003	/OT 00077	/TR 00052	/WFE 00060A
/A 2840001	/OT 00078	/TR 00053	/WFE 00060A1
/A 2840002	/OT 00079	/TR 00053	/WFE 00060A2
/A 2860001	/OT 00080	/TR 00054	/WFE 00060C
/A 3000001	/OT 00081	/TR 00056	/WFE 00060D
/A 3180001	/OT 00082	/TR 00056	/WFE 00060E
/A 3180002	/OT 00083	/TR 00051	/WFE 00060A
/A 3180003	/OT 00084	/TR 00052	/WFE 00060B
/A 3180004	/OT 00085	/TR 00054	/WFE 00060C
/A 31250004	/OT 00086	/TR 00014	/WFE 00060D
/A 31250001	/OT 00126	/TR 00015	/WFE 00060E
/A 3180001	/OT 00127	/TR 00027	/WFE 00060F
/A 3180002	/OT 00128	/TR 00027A	/WFE 00060G
/A 3280001	/OT 00131	/TR 00028	/WFE 00067
/A 3280002	/OT 00132	/TR 00029	/WFE 00068
/A 3280003	/OT 00133	/TR 00030	/WFE 00069
/A 3280004	/OT 00134	/TR 00031	/WFE 00070
/A 3280005	/OT 00135	/TR 00032	/WFE 00069B
/BFW 0001	/OT 00136	/TR 00033	/WFE 00012C
/BFW 0002	/OT 00137	/TR 00036	/WFE 00018
/BFW 0003	/OT 00138	/TR 00037	/WFE 00018B
/BFW 0003A	/OT 00139	/TR 00038	/WFE 00018D
/BFW 0003B	/OT 00140	/TR 00039	/WFE 00024
/DA 00010	/OT 00141	/TR 00040	/WFE 00025
/DA 00021	/OT 00141A	/TR 00041	/WFE 00021A
/DAJ 00013	/OT 00142	/TR 00042	/WFE 00023
/DAJ 00011	/OT 00144	/TR 00042A	/WFE 00033A
/ES 00005	/OT 00145	/TR 00043	/WFE 00024
/ES 00006	/OT 00150	/TR 00044	/WFE 00026
/ES 00007	/OT 00151	/TR 00045	/WFE 00027
/HAB 0000A	/OT 00152	/TR 00046	/WFE 00025
/HAB 00004	/OT 00153	/TR 00049	/WFE 00026
/HAB 00005	/OT 00154	/TR 00050	/WFE 00027
/HAB 00006	/OT 00155	/TR 00051	/WFE 00027A
/HAB 00006A	/OT 00156	/TRP 00033	/WFE 00027B
/HAB 00007	/OT 00157	/TRP 00034	/WFE 00027C
/HAB 00008	/OT 00159	/TRP 00034A	/WFE 00028
/HAB 00008A	/OT 00159	/TRP 00036	/WFE 00029
/HAB 00009A	/OT 00160	/TRP 00038	/WFE 00031
/HAB 00071	/OT 00162	/TRP 00038	/WFE 00032
/HAB 00072	/OT 00163	/WFE 00038	/WFE 00033
/HAB 00073	/OT 00164	/WFE 00001	/WFE 00034
/HAB 00073A	/OT 00165	/WFE 00002	/WFE 00036
/HAB 00073B	/OT 00166	/WFE 00003	/WFE 00037
/HAB 00074	/OT 00167	/WFE 00004	/WFE 00038
/JCT 00001	/OT 00168	/WFE 00005	/WFE 00038A
/JCT 00002	/OT 00169	/WFE 00006	/WFE 00039
/JCT 00003	/OT 00170	/WFE 00007	/WFE 00039A
/JCT 00004	/OT 00171	/WFE 00008	/WFE 00039B
/JCT 00005A	/OT 00172	/WFE 00009	/WFE 00037A
/JCT 00005B	/OT 00173	/WFE 00010	/WFE 00039
/JCT 00004	/OT 00173A	/WFE 00011	/WFE 00039
/JCT 00006	/OT 00174	/WFE 00012	/WFE 00031
/JCT 00007	/OT 00175	/WFE 00014	/WFE 00031D
/JCT 00008	/OT 00176	/WFE 00015	/WFE 00032
/JCT 00009	/OT 00177	/WFE 00016	/WFE 00033
/JCT 00010	/OT 00177A	/WFE 00017	/WFE 00031
/JCT 00011	/OT 00179	/WFE 00018	/WFE 00033
/JCT 00012	/OT 00180	/WFE 00019	/WFE 00034
/JCT 00013	/PC 00011	/WFE 00020	/WFE 00035
/JCT 00013A	/PC 00012	/WFE 00021	/WFE 00032
/JCT 00014	/PC 00014	/WFE 00022	D W 20004
/JCT 00017	/PC 00015	/WFE 00023	D W 1000001
/JCT 00018	/PC 00020	/WFE 00024	D W 1000003
/JCT 00019	/TR 00021	/WFE 00025	DA177190001



7

OPINION OF ATTORNEY FOR THE CITY ADVISING WHETHER THE PLAN IS COMPLETE AND COMPLIES WITH SECTION 66.1105 OF THE WISCONSIN STATUTES

Harrison, Williams,
McDonell & Swatek, LLP
ATTORNEYS AT LAW

MARTIN W. HARRISON
WALLACE K. MCDONELL

martinh@hmatlys.com
wkm@hmatlys.com

452 W. Main Street
P.O. Box 59
Whitewater, WI 53190

262-473-7900

FACSIMILE
262-473-7906

ANDREW FARR ALLEN
(1946-2003)
DAVID C. WILLIAMS
TIMOTHY P. SWATEK

Offices also in:
Lake Geneva

September 1, 2010

Kevin Brunner
City Manager
City of Whitewater
P. O. Box 178
Whitewater, WI 53190

RE: City of Whitewater, Wisconsin Tax Incremental District No. 4 Amendment

Dear Kevin:

As City Attorney for the City of Whitewater, I have reviewed the Project Plan Amendment document for designation of Tax Incremental District No. 4 as a distressed Tax Incremental District within the City of Whitewater, Wisconsin. In my opinion, the Project Plan amendment is complete and complies with Section 66.1105 of the Wisconsin Statutes.

Sincerely,

HARRISON, WILLIAMS,
MCDONELL & SWATEK, LLP



Wallace K. McDonell
(State Bar No. 01008713)
City Attorney for the City of Whitewater

WKM:slm
cc: Mary Nimm, CDA Coordinator



WISCONSIN LAWYERS.
STATE BAR OF WISCONSIN | EXPERT ADVISERS.
WISCONSIN | SERVING YOU.