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(ITEM) From Corporation Counsel, requesting authorization of litigation to obtain a judgment determining the extent of Milwaukee County’s title and rights to the Downtown Transit Center property and the County’s ability to proceed with the Option to Purchase and Development Agreement in File No. 14-827, by recommending adoption of the following:

A RESOLUTION

WHEREAS, the Option to Purchase and Development Agreement related to the sale and development of the Downtown Transit Center to Barrett Visionary Development have been completed and submitted for the review and approval of the Committee on Economic and Community Development and the Milwaukee County Board of Supervisors as File No. 14-827; and

WHEREAS, the law firm of Von Briesen and Roper, S.C., has assisted in preparing the Option to Purchase, the Development Agreement, and related documents and is familiar with the project and the issues related to the Downtown Transit Center sale and development; and

WHEREAS, contingent upon approval of File No. 14-827 by the Economic and Community Development Committee and the Milwaukee County Board of Supervisors, the County foresees the need for a litigation strategy related to obtaining a judgment establishing the County’s title and rights to the subject property and the County’s ability to proceed with the Option to Purchase and Development Agreement in File No. 14-827; now, therefore,

BE IT RESOLVED, that pursuant to §1.11(c)(3)2 of the Milwaukee County Code of General Ordinances and contingent upon final approval of File No. 14-827, litigation is authorized pursuant to the strategy endorsed by Corporation Counsel to obtain a judgment determining the extent of Milwaukee County’s title and rights to the Downtown Transit Center property and the County’s ability to proceed with the Option to Purchase and Development Agreement in File No. 14-827; and

BE IT FURTHER RESOLVED, the law firm of Von Briesen and Roper, S.C., shall be engaged through an appropriately approved contract to provide services for developing and implementing this legal strategy as directed by Corporation Counsel.