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From the Executive Director of the Department of Parks, Recreation and Culture, requesting authorization to execute a land swap for approximately 2.523 acres of land zoned as Parks in the City of Milwaukee adjacent to the Honey Creek Parkway just south of Bluemound Road in exchange for a 4.23 acre parcel adjacent to the County's ice-skating pavilion in Grant Park, by recommending adoption of the following:

**A REVISED RESOLUTION**

WHEREAS, Milwaukee County (the County) is the owner of Parcel No. #4079991110 (8001 West Blue Mound Road, Milwaukee, Wisconsin 53213), which is undeveloped parkland along the Honey Creek Parkway (Honey Creek Parcel); and

WHEREAS, Wisconsin Lutheran High School (WLHS) wishes to obtain approximately 2.523 acres of vacant land immediately adjacent to its property, as depicted in Exhibit A of the Land Swap Agreement that is attached to this file, to expand the school's educational and recreational opportunities, as well as ensure access from the school's housing to WLHS; and

WHEREAS, currently, WLHS leases approximately .8 acres of the land it is requesting from the Department of Parks, Recreation, and Culture (DPRC), which said lease expires in 2041; and

WHEREAS, in exchange for the requested 2.523 acres, WLHS is offering to purchase and transfer Parcel No. #7719987000 (1699 10<sup>th</sup> Avenue, South Milwaukee, Wisconsin 53172), consisting of approximately 4.23 acres, and currently owned by Grant Park Commons, LLC (Grant Commons Parcel), to the County; and

WHEREAS, the Grant Commons Parcel is adjacent to the Grant Park ice-skating pavilion (the Pavilion), which was constructed between 1933 and 1936 along the South shore of the Mill Pond, just West of Mill Road; and

WHEREAS, in 2002, the County was made aware that a portion of the Pavilion, some fencing, and a driveway were encroaching on the Grant Commons Parcel; and

WHEREAS, since 2002, the County has attempted numerous times to resolve its encroachment on the Grant Commons Parcel with the current owners, but those attempts have not been successful, and a number of years ago the owner put up barricades on its property, cutting off access to the County's pavilion, and informed the County that any attempt to access the Pavilion from its property would constitute trespassing; and

WHEREAS, not having access to the Pavilion makes the Pavilion essentially unusable, because DPRC is not able to provide the fuel for heating the Pavilion, and is not able to provide maintenance to the Pavilion or surrounding area; and

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WHEREAS, the additional land also provides opportunity for increased trails, expanded natural areas, and access to address current and future soil erosion and stormwater issues affecting DPRC property; and

WHEREAS, this land swap will also address a historical encroachment by WLHS on the Honey Creek parcel, which consists of a parking lot, pathway, and shed; and

WHEREAS, the land swap was discussed and recommended for approval unanimously by the Consolidated Facilities Plan Steering Committee at its meeting of Thursday, September 26, 2019; and

WHEREAS, the Committee on Parks, Energy, and Environment, at its meeting of October 29, 2019, recommended adoption of File No. 19-777 (vote 5-0); now, therefore,

BE IT RESOLVED, the Milwaukee County Board of Supervisors (County Board) hereby authorizes the Department of Parks, Recreation, and Culture (DPRC), the Department of Administrative Services (DAS), the Office of Corporation Counsel (OCC), and any other Department that may be necessary, to execute and record all documents and perform all actions as required to execute the proposed land swap as described in the Land Swap Agreement (the Agreement) attached to this file; and

BE IT FURTHER RESOLVED, as stated in the Agreement attached to this file, the Agreement expires on March 31, 2020, and any extension of the Agreement will require approval by the County Board; and

BE IT FURTHER RESOLVED, the land swap includes the disposition of a 2.523-acre portion of Parcel No. #4079991110 (8001 West Blue Mound Road, Milwaukee, Wisconsin 53213) as depicted in Exhibit A of the Agreement that is attached to this file, and the acquisition of Parcel No. #7719987000 (1699 10th Avenue, South Milwaukee, Wisconsin 53172), consisting of 4.23 acres, and located adjacent to the Grant Park ice rink Pavilion (the Pavilion); and

BE IT FURTHER RESOLVED, the Agreement outlines the parameters of the land swap, and any change to ownership of land either sold or acquired by Milwaukee County within this land swap will be subject to finalization by OCC; and

BE IT FURTHER RESOLVED, DPRC will work with DAS and the OCC as soon as practicable and without delay, to pursue rezoning the newly acquired property as parkland, if the rezoning process is not complete by December 2020, DPRC will update the County Board on its progress and the reason for the delay; and

BE IT FURTHER RESOLVED, the County Executive and County Clerk are authorized to execute any required documents regarding the execution of this resolution.

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