

From the Executive Director, of the Parks Department, requesting approval of a request from the Milwaukee Kickers Soccer Club, Inc., to allow a prospective assignment and leasehold mortgage of its 1994 lease as amended of the Uihlein Soccer Park at 7101 W. Good Hope Road, Milwaukee, WI, to the National Exchange Bank & Trust, by recommending adoption of the following:

A RESOLUTION

WHEREAS, the Milwaukee Kickers Soccer Club, Inc. (the Kickers), provides organized soccer teams for youth players, as well as soccer leagues, tournaments, educational programs, and administrative services; and

WHEREAS, the Kickers have leased Uihlein Soccer Park (the Park) from the Department of Parks, Recreation, and Culture (DPRC) since 1994; and

WHEREAS, the initial term of the Lease Agreement (the Lease) was 20 years, with an option of three ten-year extensions; and

WHEREAS, by amendment, the Lease extension terms were changed to three 15-year extensions, and the first of the three extensions expires on October 31, 2029; and

WHEREAS, the Kickers approached DPRC in August of 2019 to request a prospective assignment of its Lease to the National Exchange Bank & Trust (the Bank), in order to secure a loan to build a community-focused, publicly accessible, year-round, indoor, air-supported, full-size soccer field and sports facility at the Park; and

WHEREAS, the prospective assignment is required by the Bank as collateral for the loan that the Kickers require in order to build the indoor soccer field; and

WHEREAS, the prospective assignment will only be exercised by the Bank in the case of default by the Kickers; and

WHEREAS, if the assignment is exercised, the Bank will have the same rights and responsibilities as those outlined in the Kickers' 1994 Lease, as amended; and

WHEREAS, the use of the Kickers' Lease as collateral is also known as a leasehold mortgage; and

WHEREAS, DPRC has reviewed the proposal, and determined that the assignment is a reasonable request, and allows the Kickers to provide an amenity that currently does not exist for Milwaukee County (the County) residents and visitors, a publicly accessible, full-size turf, indoor field; and

47 WHEREAS, per Section 11.04 of the Lease, the "Club may not assign this Lease
48 or sublet the entire Leased Premises, in whole or in part, without the written consent of
49 County first obtained, which consent shall not be unreasonably withheld or delayed. It is
50 understood that any assignment or sublease of the entire Leased Premises requires
51 approval by the Milwaukee County Board of Supervisors and County Executive..."; and
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53 WHEREAS, in compliance with the 1994 Lease, this request from the Kickers to
54 prospectively assign the Lease to the Bank is being presented to the Milwaukee County
55 Board of Supervisors for approval; and
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57 WHEREAS, the Committee on Parks, Energy, and Environment, at its meeting of
58 October 29, 2019, recommended adoption of File No. 19-779 (vote 5-0); now, therefore,
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60 BE IT RESOLVED, the Milwaukee County Board of Supervisors (County Board)
61 approves the request from the Milwaukee Kickers Soccer Club, Inc. (the Kickers), to
62 prospectively assign its lease with the Department of Parks, Recreation, and Culture
63 (DPRC) for the Uihlein Soccer Park to the National Exchange Bank & Trust (the Bank),
64 including a leasehold mortgage; and
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66 BE IT FURTHER RESOLVED, the purpose of this prospective assignment and
67 leasehold mortgage is so that the Kickers may obtain a loan from the Bank to build a
68 community-focused, publicly accessible, year-round, indoor, air-supported, full-size
69 soccer field and sports facility; and
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71 BE IT FURTHER RESOLVED, the prospective assignment and leasehold
72 mortgage shall be for a period not-to-exceed 15 years; and
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74 BE IT FURTHER RESOLVED, the prospective assignment shall only be
75 exercised by the Bank if the Kickers default on the loan; and
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77 BE IT FURTHER RESOLVED, the County Board hereby authorizes DPRC, the
78 Department of Administrative Services, the Office of Corporation Counsel, and any
79 other Department that may be necessary, to execute and record all documents and
80 perform all actions as required to execute the prospective lease assignment and the
81 leasehold mortgage of the 1994 Lease, as amended, between the Kickers and DPRC to
82 the Bank.
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