

RESOLUTION NO. 2026-5500

RESOLUTION AUTHORIZING EXECUTION AND RECORDING  
A SATISFACTION AND RELEASE OF THE DEVELOPMENT  
AGREEMENT RECORDED AS DOCUMENT NO. 2051494

WHEREAS, the City of Kaukauna ("City") and Grand Kakalin, LLC ("Developer") entered into a Development Agreement dated November 18, 2014, and was recorded with the Outagamie County Register of Deeds as Document No. 2051494 ("Development Agreement");

WHEREAS, this Development Agreement involves the redevelopment of Lt 1 of CSM No. 6657 and related dedications and easements; this parcel was later updated via CSM No. 7001 ("Property");

WHEREAS, the Common Council has reviewed the Development Agreement, including the public dedications and easements shown on CSM No. 6657 and CSM No. 7001, the City's performance and funding actions under the Development Agreement, and the Developer's minimum construction investment obligations and related guarantees and finds all these obligations were completed;

WHEREAS, the Council finds all terms, conditions, and obligations of the Development Agreement applicable to the Property and intended to be performed prior to the date of this action have been fully satisfied, and that it is in the City's interest to release the Development Agreement of record on the Property; and

WHEREAS, the Common Council hereby finds that all terms, conditions, and obligations of the Development Agreement applicable to the Property and intended to be performed prior to the date of this action have been fully satisfied and that it is in the City's interest to release the Development Agreement of record as to the Property.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Kaukauna, Wisconsin, that:

1. The Council hereby determines that all obligations of the Development Agreement applicable to the Property and intended to be performed prior to the date of this Resolution have been completed and satisfied, including City and Developer undertakings.
2. The Mayor and City Clerk are authorized and directed to execute, and the City Attorney to approve as to form, a "Satisfaction and Release of Development Agreement" in substantially the form presented in this meeting and releasing Document No. 2051494 insofar as it affects the Property, and to take all actions necessary to effectuate the release.

3. The City Clerk is authorized and directed to cause the executed Release to be recorded with the Outagamie County Register of Deeds, and to distribute copies to appropriate parties.
4. This action does not release, modify, or affect any other agreement, easement, dedication, plat, certified survey map, or other instrument of record not expressly identified in the Release.

Introduced and adopted this 3<sup>rd</sup> day of March 2026

APPROVED: \_\_\_\_\_  
Anthony J. Penterman, Mayor

ATTEST: \_\_\_\_\_  
Kayla Nessmann, Clerk