

**RESOLUTION NO. 2022-5333**

**RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO ENTER INTO AN  
LOAN AGREEMENT, PILOT AGREEMENT AND SUBORDINATE TO RAD USE  
AGREEMENT WITH KAUKAUNA RAD, LLC**

WHEREAS, the Common Council of the City of Kaukauna previously authorized the Mayor and Clerk to enter into a loan agreement with Kaukauna RAD, LLC; and

WHEREAS, after the signing of the Loan Agreement, PILOT Agreement and Subordinate Agreement, it was discovered that the legal description of the subject property was incomplete; and

WHEREAS, it is desirable and necessary to correct said legal description in all related documents; and

WHEREAS, attached as Exhibit A is a copy of the loan agreement between the City of Kaukauna and Kaukauna RAD, LLC with the correct and complete legal description of the subject property; and

WHEREAS, attached as Exhibit C is a copy of the PILOT agreement between the City of Kaukauna and Kaukauna RAD, LLC with the correct and complete legal description of the subject property; and

WHEREAS, attached as Exhibit D is a copy of the Subordinate to RAD Use Agreement City of Kaukauna Loan agreement between the City of Kaukauna and Kaukauna RAD, LLC with the correct and complete legal description of the subject property; and

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Kaukauna, Wisconsin, that the City will enter into said agreements with Kaukauna RAD, LLC for the purposes of structuring Statesburg Apartments.

Introduced and adopted this 3rd day of May, 2022.

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

ATTEST: \_\_\_\_\_  
Sally Kenney, Clerk