

RESOLUTION NO. 050514-02

**RESOLUTION APPROVING AN AMENDMENT TO THE PROJECT PLAN OF
TAX INCREMENTAL DISTRICT NO. 1,
VILLAGE OF FONTANA, WISCONSIN**

WHEREAS, Tax Incremental District No. 1 (the “District”) in the Village of Fontana, Wisconsin (“Village”) was created by the Village on September 26, 2001 as a blighted area district; and

WHEREAS, the Village has initiated action to designate the District as distressed; and

WHEREAS, the CDA has prepared an amended Project Plan for the District (the “Amendment”) that includes:

- a. A statement listing of the kind, number and location of all proposed public works or improvements within the District, or to the extent provided in Sections 66.1105(2)(f)1.k. and 66.1105(2)(f)1.n., Wisconsin Statutes, outside of the District;
- b. An economic feasibility study;
- c. A detailed list of estimated project costs;
- d. A description of the methods of financing all estimated project costs and the time when the related costs or monetary obligations are to be incurred;
- e. A map showing existing uses and conditions of real property in the District;
- f. A map showing proposed improvements and uses in the District;
- g. Proposed changes of zoning ordinances, master plan, map, building codes and Village ordinances;
- h. A list of estimated non-project costs;
- i. A statement of the proposed plan for relocation of any persons to be displaced;
- j. A statement indicating how the amendment of the district promotes the orderly development of the Village;
- k. An opinion of the Village Attorney or of an attorney retained by the Village advising that the plan is complete and complies with Section 66.1105(4)(f)., Wisconsin Statutes.

WHEREAS, in accordance with the procedures specified in the Tax Increment Law, prior to its publication, a copy of the notice of public hearing was sent to the chief executive officers of Walworth County, the Fontana J8 School District, the Bigfoot UHS School District, and the Gateway Technical College District, and any other entities having the power to levy taxes on property located within the District; and

WHEREAS, in accordance with the procedures specified in the Tax Increment Law, the CDA, on April 2, 2014 held a public hearing concerning the proposed amendment to the Project Plan, providing interested parties a reasonable opportunity to express their views thereon; and

WHEREAS, after said public hearing, the CDA adopted, and subsequently recommended approval to the Village Board an amended Project Plan for the District; and

NOW, THEREFORE, BE IT RESOLVED by the Village Board of the Village of Fontana that:

1. The boundaries of the District that shall be named "Tax Incremental District No. 1, Village of Fontana", remain unchanged as specified in Exhibit A of this Resolution.
2. That this Project Plan Amendment shall become effective as of the date of adoption of this resolution provided that it is further approved by the Joint Review Board.
3. The Village Board finds and declares that:
 - a. Not less than 50%, by area, of the real property within the District, as amended, is a blighted area within the meaning of Section 66.1105(2)(a)1. of the Wisconsin Statutes. Furthermore, at the time of adoption of the creation resolution for this District, and any subsequent resolutions amending its boundaries, any property standing vacant for seven years immediately preceding adoption of the resolution(s) did not comprise more than 25% of the total area in the District as required by Section 66.1105(4)(gm)1 of the Wisconsin State Statutes.
 - b. Based upon the findings, as stated in 3.a. above, and the original findings as stated in the Resolution creating the District, the District remains declared as a blighted area district based on the identification and classification of the property included within the District.
 - c. There are no additional improvements as a result of this amendment.
 - d. The amount of retail businesses will not change as a result of this amendment.
 - e. The project costs will not change as a result of this amendment.
4. The amended Project Plan for "Tax Incremental District No. 1, Village of Fontana" (attached as Exhibit B) is approved, and the Village further finds the Plan is feasible and in conformity with the master plan of the Village.

BE IT FURTHER RESOLVED THAT the Village Clerk is hereby authorized and directed to notify the Wisconsin Department of Revenue, within 60 days of adoption of the amendment, that this amendment has taken place pursuant to the provisions of Section 66.1105(5)(cm), Wisconsin Statutes.

BE IT FURTHER RESOLVED THAT pursuant to Section 66.1105(5)(f) of the Wisconsin Statutes, that the Village Assessor is hereby authorized and directed to make notations to the assessment roll under Section 70.45 of the Wisconsin Statutes, and the Village Clerk is hereby authorized and directed to make similar notations on the tax roll made under Section 70.65 of the Wisconsin Statutes.

Adopted this 5th day of May, 2014.

Arvid Petersen, Village President

Dennis Martin, Village Clerk/Administrator

EXHIBIT A -

**LEGAL BOUNDARY DESCRIPTION OR MAP OF
TAX INCREMENTAL DISTRICT NO. 1
VILLAGE OF FONTANA**

THIS CAN BE FOUND IN THE PROJECT PLAN

EXHIBIT B -

PROJECT PLAN

THIS WILL BE HANDED OUT SEPARATELY