



# MEMORANDUM

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TO: Community and Economic Development Committee (CEDC)

FROM: Matt Rehbein, Economic Development Specialist

DATE: December 13, 2023

RE: Request from Fox Commons Properties, LLC for “No Build” Easement on Former Blue Ramp Site - Tax Id #31-2-0272-00

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Fox Commons Properties, LLC is in the process of redeveloping City Center Plaza as outlined under a Development Agreement dated July 10, 2023. In the course of permitting for same, they have identified a need for a 5-foot separation to allow for windows on the northern portion of the building. To accomplish this, Fox Commons Properties, LLC has requested a “no build” easement on the adjacent parcel (Tax Id #31-2-0272-00, a/k/a Former Blue Ramp Site) as shown on the attached sketch.

The Former Blue Ramp Site is owned by the City of Appleton and is subject to a Development Agreement between the City of Appleton and Merge, LLC. The City asked Merge and Fox Commons Properties, LLC to communicate directly to provide for the continued development of City Center Plaza and renders a developable Blue Ramp site remaining.

An impact amount of \$40,000.00 was agreed upon by Merge and Fox Commons Properties, LLC. It is anticipated this amount will be collected by the City at time of signing the requested easement. At the time of Merge closing on the sale of the Former Blue Ramp Site parcel, they will receive a credit for the same amount (to be memorialized in a future Amendment to the Merge Development Agreement).

**Staff Recommendation:**

The “no build” easement on Tax Id #31-2-0272-00 be signed by the City upon receipt of \$40,000.00 from Fox Commons Properties, LLC **BE APPROVED.**