

Whereas, the DDA's Request for Proposals (RFP) has solicited two proposals, one by Kadushin/Beal development team and another by the Prochaska/Zachary development team. Neither proposal has demonstrated the financial commitment as requested. Each proposal requests tax abatements from the City which are beyond the authority of the DDA to accept or obtain. The mixed use of the Kadushin/Beal proposal is the most viable.

Be It Resolved, that the DDA invites the Kadushin/Beal team to submit its draft agreement to the DDA on or before June 21, 2012, for acquisition and development of the Longworth property on the conditions and requirements of the RFP with the following modifications:

1. The agreement must be accompanied by the irrevocable bank letter of credit of \$1M or other security acceptable to the DDA to secure improvements in the property and to cover any cost or damages incurred by the DDA and the City for site restoration or removal of incomplete improvements if the project fails, after satisfaction of due diligence contingencies.
2. No tax abatements in the agreement.
3. Due diligence and other contingencies, including financial commitments, shall end Sept. 7, 2012, when the agreement shall become firm and developer must proceed to closing.
4. Any conveyance prior to final mortgage financing shall be subject to a right of reverter on the condition that the project is completed and on breach of the condition title shall revert to DDA.
5. Developer can have immediate access upon the execution of agreement for due diligence activities.