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Res. No. 36 - 12 - 13. By Alderperson Hammond. July 16, 2012.

A RESOLUTION amending the City's selling policies for the Sheboygan Business Center.

RESOLVED: That the City's selling policies for the Sheboygan Business Center shall be amended so as to provide for payment of a commission on the successful sale of available vacant land as follows:

1. The City will pay a commission, up to 6% of the sale price of the subject property, to an eligible real estate broker licensed to conduct business within the State of Wisconsin (herein referred to as "Agents") for successfully securing a client buyer of available vacant land in the Sheboygan Business Center, subject to the following conditions:
 - (a) The Agent submitting an accepted written Offer to Purchase.
 - (b) The Agent and City having signed and returned a Sheboygan Business Center Real Estate Sales Commission Memorandum of Understanding (MOU) in form substantially similar to the attached, prior to any land transaction negotiations. Said MOU shall be in effect for one year, or until the effective date of a city council resolution terminating this real estate commission payment policy, whichever is earlier.
 - (c) The Agent's client has not already communicated with the City prior to contacting and/or securing the Agent's services.
 - (d) Agents are required to communicate and coordinate client activities through the City of Sheboygan Department of City Development for the purposes of coordinating permitting, zoning and/or Offer to Purchase conditions, as well as securing publicly financed business development incentives. Agents understand and accept that Sheboygan will continue to market the subject property, independent and/or in conjunction with other public or private entities.
 - (e) The business must conform to the City's Zoning Ordinance and Business Center Protective Covenants.
 - (f) The full commission amount will be provided to the Agent during the successful subject property closing.
 - (g) The City reserves the right to adjust Sheboygan Business

*Finance
approve.*

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Center property sales prices used in determining the commission for good and sufficient reasons, as determined by the City. Such adjustment would likely occur if the sale price is significantly different than recent comparable property sales.

- (h) All commissions are subject to the City of Sheboygan Common Council approval.



I HEREBY CERTIFY that the foregoing Resolution was duly passed by the Common Council of the City of Sheboygan, Wisconsin, on the _____ day of _____, 2012.

Dated 1 11 2012, _____, City Clerk

Approved 7 11 2012, _____, Mayor

**CITY OF SHEBOYGAN
SHEBOYGAN BUSINESS CENTER
REAL ESTATE SALES COMMISSION MEMORANDUM OF UNDERSTANDING (MOU)**

1. The City of Sheboygan will pay a commission, up to 6% of the sale price of the subject property, to the Real Estate Agent identified below (the "Agent") for successfully securing a client buyer of available vacant land in the "Sheboygan Business Center," subject to all of the following conditions:
 - (a) The Agent shall be an eligible real estate broker licensed to conduct business within the State of Wisconsin.
 - (b) The Agent submitting an accepted written Offer to Purchase.
 - (c) The Agent and City having signed and returned this Real Estate Sales Commission Memorandum of Understanding (MOU) prior to any land transaction negotiations.
 - (d) The Agent's client having not already communicated with the City prior to contacting and/or securing the Agent's services.
 - (e) Agents are required to communicate and coordinate client activities through the City of Sheboygan Department of City Development for the purposes of coordinating permitting, zoning and/or Offer to Purchase conditions, as well as securing publicly financed business development incentives. Agents understand and accept that Sheboygan will continue to market the subject property, independent and/or in conjunction with other public or private entities.
 - (f) The business must conform to the City's Zoning Ordinance and Business Center Protective Covenants.
 - (g) The full commission amount will be provided to the Agent during the successful subject property closing.
 - (h) The City reserves the right to adjust its property sales prices used in determining the commission for good and sufficient reasons, as determined by the

City. Such adjustment would likely occur if the sale price is significantly different than recent comparable property sales.

(i) All commissions are subject to the City of Sheboygan Common Council approval.

2. This MOU shall be in effect for one year, or until the effective date of a Sheboygan city council resolution terminating its Sheboygan Business Center real estate sales commission payment policy, whichever is earlier.

Agent Name & WI Real Estate License #
Print name here: _____

Date

Mayor, City of Sheboygan
Print name here: _____

Date

City Clerk, City of Sheboygan
Print name here: _____

Date