

**GREEN LAKE ASSOCIATION**  
**PROPOSED GREEN LAKE CONFERENCE CENTER DEVELOPMENT**  
**SUMMARY UPDATE**  
**March 25, 2008**

The purpose of this Update is to summarize certain recent developments that significantly affect the proposed Estates of Lawsonia subdivision and the related petition to annex approximately 900 acres of Green Lake Conference Center ("GLCC") property to the City of Green Lake.

1. The Annexation Petition.

A meeting of the Green Lake Common Council was held on Monday evening, March 17, 2008, for the purpose of considering and acting on the Annexation Petition submitted last fall by the GLCC, Lindenwood Development, LLC and others. However, at the meeting, it was announced that Lindenwood had made a request to withdraw the Annexation Petition. Lindenwood has indicated that they had met with officials from the Town of Brooklyn and now preferred to pursue the proposed development with the Town. (See Item No. 3 below.)

The City's attorney explained that, under Wisconsin law, a valid annexation petition may not be withdrawn by a petitioner once that petition has been properly submitted to (in this case) the City. He went on to state that the Council had three options that evening: (i) proceed to consider and approve the Annexation Petition; or (ii) proceed to consider and reject the Annexation Petition; or (iii) table further consideration of the Annexation Petition to a later date. The Council voted to table further consideration of the Annexation Petition until the Council's regular April 14<sup>th</sup> meeting or until a special meeting that may be called at an earlier date for that purpose.

At the meeting, it was also pointed out that the GLCC and Lindenwood had not signed the expense reimbursement and legal indemnification agreements between them and the City. While Lindenwood has previously reimbursed the City approximately \$86,000 for legal, engineering and other expenses incurred in connection with the Annexation Petition, there are approximately \$26,000 of additional expenses that have not yet been reimbursed. This remains a serious concern for the City.

2. Aldermanic Resignation.

Alderman Larry McIntyre (District 1) resigned his position on the day prior to the March 17<sup>th</sup> Council meeting, stating that he did not feel informed enough regarding the proposed GLCC annexation to cast a vote on it at that Council meeting. A new representative for District 1 will be selected and voted on at the next Council meeting.

3. Pre-Development Agreement Between Lindenwood and the Town of Brooklyn.

In September, 2007, the GLCC and Lindenwood filed a lawsuit against the Town of Brooklyn claiming that the Town's denial of approval of their preliminary plat plan was unlawful and seeking to have the Court order that the preliminary plat plan be deemed to be approved. The Town's denial of such approval was based in part on proposed lot sizes that the Town believed were inconsistent with its Comprehensive Plan. That legal action is still pending.

On March 17, 2008 (yes, it was a very busy day), Lindenwood entered into a Pre-Development Agreement with the Town of Brooklyn. Among other things, this Agreement provides for a settlement of the pending litigation pursuant to which the Town will admit to the principal allegations made by the developers in their complaint and will agree to the entry of a judgment by the Court declaring that the developers' preliminary plat plan is entitled to approval as originally submitted to the Town. The Town further agreed to use its best efforts to induce the County of Green Lake to approve the preliminary plat plan as originally submitted. In particular, the Town agreed to take appropriate action (including legal action) to compel the County to approve the preliminary plat plan notwithstanding the use of private roads in the development.

It is unclear what the status of this Pre-Development Agreement between the Town and Lindenwood will be if the City proceeds to approve the Annexation Petition. To read a copy of the Pre-Development Agreement, please visit:  
<http://www.greenlakeassociation.com/gla/Assets/PreDevelopmentAgreement.pdf>

#### 4. JACLUM Review.

Lindenwood recently furnished a detailed copy of their development plan to the Joint Advisory Committee on Land Use Matters for our review and comment. That review is in progress and will continue. It does not appear that there are any material differences between the plan Lindenwood furnished to us and the plan they originally submitted to the Town of Brooklyn.

The objective of this review is to assure to the extent possible that the proposed development on the GLCC grounds will be undertaken in a responsible and environmentally sensible manner so that it will not adversely affect Big Green Lake, its watershed or the property adjacent to the development. In that regard, a representative of Lindenwood was quoted in the March 20, 2008 edition of the *Green Lake Reporter* (page 20) as stating that "We're pleased that the town has agreed to allow the development as proposed. We share the town's commitment to protect the water quality of Green Lake and the best interests of its residents ..."

The Green Lake Association and JACLUM will continue to monitor the proposed development of the Estates of Lawsonia and the still pending Annexation Petition, and will provide further updates as warranted.