

FIRST AMENDMENT TO DEVELOPMENT AGREEMENT

THIS FIRST AMENDMENT TO DEVELOPMENT AGREEMENT (this "First Amendment") is made and entered into as of the 24th day of September 2021 by and between West Quarter West, LLC ("WQW") and West Quarter East, LLC ("WQE", and collectively with WQW, the "Developer"), and the City of West Allis, a Wisconsin municipal corporation (the "City").

RECITALS

City and Developer acknowledge the following:

- A. City and Developer entered into that certain Development Agreement dated as of March 22, 2019 (the "Development Agreement") for development of the Project within the District.
- B. City and Developer desire to amend the Development Agreement as set forth herein.
- C. City, pursuant to Common Council action dated October 15, 2019, has approved this First Amendment and authorized its execution by the proper City officials on the City's behalf.
- D. Developer has approved this First Amendment and authorized its execution by the appropriate representatives on its behalf.

AGREEMENTS

In consideration of the Recitals and the promises and undertakings set forth herein, the parties do hereby amend the Development Agreement effective as of the date hereof as follows:


1. Definitions. Capitalized terms used herein, to the extent not otherwise defined herein, shall have the meaning ascribed to each such term in the Development Agreement.
2. Recitals/Exhibits.
 - (a) The Preliminary Development Plan attached to the Development Agreement as **Exhibit A** is hereby modified relative to the location of the hotel development - hereby attached as Attachment A. – Conceptual Plan East Side.
3. Execution and delivery of this First Amendment by portable document format ("PDF") copy bearing the PDF signature of any of the parties hereto shall constitute a valid and binding execution and delivery of this First Amendment by such party. Such PDF copies shall constitute enforceable original documents.

SIGNATURES BEGIN ON FOLLOWING PAGES

IN WITNESS WHEREOF, this First Amendment is executed as of the date first above written.

WEST QUARTER WEST, LLC

By: Cobalt Partners, LLC, Manager

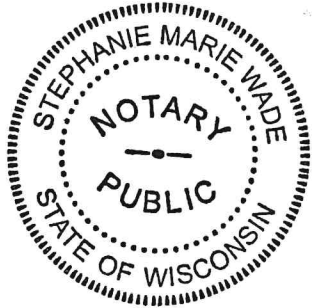
By: 
Scott J. Yauck, Sole Member and
Manager

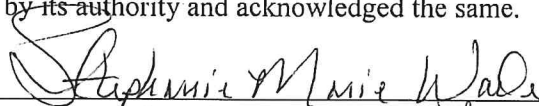
STATE OF WISCONSIN)

) ss.

Milwaukee COUNTY)

Personally appeared before me this 27th day of September, 2021 the above-named Scott J. Yauck, as the Sole Member and Manager of Cobalt Partners, LLC, the Manager of West Quarter West, LLC, and, to me known to be the person who executed the foregoing agreement on behalf of said limited liability company and by its authority and acknowledged the same.

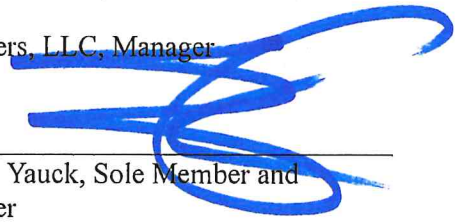



Name: STEPHANIE MARIE WADE
Notary Public, State of Wisconsin
My commission expires: May 6, 2023

[Signatures Continue on Following Page]

WEST QUARTER EAST, LLC

By: Cobalt Partners, LLC, Manager



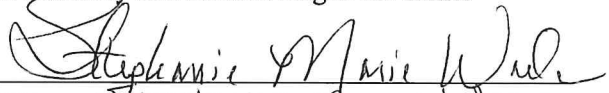
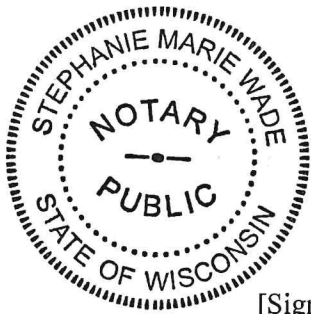
By: _____
Scott J. Yauck, Sole Member and
Manager

STATE OF WISCONSIN)

) ss.

Midwaukee COUNTY)

Personally appeared before me this 24th day of September 2021, the above-named Scott J. Yauck, as the Sole Member and Manager of Cobalt Partners, LLC, the Manager of West Quarter East, LLC, and, to me known to be the person who executed the foregoing agreement on behalf of said limited liability company and by its authority and acknowledged the same.



Name: STEPHANIE MARIE WADE

Notary Public, State of Wisconsin

My commission expires: May 6, 2023

[Signatures Continue on Following Page]

CITY OF WEST ALLIS

Dan Devine

By: _____
Dan Devine, Mayor

Rebecca Grill

By: _____
Rebecca Grill, City Clerk

STATE OF WISCONSIN)

) ss.

Milwaukee COUNTY)

Personally appeared before me this 21st day of September 2021, the above-named Dan Devine and Rebecca Grill, the Mayor and City Clerk of the City of West Allis, and to me known to be the persons who executed the foregoing amendment on behalf of the City and by its authority and acknowledged the same.

Barbara J. Burkee

Name: Barbara J. Burkee

Notary Public, State of Wisconsin

My commission expires: 10-18-23

This instrument was drafted by and upon recording return to:

Kail Decker, City Attorney
City of West Allis
7525 West Greenfield Avenue, Room 232
West Allis, WI 53214



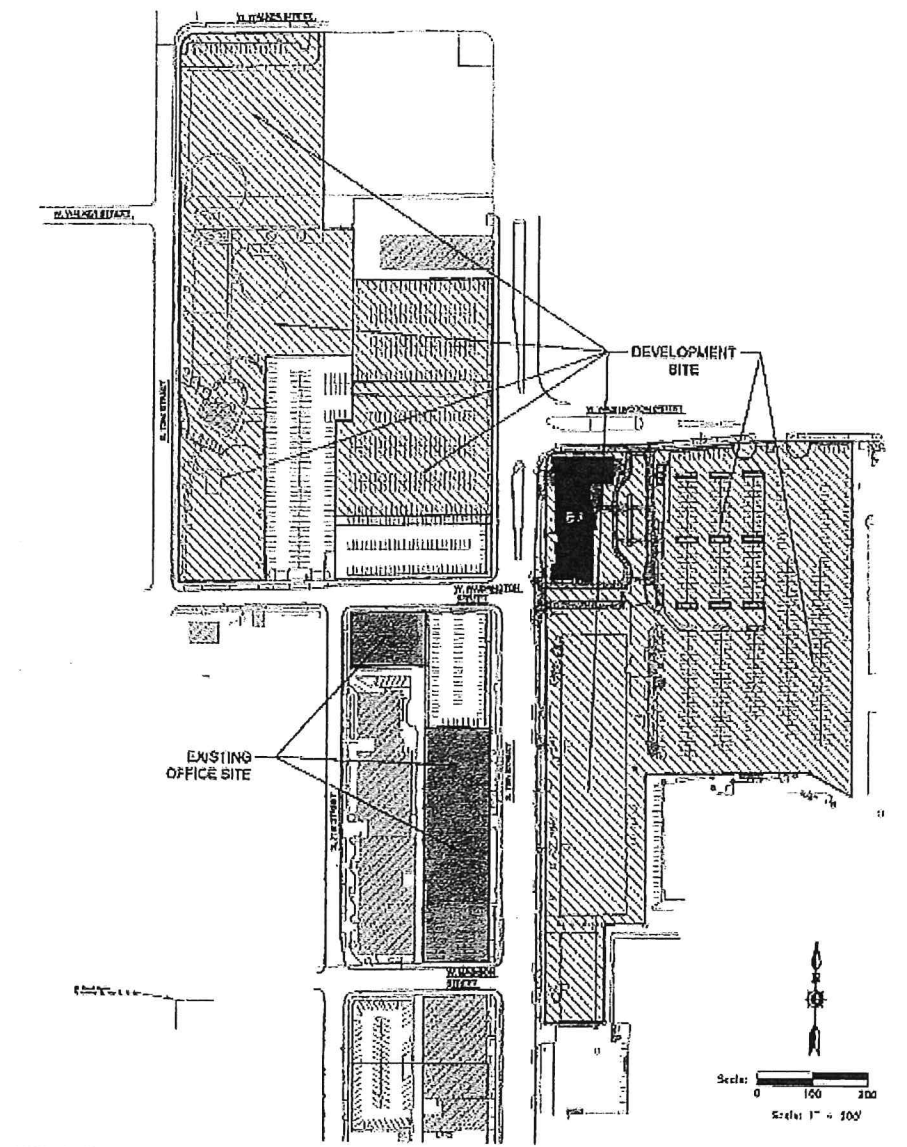
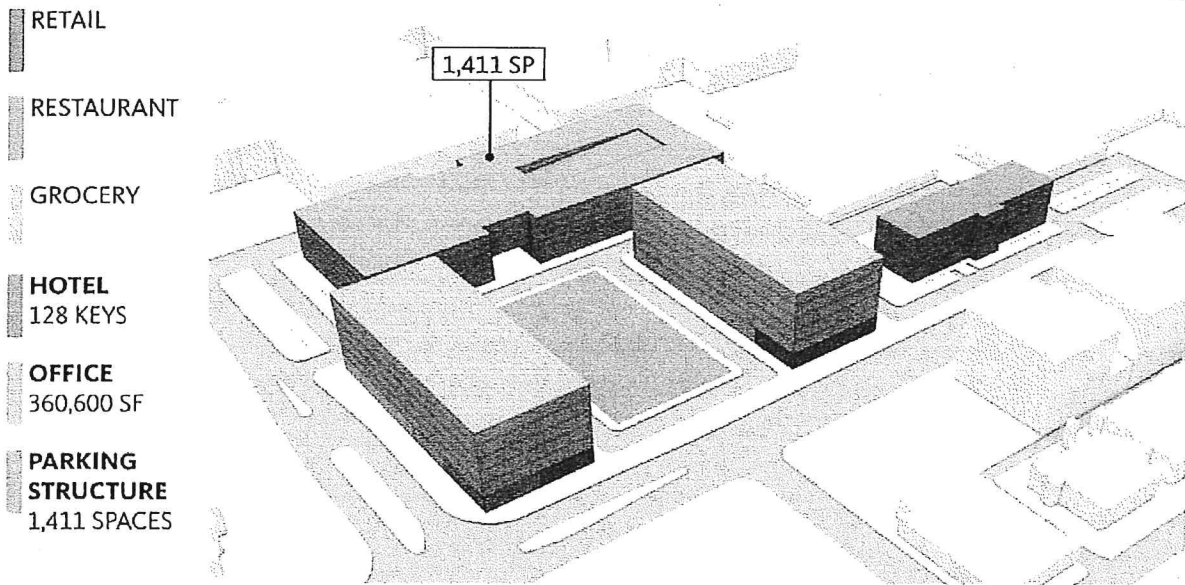


EXHIBIT A - PROPERTY

Attachment A – Conceptual Site Plan

Amendment No. 1 to the Development Agreement

West Quarter Concept Master Plan



Preliminary Development Plan (East Side)