

Document Number

**Termination of Land Use
Restriction Agreement**

Recording Area

Name and Return Address

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DeWitt LLP
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453-0002-001 and 453-0001-009

Parcel Identification Number (PIN)

TERMINATION OF LAND USE RESTRICTION AGREEMENT

This **TERMINATION OF LAND USE RESTRICTION AGREEMENT** (the "Termination") is made and entered into as of September ____, 2022 ("Effective Date") by and between the **COMMUNITY DEVELOPMENT AUTHORITY OF THE CITY OF WEST ALLIS, WISCONSIN** ("Authority") and **VETERANS PARK LLC** ("Borrower").

RECITALS

- A. Authority and Borrower entered into a certain Land Use Restriction Agreement dated November 1, 1996, and recorded with Milwaukee County Register of Deeds on November 14, 1996 as Document Number 7290480, a First Supplemental Land Use Restriction Agreement dated November 1, 2002 and recorded November 7, 2002 as Document Number 8383423, and an Amendment to Land Use Restriction Agreement dated May 1, 2013, and recorded on May 29, 2013 as Document Number 10253092 (collectively, "LURA"). The LURA affects the real property described in Exhibit A attached to this Termination.
- B. Borrower desires to terminate the Land Use Restriction Agreement.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are acknowledged, the parties agree as follows:

- 1. Borrower Certification. Borrower certifies that the Qualified Project Period, as defined in the LURA, has ended and the Term of the LURA has ended.
- 2. Termination. Authority and Borrower agree and acknowledge that the LURA has terminated in its entirety, and in confirmation thereof, release the LURA of record.
- 3. Counterparts. This Termination may be executed in two or more counterparts, all of which taken together shall constitute one instrument.

(Signature pages follow)

IN WITNESS WHEREOF, the parties have executed and delivered this Termination as of the Effective Date.

**AUTHORITY:
COMMUNITY DEVELOPMENT AUTHORITY
OF THE CITY OF WEST ALLIS, WISCONSIN**

By: _____
Name: _____
Title: _____

ACKNOWLEDGEMENT

STATE OF WISCONSIN)
)SS
COUNTY OF _____)

Personally, came before me this _____ day of September, 2022, the above-named _____, to me known to be the _____ of the Community Development Authority of the City of West Allis, Wisconsin, who executed the foregoing instrument and acknowledged the same.

Notary Public, State of Wisconsin
My Commission: _____

(Authority's signature page to Termination of Land Use Restriction Agreement)

BORROWER:
VETERANS PARK LLC

By: _____
James A. Tarantino, Manager

ACKNOWLEDGEMENT

Personally, came before me this _____ day of September, 2022, the above-named James A. Tarantino, to me known to be the Manager of Veterans Park LLC, who executed the foregoing instrument and acknowledged the same.

Notary Public, State of Wisconsin
My Commission: _____

(Borrower's signature page to Termination of Land Use Restriction Agreement)

This instrument was drafted by:
Attorney John P. Yentz
DeWitt LLP
13845 Bishop's Drive, Suite 300
Brookfield, WI 53005

B1253925

EXHIBIT A
LEGAL DESCRIPTION

PARCEL I:

PARCEL ONE (1) OF CERTIFIED SURVEY MAP NO. 6230 RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR MILWAUKEE COUNTY, WISCONSIN ON JUNE 6, 1996, IN REEL 3814, IMAGES 1318-1321 INCLUSIVE, AS DOCUMENT NO. 7227138, BEING A REDIVISION OF PART OF BLOCKS OF 2 AND 3, TOGETHER WITH THE VACATED ALLEYS LYING WITHIN SAID BLOCKS, AND VACATED WEST ORCHARD STREET AND SOUTH 69TH STREET, LYING BETWEEN SAID BLOCKS, IN CENTRAL IMPROVEMENT COMPANY SUBDIVISION NO. 1, BEING A PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 3, TOWNSHIP 6 NORTH, RANGE 21 EAST, IN THE CITY OF WEST ALLIS, MILWAUKEE COUNTY, WISCONSIN. AS MODIFIED BY AFFIDAVIT OF CORRECTION RECORDED ON NOVEMBER 19, 1996, IN REEL 3930, IMAGE 948, AS DOCUMENT NO. 7292312.

EXCEPTING THEREFROM THAT PORTION OF LAND CONVEYED IN INSTRUMENT RECORDED AS DOCUMENT NO. 7486344.

PARCEL II:

PARCEL ONE (1) OF CERTIFIED SURVEY MAP NO. 6231 RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR MILWAUKEE COUNTY, WISCONSIN ON JUNE 6, 1996, IN REEL 3814, IMAGES 1322-1325 INCLUSIVE, AS DOCUMENT NO. 7227139, BEING A REDIVISION OF ALL OF LOTS 5, 6, 7 AND 8 IN BLOCK 4 AND THE NORTH 16.00 FEET OF BLOCK 5 IN CONTINUATION OF LEFEBER'S SUBDIVISION NO. 3, TOGETHER WITH THAT PART OF VACATED SOUTH 69TH STREET ADJOINING SAID LOTS ON THE EAST AND PART OF PARCEL 2 OF CERTIFIED SURVEY MAP NO. 5490 ALL BEING IN THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 3, TOWNSHIP 6 NORTH, RANGE 21 EAST, IN THE CITY OF WEST ALLIS, MILWAUKEE COUNTY, WISCONSIN.