

BRIGHTON SQUARE  
COMMERCIAL PLANNED UNIT  
DEVELOPMENT AGREEMENT

THIS AGREEMENT is made and entered into this 30th  
day of July, 1981, by and between

Jerome D. Schwelling

hereinafter called Owners-Developers and the City of Waukesha, a  
municipal corporation, hereinafter called the City.

The Developers are the owners of a 4.085 acre parcel of  
land described in Exhibit "A" attached hereto and made a part hereof,  
located in the City of Waukesha, which is presently zoned B-3.  
The Developers have requested and received approval to develop said  
land commercially and under the planned unit development provision  
of the City of Waukesha zoning ordinances, and in accordance with this  
Agreement.

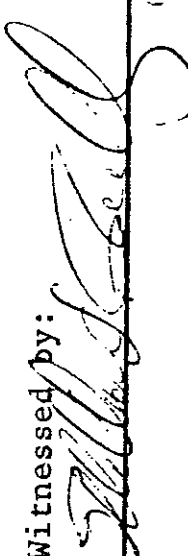
The Developers represent to the City that they are the  
owners of the lands described and will develop the same in accordance  
with the terms of this agreement, and will bind any successor owners  
or their heirs and assigns, to develop the land in accordance herewith.  
The development of the land will take place subject to the  
following guidelines.

A. The uses shall be restricted to retail specialty type  
shops or professional offices, including but not limited to the  
following: Medical or dental clinics, professional and business  
offices, such as physicians, dentists, artists, lawyer, planner,  
engineer, architect, accountant, real estate office, insurance office,  
finance office, title company office, photographer, interior decorator,  
manufacturer's representative and any other comparable professional  
or business office, barber or beauty shops, clothes cleaning and  
laundry pick-up, cheese and wine shops, savings and loans, banks,

coffee shops, tea rooms, art and antique shops, clothing stores, fire-  
place shops, camera shops, bathroom shop, electronic stores, sandwich  
shops, shoe store, jewelry store, flower shop, gift boutique, pharmacy,  
musical store, notion or variety shop, ice cream parlor, soda fountain,  
book or stationery store, delicatessen, tobacco shops, and other such  
similar uses. It is distinctly understood and agreed, however, that  
the property shall not be used so as to allow small free standing  
building type uses such as fast food restaurants and filling stations.  
All uses shall be subject to Section 22.52 of the Municipal Code of the  
City of Waukesha. Any interpretations of uses shall be made by the  
Waukesha Plan Commission.

B. The provisions of this agreement and of Section 22.52  
of the Municipal Code of the City of Waukesha shall be deemed to be  
restrictions on and covenants running with the land described herein.  
The entire 4.085 acre parcel shall be developed as a unit development,  
which means that all buildings shall have similar architectural treat-  
ment. Exterior light fixtures shall all be similar. There shall be  
only one access point for the general public to the entire parcel  
with the entrance on to East Avenue being used for deliveries and  
employee parking only. The Developer shall sign and police this  
latter access and parking area so as to permit only deliveries and  
employee parking. The parcel may have one pylon sign giving the name  
of the center, with each individual store being restricted to flat,  
wall-mounted signs. This instrument shall be recorded by the Developer.

Witnessed by:


  
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Witnessed by:

  
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CITY OF WAUKESHA, A Municipal Corporation

  
Joseph C. Laporte, Mayor

  
Mary T. Schrader, Clerk