

**COMMERCIAL PLANNED UNIT
DEVELOPMENT AGREEMENT
AMENDMENT 1**

Parcel ID Numbers: WAKC1350254, WAKC1350255, WAKC1350256

After recording return to:
City of Waukesha
Dept of Community Development
201 Delafield St Ste 200
Waukesha WI 53188

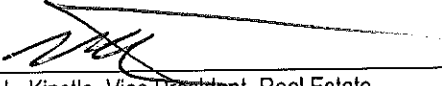
The **City of Waukesha**, a Wisconsin municipal corporation, referred to herein as the City, enters into this Commercial Planned Unit Development Agreement, referred to herein as the Agreement, with **Meijer Stores Limited Partnership**, a Michigan limited partnership, referred to herein as the Developer, for development pursuant to planned-unit development overlay zoning on the real property described below, referred to herein as the Site. Together, the City and Developer are referred to herein as the Parties.

By mutual agreement the Commercial Planned Unit Development Agreement dated December 23, 2014 and recorded January 2, 2015 is amended as follows:


10. Public Art Installation. A public art donation of twenty five thousand dollars (\$25,000) shall be paid to the City of Waukesha for the purpose of public art at Fire Station Number 1, 130 W. St. Paul Avenue in lieu of a public art installation on the Meijer Main Store and Convenience Store property. This donation shall be no later than August 1, 2015 . Each of the two (2) outlots shall provide a permanent public art installation approved by the City of Waukesha Public Art Committee and Plan Commission. This public art shall be installed within one (1) year of the date of occupancy of the buildings on the outlots and shall be approved by the City of Waukesha Public Art Committee. .

Dated the _____ day of _____, 2015.

Developer: Meijer Stores Limited Partnership,
by Meijer Group, Inc., General Partner

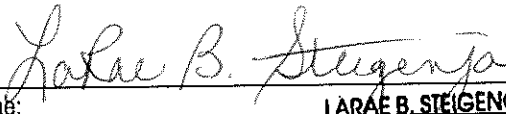


Michael L. Kinstle, Vice President, Real Estate

Legal 
Bus. 

STATE OF MICHIGAN }
 } ss.
KENT COUNTY }

Michael L. Kinstle, known to me to be the Vice President, Real Estate for Meijer Group, Inc., the General Partner of Meijer Stores Limited Partnership, personally came before me the 29th day of June, 2015, signed this Commercial Planned Unit Development Agreement in my presence, and acknowledged the same.



Name: **LARAE B. STEIGENJA**
Notary Public, Kent County, Michigan / Notary Public, Ottawa Co., MI
My commission (is permanent) (expires Acting in Kent Co., MI)
My Commission Expires:
Feb. 17, 2017

City of Waukesha

By Shawn N. Reilly, Mayor

Attest: Gina L. Kozlik, City Clerk

STATE OF WISCONSIN }
 } ss.
WAUKESHA COUNTY }

Shawn N. Reilly and Gina L. Kozlik, known to me to be the Mayor and City Clerk, respectively, of the City of Waukesha, personally came before me the _____ day of _____, 2015, signed this Commercial Planned Unit Development Agreement in my presence, and acknowledged the same.

Name: _____
Notary Public, Waukesha County, Wisconsin
My commission (is permanent)(expires _____)

This instrument was drafted by City of Waukesha Department of Community Development.