


Document Number	FIRST AMENDMENT TO STORM SEWER & DRAINAGE FACILITY EASEMENT	4050876
	Document Name	REGISTER OF DEEDS WAUKESHA COUNTY, WI RECORDED ON
		October 28, 2013 03:18 PM James R Behrend Register of Deeds
		4 PGS TOTAL FEE: \$30.00 TRANS FEE: \$0.00 Book Page -
		
		Recording Area
		Name and Return Address: John P. Starkweather Boardman & Clark LLP P.O. Box 927 Madison, WI 53703
		See Exhibit 1
		Parcel Identification Number (PIN):

Preamble. Woodman's Food Market, Inc., a Wisconsin corporation, and the City of Waukesha, a municipal corporation, make this First Amendment to Storm Sewer & Drainage Facility Easement, effective as of the date upon which it is recorded with the Waukesha County Register of Deeds.

FOR VALUE RECEIVED, Woodman's and the City agree as follows.

1. **Amendment.** Waukesha Block Company, Inc. (Woodman's predecessor-in-interest) and the City entered into a Storm Sewer & Drainage Facility Easement dated February 17, 1999, and recorded as Document No. 2442359 with the Register of Deeds of Waukesha County, Wisconsin, on March 31, 1999 (the "Original Easement"). The Original Easement is hereby amended by the following provisions.
2. **Easement Area.** Woodman's owns the real property described on **Exhibit 1** (the "Woodman's Site"), which is burdened by the easement granted in the Original Easement.
3. **Amendment.** Woodman's and the City agree that the Original Easement is amended as follows.
 - a. The first three full paragraphs on the second page (that is, on Reel 2873, Page 0116) of the Original Easement, beginning with the words "In


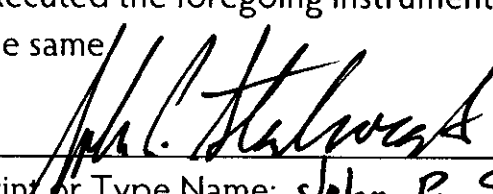
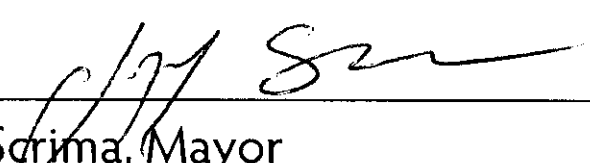
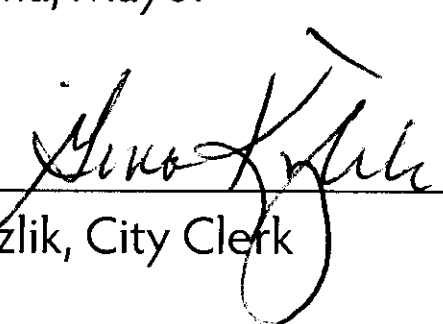
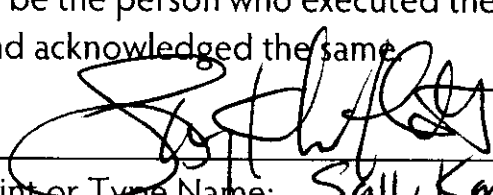
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consideration of..." and ending with the words "(SEE ATTACHED EXHIBIT 'B')"

b. Exhibit B to the Original Easement is deleted.

c. Exhibit A to the Original Easement is replaced by Exhibit 2 to this instrument.

4. **Ratification.** Except as amended by this instrument, the parties ratify and affirm the Original Easement, which continues in full force and effect.

<p>WOODMAN'S FOOD MARKET, INC.</p> <p>By: </p> <p>Clint Woodman, Vice President</p>	<p>STATE OF WISCONSIN)</p> <p>) ss.</p> <p>COUNTY OF DANE)</p> <p>Personally came before me this <u>5th</u> day of <u>September</u>, 2013, the above named Clint Woodman, to me known to be the person who executed the foregoing instrument and acknowledged the same.</p> <p></p> <p>Print or Type Name: <u>John P. Starkweather</u></p> <p>Notary Public, State of Wisconsin</p> <p>My Commission <u>expires 7/5/15</u></p>
<p>THE CITY OF WAUKESHA</p> <p>By: </p> <p>Jeff Scrima, Mayor</p> <p>Attest: </p> <p>Gina Kozlik, City Clerk</p>	<p>STATE OF WISCONSIN)</p> <p>) ss.</p> <p>COUNTY OF WAUKESHA)</p> <p>Personally came before me this <u>25th</u> day of <u>October</u>, 2013, the above named Jeff Scrima, Mayor, and Gina Kozlik, City Clerk, to me known to be the person who executed the foregoing instrument and acknowledged the same.</p> <p></p> <p>Print or Type Name: <u>Sally Kahlfeldt</u></p> <p>Notary Public, State of Wisconsin</p> <p>My Commission <u>5-4-14</u></p>

Drafted by: John P. Starkweather, Boardman & Clark LLP, PO Box 927, Madison, WI 53701

SALLY KAHLFELDT
Notary Public
State of Wisconsin

EXHIBIT 1: Woodman's Site

Lots 1 and 2 Certified Survey Map No. 10943 recorded on February 3, 2012 in Volume 106 at Page 283-291 as Document No. 3891684, being a division of Lot 2 of Certified Survey Map No. 5245 and lands, located in the Southeast 1/4 and the Northeast 1/4 of the Southeast 1/4 of Section 35 and the Southwest 1/4 and the Northwest 1/4 of the Southwest 1/4 of Section 36, Township 7 North, Range 19 East, City of Waukesha, Waukesha County, Wisconsin [WAKC1007041 & WAKC1007042]; and

Lots 3, 7 and Outlot 1 Certified Survey Map No. 10944 recorded on February 3, 2012 in Volume 106 at Page 292-302 as Document No. 3891685, being a division of Lot 3 of Certified Survey Map No. 10943, located in the Southeast 1/4 and the Northeast 1/4 of the Southeast 1/4 of Section 35 and the Southwest 1/4 and the Northwest 1/4 of the Southwest 1/4 of Section 36, Township 7 North, Range 19 East, City of Waukesha, Waukesha County, Wisconsin [WAKC1007043, WAKC1007044 & WAKC1007045]; and

Lots 5 and 6 and Outlot 4 Certified Survey Map No. 10945 recorded on February 3, 2012 in Volume 106 at Page 303-308 as Document No. 3891686, being a division of Lot 4 of Certified Survey Map No. 10943, located in the Southwest 1/4 and the Northwest 1/4 of the Southwest 1/4 of Section 36, Township 7 North, Range 19 East, City of Waukesha, Waukesha County, Wisconsin [WAKC1007046, WAKC1007047 & WAKC1007048]; and

Lot 4 and Outlot 3 Certified Survey Map No. 10946 recorded on February 3, 2012 in Volume 106 at Page 309-312 as Document No. 3891687, being a division of Lot 4 of Certified Survey Map No. 10944, located in the Southeast 1/4 of the Southeast 1/4 of Section 35 and the Southwest 1/4 of the Southwest 1/4 of Section 36, Township 7 North, Range 19 East, City of Waukesha, Waukesha County, Wisconsin [WAKC1007049 & WAKC1007050].

EXHIBIT 2: Easement Area Drawing

