

**AMENDMENT TO COMMERCIAL PLANNED UNIT DEVELOPMENT AGREEMENT  
FOX RUN MIXED USE**

**Parcel ID Number: WAKC 1328027**

**After Recording Return to:**  
**City of Waukesha**  
**Dept. Of Community Development**  
**201 Delafield Street**  
**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 **Fox Run 3, LLC a Wisconsin Limited Liability Company**, 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.

**Legal Description:** Lots 1 through 7 of Certified Survey Map No. 12027 as recorded.

**Whereas** the Parties entered into a Commercial Planned Unit Development Agreement dated July 29<sup>th</sup>, 2020; and

**Whereas**, the Parties desire to modify and amend certain provisions of that Agreement;

**Now Therefore**, in consideration of the mutual covenants contained in this Agreement, the City and Developers agree, and contract as follows:

1. The proposed use of Lot 4 will be residential and/or commercial use.
2. All terms and conditions of the original Commercial Planned Unit Development Agreement shall remain in full force and effect unless specifically modified herein.

Dated the \_\_\_\_\_ day of \_\_\_\_\_, 2026.

**Developer: Fox Run 3 LLC**

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James Rosen, Manager

STATE OF \_\_\_\_\_ ]

} ss.

\_\_\_\_\_ COUNTY ]

Richard P. Campbell, known to me to be the person executing this agreement, personally came before me the \_\_\_\_\_ day of \_\_\_\_\_, 2026, signed this Commercial Planned Unit Development Agreement in my presence, and acknowledged the same.

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Name: \_\_\_\_\_

Notary Public, (LOCATION) \_\_\_\_\_

My commission (is permanent) (expires \_\_\_\_\_)

**City of Waukesha**

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By Shawn N. Reilly, Mayor

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Attest: Katie Panella, City Clerk

STATE OF WISCONSIN ]

} ss.

WAUKESHA COUNTY ]

Shawn N. Reilly and Katie Panella, known to me to be the Mayor and City Clerk, respectively, of the City of Waukesha, personally came before me the \_\_\_\_\_ day of \_\_\_\_\_, 2026, signed this Commercial Planned Unit Development Agreement in my presence, and acknowledged the same.

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Name: \_\_\_\_\_

Notary Public, Waukesha County, Wisconsin

My commission (is permanent) (expires \_\_\_\_\_)

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