

MUNICIPAL SERVICES AGREEMENT
BALLPARK COMMONS – FRANKLIN, WISCONSIN (Project)

THIS MUNICIPAL SERVICES AGREEMENT (the "Agreement") is entered into as of February 19, 2018 by and between **THE ROCK SPORTS COMPLEX, LLC**, a Wisconsin limited liability company ("The Rock") and the **CITY OF FRANKLIN, WISCONSIN**, a Wisconsin municipal corporation ("City").

RECITALS

City and The Rock acknowledge the following:

A. The Rock and/or The Rock's affiliates are the Owners of that certain real property legally described in **Exhibit A** attached hereto (the "Property").

B. The Rock's affiliate, BPC Master Developer, LLC, and the City are parties to that certain Development Agreement dated February 19, 2018 (the "Development Agreement").

C. The Property is located within the boundaries of Tax Incremental District No. 5, City of Franklin, Wisconsin (the "District"). Pursuant to Wis. Stat. § 66.1105 (the "Tax Increment Law"), the City adopted a plan for redevelopment within the District.

D. Affiliates of The Rock plan on constructing a mixed-used development consisting of a stadium, sports village, restaurants, apartments, retail buildings, a hotel and offices on the Property, with an estimated development cost of approximately \$130 million (the "Project").

E. As part of the Project, the City may be issuing debt in an amount necessary to provide \$22,521,484 for improvements made as part of the Project. As used herein, the term "GO Bonds" shall mean all obligations borrowed by the City to finance such improvements to the Project, such as anticipation notes, general obligation notes/bonds, refunding notes/bonds and or revenue notes/bonds. As used herein, the term "MROs" shall have the meaning described in The Development Agreement.

F. Part of the Project includes the "Rock Sports Complex Area" as is defined in Ordinance 2016-2212, section 15-3.0442A.

G. Because of the District and the GO Bonds, the City's tax revenue from the Project will be limited until such time as the GO Bonds and the MROs are paid off. The City has demanded, and The Rock has agreed, to pay for certain municipal services upon the terms set forth below until the earlier of the (1) the repayment of the GO Bonds and the MROs or (2) December 31, 2037 (the "Term").

AGREEMENTS

In consideration of the RECITALS and the terms and conditions set forth herein, the parties agree and covenant as follows:

1. Recitals. The terms and provisions of the above recitals are hereby incorporated by reference.

2. Special Events. It is contemplated that the regular events and activities at the Rock Sports Complex Area will primarily be served by private security and medical services. In addition to such regular events, permitted, special, and temporary use approval requirements, as well as extraordinary entertainment and special events (as governed by Section 121-9 of the City's municipal code), are anticipated in accordance with Common Council actions on January 9, 2018 (the "Special Events"). During the term of this Agreement, the City reserves the right to require reasonable payments for municipal services associated with any Special Events in accordance with all laws, including but not limited to Wis. Stats. §66.0628. Nothing in this Agreement shall prohibit the City from establishing reasonable separate or special conditions in accordance with the law, including but not limited to charges or financial obligations for Police, Fire, or other City Department, private security, or private medical services as part of a special or temporary use approval or as part of special Event approval.

3. Traffic Control. The regulation and direction of traffic on public rights-of-way will likely remain a City Police Department responsibility subject to public safety demands, in the Police Department's reasonable determination. The City may separately, at its own discretion, invoice The Rock for actual labor costs of the City Police Department caused by events at the Rock Sports Complex Area and associated with any traffic control on (A) the portions of S. 76th Street that are immediately serving the entrances to what is currently known as Crystal Ridge Drive, (B) the portions of Rawson Avenue that are immediately serving the entrances to what is currently known as Crystal Ridge Drive, and (C) any other public right-of-way reasonably determined by the Police Department to be impacted by the event or activity and requiring special traffic control, as may occur on a case-by-case basis. During the Term, The Rock agrees to reimburse the City for any and all such reasonable expenses within thirty (30) days of its receipt of such invoices.

4. Other Annual Fees. Beginning in November of the year in which the stadium receives an occupancy permit until the end of the Term, The Rock and the City agree to meet annually to assess:

a. the necessity during the previous year for assistance and extraordinary services from the Police, Fire, and other City Departments for the Rock Sports Complex Area events and activities;

b. the actual use of assistance and services from the Police, Fire, and other City Departments during the previous year directly attributable to the Rock Sports Complex Area; and

c. any appropriate cost or reimbursement for services provided.

The parties will at that time work in good faith to determine if the demand placed on City Services justify requiring that the The Rock make a payment to the City beyond those provided for in Sections 2 and 3 above, as may be subsequently agreed upon based upon the review provided for herein. The Rock may require separate billing related to any particular event or activity for all charges to reimburse for such City services. The Rock payment for

services provided in a given year shall be payable by The Rock to the City prior to the end of that calendar year. Notwithstanding anything contained in this Section 4 to the contrary, annual payments under this Section 4 are not expected to exceed \$25,000 in any one year, as adjusted for inflation.

5. Time is of the essence for each and every obligation or agreement contained in this Agreement.

6. This Agreement shall bind The Rock and all future owners of the Rock Sports Complex Area and as such may be recorded against the real properties within the Rock Sports Complex Area by the City.

7. In the event that any term or provision of this Agreement is determined to be invalid or unenforceable for any reason, then the other terms and provisions of this Agreement shall not be affected thereby and said terms and provisions shall remain in full force and effect, unless to do so would be inequitable to either party hereto.

8. This Agreement shall be construed pursuant to the laws of the State of Wisconsin. Except as otherwise specifically and expressly set forth in this Agreement, the venue for any disputes arising under this Agreement shall be the Circuit Court for Milwaukee County. The prevailing party shall be entitled to its costs, including its reasonable attorneys' fees, incurred in any litigation.

9. Nothing contained within this agreement is intended to be a waiver or estoppels of the contracting municipality or its insurer to rely upon the limitations, defenses, and immunities contained within Wisconsin law, including those contained within Wis. Stats. 893.80, 895.52, and 345.05. To the extent that indemnification is available and enforceable, the municipality or its insurer shall not be liable in indemnity or contribution for an amount greater than the limits of liability for municipal claims established by Wisconsin Law.

[Signature page(s) follow.]

IN WITNESS WHEREOF, this Agreement is executed as of the date first above written.

THE ROCK SPORTS COMPLEX, LLC:

By: *Michael E. Zimmerman*
Michael E. Zimmerman, Manager



City of Franklin, Wisconsin

By: *Stephen R. Olson*
Stephen R. Olson, Mayor

Date: FEBRUARY 19, 2018

Attest: *Sandra L. Wesolowski*
Sandra L. Wesolowski, City Clerk

Approved as to form

Jesse A. Wesolowski
Jesse A. Wesolowski, City Attorney

Approved as to Appropriations

By: *Paul Rotzenberg*
Paul Rotzenberg, Director of Finance and Treasurer

EXHIBIT A

Parcel 1:

That part of the Southwest $\frac{1}{4}$ of Section 4, in Township 5 North, Range 21 East, in the City of Franklin, County of Milwaukee, State of Wisconsin, bounded and described as follows: Commencing at a point on the East line of said Southwest $\frac{1}{4}$ of Section 4, which is 918.81 feet North of the Southeast corner of said $\frac{1}{4}$ Section; thence North on the East line 400.00 feet to a stone monument; thence West on the East and West $\frac{1}{8}$ line 544.50 feet to a point; thence South and parallel to the East line 400.00 feet to a point; thence East and parallel to the said $\frac{1}{8}$ line 544.50 feet to the place of beginning.

For Informational Purposes Only:

Tax Key No. 745-8998-000

Parcel 2:

Outlot 1, in Block 1 in Whitnall View Addition No. 1, being a subdivision of a part of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 4, in Township 5 North, Range 21 East, in the City of Franklin, County of Milwaukee, State of Wisconsin.

For Informational Purposes Only:

Tax Key No. 745-0029-000

Parcel 3:

Outlot 1 of Certified Survey Map No. 3107, recorded on July 11, 1977, in Reel 1030, Image 1316, as Document No. 5119257, being a part of the Southwest $\frac{1}{4}$ of Section 4, in Township 5 North, Range 21 East, in the City of Franklin, County of Milwaukee, State of Wisconsin. Excepting therefrom the lands described in the Warranty Deed recorded November 6, 1998 as Document No. 7629111.

For Informational Purposes Only:

Tax Key No. 745-8999-004

Parcel 4:

Outlot 1 of Certified Survey Map No. 3931, recorded October 24, 1980 in Reel 1333, Image 129, as Document No. 5434959, being a part of the Southeast $\frac{1}{4}$ of Section 4, Township 5 North, Range 21 East, in the City of Franklin, County of Milwaukee, State of Wisconsin. Excepting therefrom the lands described in the Warranty Deed recorded November 6, 1998 as Document No. 7629111.

For Informational Purposes Only:

Property Address: 8230 W. Rawson Avenue

Tax Key No. 744-8985-002

Parcel 5:

Parcel 1 of Certified Survey Map No. 3931, recorded October 24, 1980 in Reel 1333, Image 129, as Document No. 5434959, being a part of the Southeast $\frac{1}{4}$ of Section 4, Township 5 North, Range 21 East, in the City of Franklin, County of Milwaukee, State of Wisconsin. Excepting therefrom the lands described in the Warranty Deed recorded November 6, 1998 as Document No. 7629111.

For Informational Purposes Only:

Property Address: 8230 W. Rawson Avenue

Tax Key No. 744-8985-001

Parcel 6A:

That part of the Southeast $\frac{1}{4}$ of Section 4, in Township 5 North, Range 21 East, in the City of Franklin, County of Milwaukee, State of Wisconsin, bounded and described as follows: Commencing at the Northeast corner of said $\frac{1}{4}$ Section; thence South $89^{\circ} 51' 33''$ West along the North line of said $\frac{1}{4}$ Section, 1324.72 feet to the North and South $\frac{1}{8}$ line of said $\frac{1}{4}$ Section; thence South $0^{\circ} 54' 45''$ West along said $\frac{1}{8}$ line, 905.13 feet to the place of beginning of land to be described; continuing thence South $0^{\circ} 54' 45''$ West along the said $\frac{1}{8}$ line, 1010.0 feet to a point; thence South $7^{\circ} 08'$ West 174.78 feet to a point; thence South $0^{\circ} 37'$ West 244.20 feet to a point in the center line of West Loomis Road, thence South $41^{\circ} 14'$ West along the center line of West Loomis Road, 406.47 feet to the point of intersection with the South line of said $\frac{1}{4}$ Section; thence West along the South line of said $\frac{1}{4}$ Section, 382.40 feet to a point; thence North $0^{\circ} 56'$ East along the East line of the West $\frac{1}{2}$ of the West $\frac{1}{2}$ of said $\frac{1}{4}$ Section, 1731.87 feet to a point; thence North $89^{\circ} 51' 33''$ East and parallel to the North line of said $\frac{1}{4}$ Section 662.60 feet to the place of beginning, excepting therefrom the South 60.0 feet and the Southeasterly 33.0 feet for street purposes. Also excepting therefrom those lands conveyed in Document No. 4382939, as corrected by Award of Damages recorded January 21, 1969 as Document No. 4441351.

Parcel 6B:

That part of the East $\frac{1}{2}$ of Section 4, Township 5 North, Range 21 East, in the City of Franklin, County of Milwaukee, State of Wisconsin, bounded and described as follows: Beginning at the Southeast corner of the Northeast $\frac{1}{4}$ of said Section; thence North along the East line thereof, 519.25 feet to a point; thence West on a line parallel to the South line of said Northeast $\frac{1}{4}$ Section, 204.0 feet to a point in a 40 foot right-of-way; thence Southwesterly along said right-of-way to a point on the South line of said Northeast $\frac{1}{4}$ Section, said point being 948.5 feet West of the Southeast corner of said $\frac{1}{4}$ Section; thence West along the North line of the Southeast $\frac{1}{4}$ of said Section to a point on the North and South $\frac{1}{8}$ line of said Southeast $\frac{1}{4}$ Section, said point being 1324.72 feet West of the Northeast corner of said Southeast $\frac{1}{4}$ Section; thence South along said $\frac{1}{8}$ line, 303 feet to a point; thence West on a line parallel to the North line of said Southeast $\frac{1}{4}$ Section, 662.45 feet to a point; thence South 602.13 feet to a point, said point being 662.60 feet West of said $\frac{1}{8}$ line; thence East on a line parallel to the North line of said Southeast $\frac{1}{4}$ Section; 662.60 feet to a point on said $\frac{1}{8}$ line; thence continuing Easterly on a line 662.62 feet to a point, said point being 663.25 feet West of the Southeast corner and 1733.79 feet North of the South line of said $\frac{1}{4}$ Section; thence North on a line 906.73 feet to a point on the North line of said Southeast $\frac{1}{4}$ Section, said point being 662 feet West of the Northeast corner of said Southeast $\frac{1}{4}$ Section; thence East along said North line to a point of beginning. Excepting therefrom that part of the Northeast $\frac{1}{4}$ of Section 4, in Township 5 North, Range 21 East, in the City of Franklin, County of Milwaukee, State of Wisconsin, bounded and described as follows: Commencing at the Southeast corner of said $\frac{1}{4}$ Section; thence North along the East line thereof, 519.25 feet to a point; thence North $87^{\circ} 16'$ West on a line parallel to the South line of said $\frac{1}{4}$ Section, 204.0 feet to a point in a 40 foot right-of-way; thence Southwesterly along said right-of-way, to a point in the South line of said $\frac{1}{4}$ Section, 948.5 feet West of

the Southeast corner of said $\frac{1}{4}$ Section; thence East along the South line of said $\frac{1}{4}$ Section to the point of beginning, excepting therefrom the East 60 feet thereof.

Parcel 6C:

The North 303 feet of the East $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 4, Township 5 North, Range 21 East, in the City of Franklin, County of Milwaukee, State of Wisconsin.

Parcel 6D:

That part of the West $\frac{1}{2}$ of the East $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of Section 4, Township 5 North, Range 21 East, in the City of Franklin, County of Milwaukee, State of Wisconsin, bounded and described as follows, to-wit: Beginning at a point in the center line of the Old Loomis Road (formerly State Trunk Highway 36) which point is South $89^{\circ} 06'$ West 663.25 feet along the South line of said $\frac{1}{4}$ Section from the Southeast corner of Section 4; thence North 1003.85 feet to the center of Loomis Road; thence South $50^{\circ} 49'$ West along said center line 283.58 feet; thence South $42^{\circ} 14'$ West along said center line 90.56 feet which is the place of beginning of the land herein to be described; thence continuing South $42^{\circ} 14'$ West 135.01 feet; thence North $69^{\circ} 29'$ West 311.87 feet; thence North $0^{\circ} 02'$ East 957.79 feet; thence North $89^{\circ} 10'$ East 662.62 feet; thence South 558.34 feet to a point which is 1175.45 feet North of the South line of said $\frac{1}{4}$ Section; thence South $89^{\circ} 07'$ West 279.90 feet; thence South $0^{\circ} 02'$ West 414.02 feet to the place of beginning. Excepting therefrom that portion used for road purposes.

Parcel 6E:

That part of the Southeast $\frac{1}{4}$ of Section 4, Township 5 North, Range 21 East, in the City of Franklin, County of Milwaukee, State of Wisconsin, bounded and described as follows: Commencing at the Northeast corner of the above said $\frac{1}{4}$ Section; thence Westerly along the North line of said $\frac{1}{4}$ Section, 662.00 feet; thence South $0^{\circ} 00' 00''$ West on a line a distance of 1,200.00 feet to the point of beginning, said line if extended would intersect the South line of the $\frac{1}{4}$ Section, 663.25 feet West of the Southeast corner of said $\frac{1}{4}$ Section; thence continuing along said line, South $0^{\circ} 00' 00''$ West, 264.60 feet; thence South $89^{\circ} 07' 00''$ West, 279.90 feet; thence South $0^{\circ} 02' 00''$ West, 354.31 feet to a point on the highway right-of-way of "Old Loomis Road" as laid out and traveled on January 1, 1971; thence along said highway right-of-way North $40^{\circ} 21' 43''$ East, 1,009.10 feet; thence South $52^{\circ} 56' 05''$ West, 236.19 feet; thence South $88^{\circ} 58' 09''$ West, 185.00 feet to the point of beginning. Together with that part of the Southeast $\frac{1}{4}$ of Section 4, Township 5 North, Range 21 East, in the City of Franklin, County of Milwaukee, State of Wisconsin, bounded and described as follows: Commencing at the Northeast corner of said $\frac{1}{4}$ Section; thence South along the East line of said $\frac{1}{4}$ Section, 981.07 feet; thence West 60 feet to the point of beginning, said point being the intersection of the West right-of-way line of South 76th Street and the North right-of-way line of relocated Old Loomis Road as laid out and traveled on June 1, 1973; thence continuing West along the North right-of-way line of said Old Loomis Road, 49.07 feet to the point of beginning of a curve; thence Westerly along said North right-of-way line 95.18 feet along the arc of a curve concave to the Southeast, said curve having a radius of 234.04 feet and a long chord of 94.53 feet bearing South $78^{\circ} 20' 55''$ West; thence North $52^{\circ} 57' 46''$ East, 177.46 feet to a point on the West right-of-way line of South 76th Street; thence South along said West right-of-way line, 87.80 feet to the point of beginning.

Parcel 6F:

That part of the Southeast ¼ of Section 4, Township 5 North, Range 21 East, in the City of Franklin, County of Milwaukee, State of Wisconsin, bounded and described as follows: Beginning at the Northeast corner of said ¼ Section; thence continuing West along the North line of said ¼ Section 662 feet to a point; thence South on a line, which line runs 2421.40 feet to a point 215 feet North of the South line and 663.25 feet West of the East line of said ¼ Section (measured parallel respectively to the East and South lines), 1200 feet to a point; thence East and parallel to the North line of said ¼ Section 185 feet to a point; thence Northeasterly on a line to a point on the East line of said ¼ Section, 848 feet South of the Northeast corner thereof; thence North along the East line of said ¼ Section to the point of beginning. Excepting therefrom the East 60 feet thereof.

For Informational Purposes Only:

Tax Key No. 744-8980-001

Parcel 7:

Being a part of the Southwest 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 4, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows: Commencing at the Southwest corner of said 1/4 Section; thence North 88° 42' 47" East along the South line of said 1/4 Section 1325.89 feet to the West line of the East 1/2 of said 1/4 Section; thence North 00° 23' 05" West along said West line 376.36 feet to a point on the Northerly line of Crystal Ridge Road and the point of beginning of lands to be described; thence South 39° 56' 49" West along said Northerly line 27.65 feet; thence North 00° 41' 14" West 194.65 feet; thence North 05° 49' 46" East 174.78 feet to a point on said West line; thence South 57° 06' 37" East 108.90 feet; thence South 59° 00' 13" East 43.87 feet; thence South 82° 15' 13" East 21.11 feet; thence South 69° 48' 13" East 28.90 feet; thence South 50° 20' 13" East 28.33 feet to a point on the Northerly line of said Drive; thence South 39° 56' 49" West along said Northerly line 306.13 feet to the point of beginning.

For Informational Purposes Only:

Tax Key No. 744-8988-000

Parcel 8:

That part of the Southeast ¼ of Section 4, in Township 5 North, Range 21 East, in the City of Franklin, County of Milwaukee, State of Wisconsin, bounded and described as follows: Commencing at the Northeast corner of said ¼ Section; thence westerly along the North line of said ¼ Section, 1324.72 feet to the North and South 1/8 line; thence South 0° 54' 45" West along the 1/8 line, 1915.13 feet to the place of beginning of lands to be described; thence South 55° 53' 15" East 109.36 feet; thence South 57° 44' 15" East 43.87 feet; thence South 80° 59' 15" East 21.11 feet; thence South 68° 32' 15" East 28.90 feet; thence South 49° 04' 15" East 62.90 feet to a point in the center line of West Loomis Road; thence North 41° 20' 45" East along the center line of West Loomis Road 104.00 feet to a point; thence North 68° 36' 15" West 311.87 feet to a point in the said 1/8 line; thence South 0° 54' 45" West along said 1/8 line, 52.21 feet to the place of beginning. Excepting therefrom that portion used for road purposes.

For Informational Purposes Only:

Tax Key No. 744-8989-000

Parcel 9:

That part of the Southeast ¼ of Section 4, Township 5 North, Range 21 East, in the City of Franklin, County of Milwaukee, State of Wisconsin, described as follows: Commence at the Southeast corner of said Section 4, run thence North 00° 00' 00" West, on an assumed bearing, along the East line of said Section, 1594.42 feet; thence North 90° 00' 00" West 60.00 feet to the West right-of-way of 76th Street and the point of beginning of this description; run thence South 00° 00' 00" East 205.00 feet along said right-of-way; thence South 58° 00' 00" West, 300.00 feet; thence South 20° 30' 00" West 385.00 feet; thence South 37° 33' 55" West 201.65 feet; thence South 48° 16' 12" West 330.78 feet; thence South 61° 02' 50" West 578.18 feet to a point located 230 feet North of, as measured normal to, the South line of said Section; thence South 89° 08' 18" West 39.61 feet parallel with the South line of said Section; thence North 40° 22' 33" East 1740.48 feet; thence North 65° 11' 16" East 141.03 feet; thence North 90° 00' 00" East 49.07 feet to the point of beginning.

For Informational Purposes Only:

Tax Key No. 744-8981-000

Parcel 10:

That part of the East ½ of the Southwest ¼ of the Northeast ¼ of Section 4, Town 5 North, Range 21 East that lies within the City Limits of the City of Franklin, County of Milwaukee, State of Wisconsin. Together with that part of the Southeast ¼ of the Northeast ¼ of Section 4, Town 5 North, Range 21 East that lies within the City Limits of the City of Franklin, County of Milwaukee, State of Wisconsin. Excepting therefrom that part of the Northeast ¼ of Section 4, in Township 5 North, Range 21 East, in the City of Franklin, County of Milwaukee, State of Wisconsin, bounded and described as follows: Commencing at the Southeast corner of said ¼ Section; thence North along the East line thereof, 519.25 feet to a point; thence North 87° 16' West on a line parallel to the South line of said ¼ Section, 204.0 feet to a point in a 40 foot right-of-way; thence Southwesterly along said right-of-way, to a point in the South line of said ¼ Section, 948.5 feet West of the Southeast corner of said ¼ Section; thence East along the South line of said ¼ Section to the point of beginning, excepting therefrom the East 60 feet thereof. Further Excepting therefrom all that part of the Northeast 1/4 of Section 4, Town 5 North, Range 21 East, in the City of Franklin, County of Milwaukee, State of Wisconsin, bounded and described as follows: Commencing at the Southeast corner of said 1/4 Section; running thence North 03° 51' 30" East on the East Line of Said 1/4 Section, 519.25 feet to a point; thence North 87° 16' West, 582.23 feet to the place of beginning of the land to be described; thence continuing North 87° 16' West, 148.77 feet to a point in the Easterly line of the park described in Document No. 2137727; thence South 03° 51' 30" West and parallel to the East line of said 1/4 Section, 367.55 feet to a point; thence North 58° 12' 34" East, 255.43 feet to a point; thence North 11° 00' 30" West, 229.27 feet to the place of beginning; together with a non-exclusive right-of-way 40 feet wide, extending from the Southeasterly corner of the above described premises to South 76th street the center line of said right-of-way being an extension in a Northeasterly direction of the Southerly line of the above-described premises. Further excepting therefrom all that part of the Northeast 1/4 of Section 4, Town 5 North, Range 21 East, in the City of Franklin, County of Milwaukee, State of Wisconsin, bounded and described as follows: Commencing at the Southeast corner of said 1/4 Section running thence North 03° 51' 30" East on the East line of said 1/4 Section, 519.25 feet to a point; thence North 87° 16' West, 204.00 feet to the place of beginning;

thence continuing North 87° 16' West, 378.23 feet to a point; thence South 11° 00' 30" East, 229.27 feet to a point; thence North 58° 12' 34" East, 392.97 feet to the place of beginning, together with a non-exclusive right of way 40 feet wide, extending from the Southeasterly corner of the subject premises to South 76th Street, the center line of said right of way being an extension in the Northeasterly direction of the Southerly line of the subject premises.

EXCEPTING THEREFROM THE FOLLOWING:

PART OF THE SOUTHWEST 1/4 AND SOUTHEAST 1/4 OF THE NORTHEAST 1/4 AND THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 4, TOWN 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 4; THENCE N00°19'12"W ALONG THE EAST LINE OF SAID 1/4 SECTION 519.27 FEET; THENCE S88°33'16"W 1190.88 FEET TO A POINT AT THE CENTERLINE OF THE ROOT RIVER AND THE POINT OF BEGINNING OF LANDS TO BE DESCRIBED; THENCE CONTINUING S88°33'16"W 47.5± FEET TO A POINT ON A MEANDER LINE AS SURVEYED BEING POINT "A"; THENCE CONTINUING S88°33'16"W 744.98 FEET; THENCE S00°03'36"W 489.23 FEET TO A MEANDER LINE AS SURVEYED, SAID LINE BEING N00°03'36"E 35.3± FEET OF A POINT AT THE CENTER LINE OF THE ROOT RIVER WHICH IS SOUTHWESTERLY 997 FEET OF THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID MEANDER LINE N78°40'41"E 152.35 FEET; THENCE N65°31'16"E 157.47 FEET; THENCE N66°28'28"E 81.84 FEET; THENCE N42°32'22"E 276.26 FEET; THENCE N53°05'35"E 141.38 FEET; THENCE N46°16'35"E 88.66 FEET; THENCE N24°07'51"E 33.38 FEET TO SAID POINT "A", BEING S88°33'16"W 47.5± FEET OF THE POINT OF BEGINNING. LANDS TO INCLUDE ALL THAT WHICH LIES BETWEEN THE THREAD OF THE ROOT RIVER AND THE MEANDER LINE AS SURVEYED.

For Informational Purposes Only:

PART OF Tax Key No. 708-8996-000

Parcel 11:

That part of the Northeast ¼ of Section 4, in Township 5 North, Range 21 East, in the City of Franklin, County of Milwaukee, State of Wisconsin, bounded and described as follows: Commencing at the Southeast corner of said ¼ Section; thence North along the East line thereof, 519.25 feet to a point; thence North 87° 16' West on a line parallel to the South line of said ¼ Section, 204.0 feet to a point in a 40 foot right-of-way; thence Southwesterly along said right-of-way, to a point in the South line of said ¼ Section, 948.5 feet West of the Southeast corner of said ¼ Section; thence East along the South line of said ¼ Section to the point of beginning, excepting therefrom the East 60 feet thereof.

For Informational Purposes Only:

Tax Key No. 708-8999-000