

Document Number	<p style="text-align: center;">PARTIAL RELEASE OF DEED RESTRICTIONS</p> <p style="text-align: center;">Document Title</p>
<p>PARTIAL RELEASE OF DEED RESTRICTIONS</p> <p>(2117 West Center Street)</p>	
<p><u>Recording Area</u></p> <p>Name and Return Address</p>	

325-1531-000

Parcel Identification Number (PIN)

THIS PARTIAL RELEASE OF DEED RESTRICTIONS, made as of this _____ day of _____, 2016 by the CITY OF MILWAUKEE, a Wisconsin municipal corporation (“City”), in order to facilitate the sale and development of property by removing certain restrictions that cloud title.

RECITALS

WHEREAS, City conveyed, via quit claim deed, the properties at 2107-09 West Center Street, recorded with the Milwaukee County Register of Deeds Office (“RoD”) on July 6, 1987 as document numbers 06080020 (“Deed 1”) and 06080022 (“Deed 2”), 2125-27 West Center Street, recorded with the RoD on April 21, 1999 as document number 07731483 (“Deed 3”), and 2133-35 West Center Street and 2666 North 22nd Street, recorded with the RoD on July 28, 2003 as document number 08581757 (“Deed 4”) (referred to collectively as the “Deeds”), that

were combined through Certified Survey Map Number 8050, recorded with the RoD on June 6, 2008 as document number 09610598, and now known as 2117 West Center Street and legally described in **EXHIBIT A** (the “Property”); and

WHEREAS, Deeds 1 and 2 contain a restriction that “the use of the property is limited to accessory residential use,” and Deeds 1, 2, and 4 contain a restriction which requires that “the land herein conveyed shall be used as open space and no principal building may be erected thereon,” and Deed 3 contains a restriction that the former owner of a building on the conveyed property, now demolished, “shall perform such acts as may be required to bring the property being conveyed hereunder into full compliance with all applicable building codes and ordinances within the time specified by the Department of Neighborhood Services or said property may revert back to the ownership of the City or Milwaukee upon action by the Common Council” (referred to collectively as the “Deed Restrictions”); and

WHEREAS, The Deed Restrictions state that in the event there is a breach of one or more of the Deed Restrictions the property shall be forfeited and shall revert to the City; and

WHEREAS, National Retail Development, LLC (“Developer”) has proposed to purchase the Property from the current owner, Greater New Birth Church Inc., and develop it into a Family Dollar retail location; and

WHEREAS, Developer requests that the Deed Restrictions contained in the Deeds be released so that Developer may proceed with the purchase and development of the Property; and

WHEREAS, City wishes to release the Deed Restrictions so that Developer may proceed with the planned development.

RELEASE OF DEED RESTRICTIONS

NOW, THEREFORE, City hereby releases, waives, and disclaims the Deed Restrictions and any associated rights thereunder. Nothing in this Partial Release of Deed Restrictions shall be construed as a release of any other restrictions contained in the Deeds not explicitly released herein or a waiver by City of any standard City approvals or other requirements under building codes, zoning codes or other applicable laws.

IN WITNESS WHEREOF, City has caused this Partial Release of Deed Restrictions to be executed by its duly authorized representatives as of the day and date set forth above.

<p>AUTHENTICATION AND APPROVAL OF CITY SIGNATURE</p> <p>_____, as a member in good standing of the State Bar of Wisconsin, hereby approves the signatures of the City representatives above per M.C.O. § 304-21, and also authenticates the signatures of those City representatives/signatories per Wis. Stat. § 706.06 so this document may be recorded per Wis. Stat. § 706.05 (2)(b).</p> <p>By: _____</p> <p>Name Printed: _____</p> <p>Assistant City Attorney</p> <p>WI State Bar Number: _____</p> <p>Date: _____</p>	<p>CITY: CITY OF MILWAUKEE</p> <p>By: _____</p> <p>Amy E. Turim Department of City Development Real Estate Development Services Manager</p> <p>City Common Council Resolution File No. _____, adopted on _____, 2016.</p>
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This instrument drafted by:
 Kail Decker
 Assistant City Attorney
 City of Milwaukee
 City Attorney's Office
 State Bar No. 1063074

1050-2015-2191:229951

EXHIBIT A

(Legal Description)

PARCEL 1, CERTIFIED SURVEY MAP NO. 8050, RECORDED ON JUNE 6, 2008, AS DOCUMENT NO. 9610598, BEING A DIVISION OF THE NORTH 77 FEET OF LOT 1 AND ALL OF LOTS 2 THROUGH 9, BLOCK 2 MANN, BURKE AND SOMERS SUBDIVISION, LOCATED IN THE NE ¼ OF THE SW ¼ OF SECTION 18, TOWNSHIP 7 NORTH, RANGE 22 EAST, IN THE CITY OF MILWAUKEE, MILWAUKEE COUNTY, WISCONSIN.