

**FOURTH AMENDMENT TO
COOPERATION, CONTRIBUTION AND
DEVELOPMENT AGREEMENT
(TIDs No. 22 & 84 - Arena Project)**

Name and Return Address:
City of Milwaukee
Dept. of City Development
Attn: Mary L. Schanning
809 N Broadway
Milwaukee, WI 53202

Tax Key No.: 361-2252-000

Recording Area

**FOURTH AMENDMENT TO
COOPERATION, CONTRIBUTION AND
DEVELOPMENT AGREEMENT**

(TIDs No. 22 & 84 - Milwaukee Bucks Arena Project)

This FOURTH AMENDMENT TO COOPERATION, CONTRIBUTION AND DEVELOPMENT AGREEMENT (“Fourth Amendment”) is made as of the ____ day of November, 2021 (“Effective Date”), by and among Deer District LLC, a Delaware limited liability company, (“DEVELOPER”); the Redevelopment Authority of the City of Milwaukee, a public body corporate and politic organized and existing under the laws of the State of Wisconsin (“RACM”); the City of Milwaukee, a Wisconsin municipal corporation (“CITY”) and Park 7 Lofts LLC, a Wisconsin limited liability company (“550 OWNER”).

RECITALS:

1. DEVELOPER, CITY and RACM entered into the Cooperation, Contribution and Development Agreement dated December 22, 2015, to facilitate the construction of a new arena, now known as the Fiserv Forum, and related development in the City of Milwaukee and amended that agreement on September 20, 2016; on September 1, 2020; and again on April 13, 2021 (collectively, as amended, the “Development Agreement”).

2. Any capitalized terms used in this Fourth Amendment, but not defined in this Fourth Amendment shall be as they are defined in the Development Agreement.

3. 550 OWNER purchased property the title of which is subject to the terms of the Development Agreement which property is more fully described as follows and shall be referred to as the “550 Parcel” in this Fourth Amendment:

LOT 2 OF CERTIFIED SURVEY MAP NO. 8949, RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR MILWAUKEE COUNTY, WISCONSIN ON AUGUST 28, 2017 AS DOCUMENT NO. 10705506, BEING A DIVISION OF LOT 1, CERTIFIED SURVEY MAP NUMBER 8788 LOCATED WITHIN PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 AND PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 20, TOWN 7 NORTH, RANGE 22 EAST AND PART OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 29, TOWN 7 NORTH, RANGE 22 EAST, IN THE CITY OF MILWAUKEE, MILWAUKEE COUNTY, WISCONSIN.

4. The 550 Parcel was created when Block 7 was subdivided via certified survey map as was required by Section 5.5 of the Development Agreement, is currently owned by 550 OWNER and has been fully developed into an apartment building known as The 550 Ultra Lofts as anticipated in Phase 1 of the Project as shown on Exhibit A to the Development Agreement.

5. The Development Agreement is mentioned in a Warranty Deed which was recorded at the Milwaukee County Register of Deeds as Document No. 10554845 on April 13, 2016.

6. Upon acquiring title to the 550 Parcel, 550 OWNER became a Party to the Development Agreement.

7. CITY, RACM, DEVELOPER and 550 OWNER agree that because it is fully developed as required by the Development Agreement, the 550 Parcel can and should be released from the terms of the Development Agreement.

8. By passage of Common Council Resolution File No. 211072, on November 23, 2021, CITY authorized execution of this Fourth Amendment.

9. By passage of Resolution No. _____, on November 18, 2021, RACM authorized execution of this Fourth Amendment.

In consideration of the above recitals, which are incorporated by reference, and the mutual obligations of the Parties hereto, CITY, RACM, DEVELOPER and 550 OWNER covenant and agree as follows:

FOURTH AMENDMENT

The Development Agreement is hereby amended to release the Development Agreement from the title to the 550 Parcel. 550 OWNER shall have no further or future obligations under the terms of the Development Agreement and the title to the 550 Parcel shall no longer be encumbered by the Development Agreement.

All other language in the Development Agreement shall remain unchanged and in full force and effect and CITY, RACM and DEVELOPER shall remain as the Parties to the Development Agreement.

The Payment in Lieu of Taxes Agreement recorded with the Milwaukee County Register of Deeds Office as Document No. 10752764 on February 15, 2018, against title to the 550 Parcel shall remain in effect and is not released as part of this Fourth Amendment.

This Fourth Amendment may be recorded with the Milwaukee County Register of Deeds Office at 550 OWNER's sole expense.

IN WITNESS WHEREOF, the Parties hereto have caused this Fourth Amendment to be executed by their duly authorized representatives as of the date first set forth above.

SIGNATURES ON NEXT 3 PAGES

CITY OF MILWAUKEE

Tom Barrett, Mayor

James R. Owczarski, City Clerk

COUNTERSIGNED:

Aycha Sawa, Comptroller

Mary L. Schanning, as a member in good standing of the State Bar of Wisconsin, hereby authenticates the signatures of Tom Barrett, Mayor; James R. Owczarski, City Clerk; and Aycha Sawa, Comptroller, pursuant to Wis. Stat. sec. 706.06 this ____ day of December, 2021.

Attorney Mary L. Schanning
State Bar No. 1029016

**REDEVELOPMENT AUTHORITY
OF THE CITY OF MILWAUKEE**

Frances Hardrick, Chairperson

David P. Misky, Assistant Executive
Director/Secretary

Mary L. Schanning, as a member in good standing of the State Bar of Wisconsin, hereby authenticates the signatures of Frances Hardrick, Chairperson and David P. Misky, Assistant Executive Director/Secretary, pursuant to Wis. Stat. sec. 706.06 this ____ day of November, 2021.

Attorney Mary L. Schanning
State Bar No. 1029016

DEER DISTRICT LLC

By: _____
Peter Feigin, President

STATE OF WISCONSIN)
)SS.
MILWAUKEE COUNTY)

Personally came before me this ____ day of November, 2021, Peter Feigin, President of Deer District LLC, to me known to be the person who executed the foregoing instrument, and to me known to be such President of such limited liability company, and acknowledged that he executed the foregoing instrument as such officer of Deer District LLC.

(SEAL)

Notary Public, State of Wisconsin
My Commission_____

PARK 7 LOFTS LLC

By: _____
[NAME, TITLE]

STATE OF WISCONSIN)
)SS.
MILWAUKEE COUNTY)

Personally came before me this ____ day of November, 2021, _____, _____ of Park 7 Lofts LLC, to me known to be the person who executed the foregoing instrument, and to me known to be such _____ of such limited liability company, and acknowledged that they executed the foregoing instrument as such officer of Park 7 Lofts LLC.

(SEAL)

Notary Public, State of Wisconsin
My Commission_____