

EXHIBIT A

CRITERIA FOR DESIGN OF THE IMPROVEMENT

1. TENANT shall at its expense submit a design for the proposed Improvement that complies with the following criteria:

a. One or two structures may be built on the Property not to exceed 120,000 sq. ft. combined in size on one or more floors but in no event to exceed maximum 65 ft. height nor an average 50 ft. height above the existing average grade of the Municipal Pier dockwall, exclusive of masts or antennas. The structure(s) total footprint, excluding the parking garage, will be approximately 60,000 sq. ft.

b. The structure(s) will be built on land but some design elements of the building may extend over or into the waters of Lake Michigan in a manner consistent with the overall design and use of the new adjacent harbor.

c. A single level car parking garage that extends not less than 6 ft. below nor more than 4 ft. above the existing average grade of Michigan Street extended may be constructed on the Property. The parties will explore the possibilities of public financing for this parking structure.

2. TENANT will select the architect for the Improvement. TENANT will work closely with the Harbor Commissioners and the CITY to develop and select an appropriate design for the above-contemplated facilities within the above parameters. Professor Lawrence Witzling, University of Wisconsin – Milwaukee Department Architecture, or, if not available, a mutually agreed upon arbiter, shall facilitate the design process and resolve any design related differences within the above agreed parameters. A final design concept will be submitted for approval by the Board of Harbor Commissioners and the Common Council.