

AMENDMENT TO & EXTENSION OF
LEASE AGREEMENT

Between

THE BOARD OF HARBOR COMMISSIONERS/
CITY OF MILWAUKEE

And

THE UNITED STATES OF AMERICA
U.S. ARMY CORPS OF ENGINEERS

For: 5.97 acres of bare land located at 2372 S. Logan Avenue

Term: October 1, 2006 – September 30, 2007

Date of Agreement:

AMENDMENT TO & EXTENSION OF LEASE AGREEMENT

Amendment to & Extension of Lease Agreement made as of the _____ day of _____, 2006, by the United State of America (and hereinafter referred to as the "Tenant"), and the CITY OF MILWAUKEE, a Wisconsin municipal corporation, by and through its Board of Harbor Commissioners (hereinafter collectively referred to as the "City").

WITNESSETH :

WHEREAS the City and the Tenant have entered into a Lease Agreement dated November 1, 2005 (herein referred to as the "Lease Agreement"), for the lease of approximately 5.97 acres of real property located at 2372 S. Logan Avenue in the City of Milwaukee (hereinafter referred to as the "Property"); and

WHEREAS the City and the Tenant have agreed to extend the term of the Lease Agreement and to amend certain of its terms and conditions, as further specified in this Amendment to & Extension of Lease Agreement;

NOW THEREFORE, in consideration of the mutual covenants and conditions set forth herein, the City and the Tenant agree to amend and extend the Lease Agreement dated November 1, 2005 as follows:

This lease is entered into by the parties under the following terms and conditions:

1. Term. The term of the Lease Agreement shall be restructured to include the following:

A) A new term of one (1) year commencing at 12:00 a.m. on October 1, 2006 and ending at 11:59 p.m. on September 30, 2007 (the "Extension Period").

2. Rent. During the Extension Period, the rental shall be a sum of \$71,585 (Seventy One Thousand Five Hundred and Eighty Five Dollars).

3. Except as otherwise provided for in the Amendment to & Extension of Lease Agreement, all other terms and conditions of the Lease Agreement dated November 1, 2005 shall remain unchanged and continue in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to & Extension of Lease to be executed by the proper respective officers at Milwaukee, Wisconsin and their corporate seals to be affixed hereto on the day and year first above written.

In the Presence of:

CITY OF MILWAUKEE

Tom Barrett, Mayor

Ronald D. Leonhardt, City Clerk

COUNTERSIGNED:

W. Martin Morics, City Comptroller

In the Presence of:

BOARD OF HARBOR COMMISSIONERS

Daniel J. Steininger, President

Donna C. Luty, Secretary

In the Presence of:

THE UNITED STATES OF AMERICA

**STATE OF WISCONSIN
MILWAUKEE COUNTY**

Personally came before me this _____ day of _____, 2006, Tom Barrett, Mayor of the above-named municipal corporation, who by its authority and on its behalf executed the foregoing instrument and acknowledged the same.

NOTARY PUBLIC, State of Wisconsin
My Commission Expires _____

**STATE OF WISCONSIN
MILWAUKEE COUNTY**

Personally came before me this _____ day of _____, 2006, W. Martin Morics, the City Clerk of the above-named municipal corporation, who by its authority and on its behalf executed the foregoing instrument and acknowledged the same.

NOTARY PUBLIC, State of Wisconsin
My Commission Expires_____

**STATE OF WISCONSIN
MILWAUKEE COUNTY**

Personally came before me this _____ day of _____, 2006, Ronald D. Leonhardt, the City Comptroller of the above-named municipal corporation, who by its authority and on its behalf executed the foregoing and acknowledged the same.

NOTARY PUBLIC, State of Wisconsin
My Commission Expires_____

**STATE OF WISCONSIN
MILWAUKEE COUNTY**

Personally came before me this _____ day of _____, 2006, Daniel J. Steininger, President, and Donna C. Luty, Secretary of the Board of Harbor Commissioners, who by its authority and on its behalf executed the foregoing instrument and acknowledged the same.

NOTARY PUBLIC, State of Wisconsin
My Commission Expires_____

STATE OF NEBRASKA
_____ **COUNTY**

Personally came before me this _____ day of _____, 2006,
_____, the _____, and
_____, the _____, of the United States of
America (U.S. Army), who by its authority and on its behalf executed the foregoing
instrument and acknowledged the same.

NOTARY PUBLIC, State of Wisconsin
My Commission Expires _____

APPROVED as to Form and Execution this
_____ day of _____, 2006.

Assistant City Attorney

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