

QUIT CLAIM DEED  
**ISLAND**

Document Number

Document Title

**THIS INDENTURE**, Made as of the 1<sup>st</sup> day of September, 2004, between the CITY OF MILWAUKEE, a Wisconsin municipal corporation, acting by and through its Board of Harbor Commissioners, ("GRANTOR"), and the STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES, ("GRANTEE").

**WITNESSETH**, That GRANTOR, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration to it paid by GRANTEE, the receipt of which is hereby confessed and acknowledged, hereby gives, grants, bargains, sells and quit-claims, to GRANTEE and to its successors and assigns forever, the following described real estate (the "Property"), situated in the County of Milwaukee, State of Wisconsin, to-wit:

**LEGAL DESCRIPTION OF PROPERTY  
ATTACHED AS EXHIBIT "A".**

Recording Area

Name and Return Address

Mr. Eric K. Ebersberger  
Wisconsin Department of Natural Resources  
101 South Webster Street  
P.O. Box 7921  
Madison, WI 53707-1921

Tax Key Number:

The property is conveyed upon the following express conditions, which shall constitute restrictions running with the land:

1. The Property shall be used forever, solely and exclusively as a Wisconsin State Park and a Wisconsin State Trail and on the further condition that GRANTEE will maintain the Property forever for such purposes.
2. In the event that GRANTEE shall cease to use, maintain, and operate the Property as a Wisconsin State Park and a Wisconsin State Trail, the Property shall revert to the GRANTOR.
3. The Property shall be used and improved by GRANTEE in a manner consistent with the Lakeshore State Park Master Plan and Environmental Assessment Report, which was approved by the Natural Resources Board in October, 2000; provided, however, that (i) no above grade structures shall be constructed by GRANTEE upon the Property, with the exception of one building of not more than 1,500 square feet to house restroom and shower facilities, an office for the Lakeshore State Park and display areas, the construction, design and placement of which shall be subject to the written approval of GRANTOR's Commissioner of City Development and the Chair of GRANTOR's Board of Harbor Commissioners, which shall not be unreasonably withheld; (ii) that no more than seven percent (7%) of the gross land area of the Property, measured from low water datum, shall be improved with paved trails, walkways or other paved areas without the written consent of GRANTOR's Commissioner of City Development and the Chair of GRANTOR's Board of Harbor Commissioners, which shall not be unreasonably withheld; and (iii) that all subleases and licenses for commercial use of the Property by third parties shall be subject to the written approval of GRANTOR's Commissioner of City Development and the Chair of GRANTOR's Board of Harbor Commissioners.

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging or in any wise thereunto appertaining, and all the estate, right, title and interest and claim whatsoever of GRANTOR.

IN WITNESS WHEREOF, GRANTOR has caused this Deed to be executed by its duly authorized officers as of the \_\_\_\_ day of \_\_\_\_\_, 2004.

**CITY OF MILWAUKEE**

**BOARD OF HARBOR COMMISSIONERS**

\_\_\_\_\_  
Tom Barrett, Mayor

\_\_\_\_\_  
President

\_\_\_\_\_  
Ronald D. Leonhardt, City Clerk

\_\_\_\_\_  
Secretary

**COUNTERSIGNED:**

\_\_\_\_\_  
W. Martin Morics, City Comptroller

STATE OF WISCONSIN )  
  )ss.  
MILWAUKEE COUNTY )

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2004, 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 )  
  )ss.  
MILWAUKEE COUNTY )

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2004, Ronald D. Leonhardt, 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 )  
  )ss.  
MILWAUKEE COUNTY )

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2004, \_\_\_\_\_, President and \_\_\_\_\_ Secretary of the above-named 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:\_\_\_\_\_

THIS INSTRUMENT WAS DRAFTED BY  
City of Milwaukee, City Attorney's Office  
Thomas O. Gartner, Assistant City Attorney  
Wisconsin State Bar No. 01003072

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