

TERMINATION OF LEASE

Document Title

Document Number

THIS TERMINATION OF LEASE is made by and between City of Milwaukee, a Wisconsin municipal corporation ("City"), and BMO Harris Bank NA ("BMO"), as of _____, 2017.

WITNESSETH

WHEREAS, City is the "Lessor" under that certain Lease recorded on May 24, 1966, in Reel 309, Image 1509, as Document No. 4256418 (the "Lease"); and

WHEREAS, BMO is the successor "Lessee" under the Lease, and fee title owner of the real property commonly known as 778 North Water Street and 769 North Broadway, Milwaukee, Wisconsin and legally described on Exhibit A attached hereto and incorporated herein by this reference (the "Property"); and

WHEREAS, the purpose of the Lease was to grant certain air space rights over a public north-south alley on the Property (the "Alley");

WHEREAS, the City vacated the Alley pursuant to Common Council File Number _____, thereby eliminating the need for the Lease;

NOW, THEREFORE, City and BMO do hereby agree that the Lease is terminated as of the date first set forth above and neither party shall have any further rights or obligations thereunder.

[Signature Pages Follow]

Recording Area

Name and Return Address

Danielle M. Bergner, Esq.
Michael Best & Friedrich LLP
100 East Wisconsin Ave., Suite 3300
Milwaukee, WI 53202

392-0707-111-4 and 392-0700-100-0
Parcel Identification Numbers (PINs)

IN WITNESS WHEREOF, CITY hereby executes this Termination of Lease by its duly authorized officers as of the date first set forth above.

CITY OF MILWAUKEE

By: _____
Mayor Tom Barrett

By: _____
James R. Owczarski
City Clerk

Countersigned:

Martin Matson
Comptroller

Signatures of Tom Barrett, James R. Owczarski, and Martin Matson authenticated this _____ day of _____, 2017.

Assistant City Attorney

IN WITNESS WHEREOF, BMO hereby executes this Termination of Lease by its duly authorized officer as of the date first set forth above.

BMO HARRIS BANK NA

By: _____

Title: _____

STATE OF _____)
)SS
COUNTY OF _____)

Personally came before me, this _____ day of _____, 2017 the above named _____ as _____ of BMO Harris Bank NA, to me known to be the person who executed the foregoing Termination of Lease, and acknowledged that he executed the same for the purposes therein contained.

Notary Public, State of _____

My Commission: _____

Drafted by:
Danielle M. Bergner
Michael Best & Friedrich LLP
100 East Wisconsin Avenue, Suite 3300
Milwaukee, Wisconsin 53202

EXHIBIT A

Legal Description

PARCEL 1:

PARCEL 1:

LOTS 1, 2, 7, 8, 9, 10, 11 AND 12, BLOCK 10 IN PLAT OF MILWAUKEE (EAST OF THE RIVER) IN THE NE 1/4 OF SECTION 29, TOWNSHIP 7 NORTH, RANGE 22 EAST, IN THE CITY OF MILWAUKEE, MILWAUKEE COUNTY, STATE OF WISCONSIN, TOGETHER WITH THE FOLLOWING:

ALL THAT PART OF THE FOLLOWING DESCRIBED PREMISES LYING WEST OF A LINE WHICH IS 30 FEET WEST OF AND PARALLEL TO THE WEST LINE OF BLOCK 10 IN PLAT OF MILWAUKEE (E OF RIVER) IN THE NE 1/4 OF SEC. 29-7-22 E IN THE CITY OF MILWAUKEE. THAT PART OF NORTH WATER STREET IN THE NORTHEAST 1/4 OF SECTION 29, TOWNSHIP 7 NORTH, RANGE 22 EAST, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF BLOCK 10 IN PLAT OF MILWAUKEE (EAST OF THE RIVER) A RECORDED SUBDIVISION IN SAID 1/4 SECTION; THENCE NORTH 0° 31' WEST, 81.14 FEET ALONG THE WEST LINE OF SAID BLOCK 10 TO THE POINT OF BEGINNING OF THE LAND TO BE DESCRIBED; CONTINUING THENCE NORTH 0° 31' WEST 278.86 FEET ALONG THE WEST LINE OF SAID BLOCK 10 TO THE NORTHWEST CORNER OF SAID BLOCK; THENCE WEST ALONG THE NORTH LINE OF SAID BLOCK EXTENDED WEST 30.05 FEET TO A POINT, SAID NORTH LINE ALSO BEING THE PRESENT SOUTH LINE OF EAST WELLS STREET; THENCE SOUTH 51° 49' 40" WEST 14.74 FEET TO A POINT IN A CURVE; THENCE SOUTHERLY ALONG A CURVED LINE HAVING A RADIUS OF 77.85 FEET WITH ITS CENTER TO THE EAST AND A CHORD 55.21 FEET IN LENGTH WHICH BEARS SOUTH 6° 10' 03" WEST, A DISTANCE OF 56.44 FEET TO A POINT OF TANGENCY; THENCE SOUTH 14° 36' 05" EAST 140.74 FEET TO A POINT OF CURVE; THENCE SOUTHEASTERLY ALONG A CURVED LINE HAVING A RADIUS OF 562.00 FEET WITH ITS CENTER TO THE SOUTHWEST AND A CHORD 79.99 FEET IN LENGTH WHICH BEARS SOUTH 10° 31' 13.5" EAST A DISTANCE OF 80.06 FEET TO THE POINT OF BEGINNING.

FOR INFORMATIONAL PURPOSES ONLY:

Tax Parcel No. 392-0707-111-4

Tax Roll Address: 778 N. Water Street

PARCEL 2:

LOTS 3 AND 4, BLOCK 10, IN PLAT OF MILWAUKEE, EAST SIDE OF RIVER, IN THE NE1/4 OF SECTION 29, TOWNSHIP 7 NORTH, RANGE 22 EAST, CITY OF MILWAUKEE, MILWAUKEE COUNTY, STATE OF WISCONSIN.

FOR INFORMATIONAL PURPOSES ONLY:

Tax Parcel No. 392-0700-100-0

Tax Roll Address: 769 N. Broadway

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