

Document Number

DEED RESTRICTION

DANE COUNTY REGISTER OF DEEDS

DOCUMENT # 3708483

05/08/2003 04:44:21PM

Trans. Fee: Exempt #:

Rec. Fee: 17.00 Pages: 4

003104

In Re: The Center for Industry & Commerce Plat  
Lots 1,2 and 51 through 61 inclusive, and 70 through 78  
inclusive, and 92, see Exhibit A

After recording return to:

The Center for Industry & Commerce LLC  
PO Box 7700  
Madison, Wi 53707  
Attn: Jeff Lee

0810-163-0198-9 and 0810-162-0198-1

Parcel Identification Number(s)

RECITALS:

A. The City of Madison (the "City") is the owner of the property described above (the "Property").

B. The City has entered into an agreement with The Center for Industry & Commerce L.L.C. (the "Developer") under which the Developer would purchase and undertake development of the Property.

C. The City and Developer desire that the Property shall be subject to the restrictions set forth in this Deed Restriction.

NOW THEREFORE, the City and Developer agree that the Property shall be subject to the use restrictions set forth hereinafter:

1. None of the uses set forth below shall be allowed upon the land described above without the prior written approval of the City:

- amusement establishments
- animal hospitals and kennels
- feed mixing and grinding plants
- poultry and rabbits slaughtering and processing
- shell egg business (candling, cartoning and distributing)
- automobile service stations
- banks and financial institutions
- building material sales establishments
- drug stores

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003105

- fuel and ice sales establishments
- furniture and floor covering storage and sales
- mobile home sales and service establishments
- mobile homes or garage displays
- restaurants, including catering services
- taverns
- trailer sales and rental
- truck sales and rental
- motor vehicle salvage business
- mission houses
- restaurant/theater
- drive-up service windows for banks and financial institutions
- massage therapy
- adult entertainment establishments
- brew pubs
- asphalt and concrete batching or ready mix plants
- junk yards and automobile storage yards
- outdoor eating and recreation areas of restaurants and taverns
- railroad freight terminals
- second hand stores and rummage shops
- theaters
- automobile and motorcycle sales and rental establishments
- automobile accessory stores, including installation
- amusement arcades
- drive-in establishments
- specialized educational school facilities
- outdoor eating and recreation areas.

This deed restriction may be amended or terminated in whole or in part by agreement of the City and Developer so long as Developer owns any portion of the Property. Upon Developer selling or otherwise conveying all interests in the Property, these deed restrictions may be amended or terminated in whole or in part by agreement of the City and the owners of not less than two-thirds (2/3) of the square footage (excluding public rights-of-way and lands dedicated to the City or other governmental authority) of the lands comprising the Property. The City shall have the sole right to enforce these deed restrictions.

IN WITNESS WHEREOF, the City has caused this deed restriction to be duly executed as of the date first written above.

AUTHENTICATION

003106

CITY OF MADISON, WISCONSIN,  
a municipal corporation

By: *Susan J.M. Bauman*  
Susan J.M. Bauman, Mayor

By: *Sharon Christensen, Deputy for*  
Ray Fisher, City Clerk

COUNTERSIGNED:

*DB*  
Dean Brassler, City Comptroller

APPROVED AS TO FORM:

*James L. Martin*  
James L. Martin, City Attorney

AUTHENTICATION

Signatures of Susan J.M. Bauman and <sup>*Sharon Christensen, Deputy*</sup> ~~Ray Fisher~~, Mayor and City Clerk, respectively, of the City of Madison, authenticated this *10th* day of *MARCH*, 2003.

*James M. Voss*  
James Voss  
Member, State Bar of Wisconsin

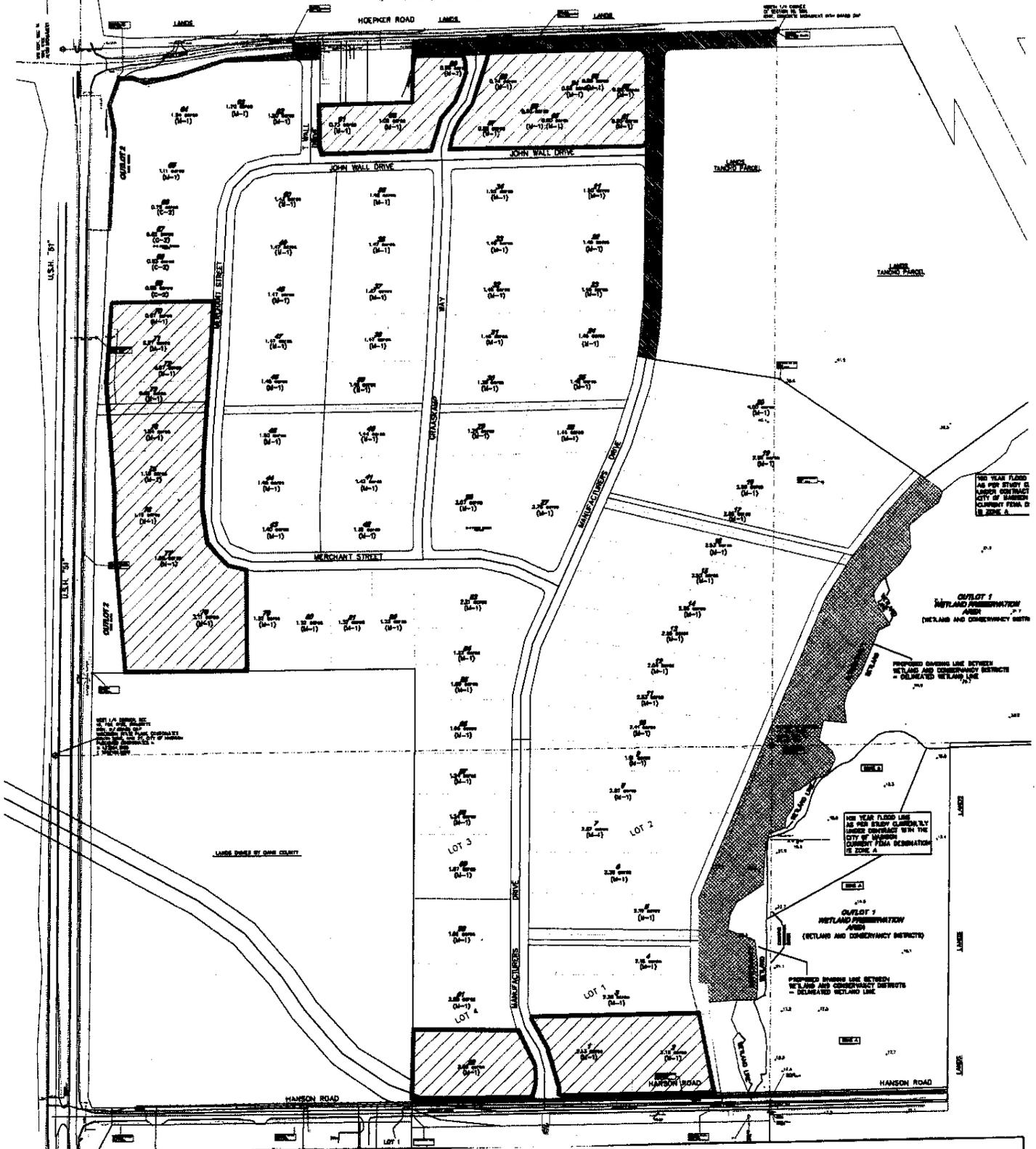
Execution of this document by the City of Madison is authorized by Second Substitute Resolution No. 59884, ID No. 31728, adopted by the Common Council of the City of Madison on November 5, 2002.

This document was drafted by: The Center for Industry & Commerce LLC  
By: T. Wall Properties Master Corp  
Manager  
By: Terrence R. Wall, President

EXHIBIT A  
LOCATION MAP  
(subject area cross-hatched)

003107

PRELIMINARY PLAT OF - THE CENTER FOR INDUSTRY & COMMERCE  
LOCATED IN PART OF THE SE 1/4, NE 1/4, SW 1/4 AND SE 1/4 OF THE SW 1/4, PART OF THE SW 1/4 AND SW 1/4 OF THE NE 1/4, PART OF THE NE 1/4 OF THE SW 1/4 AND PART OF THE SW 1/4 OF THE SE 1/4, ALL IN SECTION 16, T14N, R12E, IN THE CITY OF MADISON, DANE COUNTY, WISCONSIN.



NOTE: Please be advised that the document grantor(s) hereby direct viewers to ignore the printed text material on this exhibit. Only the spatial relationships of the illustrations on the plan are being presented for your information.

Signed by grantor(s) or grantor's(s) agent: *J Lee*  
 Name of grantor(s) or grantor's(s) agent printed: *Jeff Lee*

Date: *3/14/03*

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