

SEVENTH AMENDMENT TO LEASE

(This document pertains to a lease of less than 99 years and not a conveyance subject to Transfer Return and Fee per Sec. 77.21(1) Wis. Stats.)

This Seventh Amendment to Lease (“Seventh Amendment”) is made as of _____, 2024, by and between the **City of Madison**, a Wisconsin municipal corporation (“City”), and **Rooted WI, Inc.**, a Wisconsin non-stock corporation, f/k/a Community GroundWorks, Inc. (“Lessee”).

WITNESSETH:

WHEREAS, the City and the Lessee are parties to that certain Lease, dated July 9, 2015 and recorded on July 15, 2015 with the Dane County Register of Deeds as Document No. 5168439; as amended by First Amendment to Lease, dated April 22, 2016 and recorded with the Dane County Register of Deeds on April 27, 2016 as Document No. 5229959; as amended by Second Amendment to Lease, dated March 6, 2017 and recorded with the Dane County Register of Deeds on March 10, 2017 as Document No. 5311358; as amended by Third Amendment to Lease, dated May 30, 2018 and recorded with the Dane County Register of Deeds on May 31, 2018 as Document No. 5413064; as amended by Fourth Amendment to Lease, dated August 9, 2018 and recorded with the Dane County Register of Deeds on August 16, 2018 as Document No. 5434427; as amended by First Notice of Lease Renewal, dated January 1, 2020 and recorded with the Dane Country Register of Deeds on March 3, 2020 as Document No. 5567078; as amended by Fifth Amendment to Lease, dated April 26, 2021 and recorded with the Dane Country Register of Deeds on April 27, 2021 as Document No. 5721860; as amended by Sixth Amendment to Lease, dated June 9, 2023 and recorded with the Dane Country Register of Deeds on June 9, 2023 as Document No. 5906063 (collectively, “Lease”); and

WHEREAS, the Lease pertains to community garden areas located on various parcels of City-owned land (garden areas are individually referred to as “Garden Area”; collectively referred to as “Leased Premises”); and

WHEREAS, the Lessee has requested, and City Parks Division staff have approved, an expansion of Waunona Park Garden Area.

NOW, THEREFORE, for good and valuable mutual consideration, the delivery and receipt of which is hereby acknowledged by and between the parties, the City and the Lessee agree to amend the Lease as follows:

- 1. The legal description of Waunona Park Garden Area found in Exhibit A of the Lease is hereby deleted and replaced with the attached Exhibit A – Seventh Amendment to Lease.

RETURN TO: City of Madison
Economic Development Division
Office of Real Estate Services
P.O. Box 2983
Madison, WI 53701-2983

Tax Parcel No.: 251/0710-194-0417-9

2. The depiction of Waunona Park Garden Area found in Exhibit C of the Lease is hereby deleted and replaced with the attached Exhibit C – Seventh Amendment to Lease.
3. All other provisions of the Lease remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have entered into this Seventh Amendment to Lease as of the date first set forth above.

ROOTED WI, INC.

By: _____
Ginny Hughes, Interim Co-Executive Director

State of Wisconsin)
)ss.
County of Dane)

Personally came before me this _____ day of _____, 2024 the above named Ginny Hughes, Interim Co-Executive Director of Rooted WI, Inc., a Wisconsin non-stock corporation, and known to me to be the person who executed the above and foregoing instrument and acknowledged that they executed the foregoing instrument in such capacity as the deed of Rooted WI, Inc., by its authority.

Notary Public, State of Wisconsin

Print or Type Name
My Commission expires: _____

CITY OF MADISON

By: _____
Satya Rhodes-Conway, Mayor

By: _____
Maribeth Witzel-Behl, Clerk

AUTHENTICATION

The signatures of Satya Rhodes-Conway, Mayor, and Maribeth Witzel-Behl, Clerk, on behalf of the City of Madison, are authenticated on this ___ day of _____, 2024.

Doran Viste, Assistant City Attorney
Member of the Wisconsin Bar

Execution of this Seventh Amendment to Lease is authorized by Resolution Enactment No. RES-24-00_____, File ID No. _____, adopted by the Common Council of the City of Madison on _____, 2024.

Drafted by the City of Madison Office of Real Estate Services

Project No. 10746

EXHIBIT A - Seventh Amendment to Lease

Legal Description of the Waunona Park Garden Area - Amended

Site 3 – Waunona Park Garden Area (amended)

An approximately 17,640 square foot parcel of land located within Waunona Park, a public park, Madison, Wisconsin, as depicted on Exhibit C – Seventh Amendment to Lease, more particularly described as follows:

A parcel of land located in part of Lot 10, Block 6, Hoboken Beach, and part of Schulz Subdivision, a replat of Lot 9, Block 6, Hoboken Beach; said parcel being located in the Southwest ¼ of the Southeast ¼ of Section 19, T7N, R10E, City of Madison, Dane County, Wisconsin, and more particularly described as follows:

Lot 10, Block 6, Hoboken Beach, **excepting** the following described parcels:

- Parcel described in Warranty Deed recorded as Document No. 1291651, Dane County Registry; and
- Parcel described in Warranty Deed recorded as Document No. 3123864, Dane County Registry; and
- Lot A, CSM 189; and
- Lot B, CSM 189; and
- Parcel described in Warranty Deed recorded as Document No. 235007, Dane County Registry; and
- Lot 1, CSM 4136; and
- Lot 2, CSM 4136; and
- Parcel described in Quit Claim Deed recorded as Document No. 3145984, Dane County Registry.

Lots 2 to 7 inclusive, Schulz Subdivision, a replat of part of Lot 9, Block 6, Hoboken Beach; together with vacated Simpson Street lying between and adjacent to said Lots.

Address: 5323 Raywood Road, Madison, Wisconsin
Tax Parcel No: 251-0710-194-0417-9

EXHIBIT C - Seventh Amendment to Lease

Depiction of Waunona Park Garden Area - Amended

