

Restriction on New Development

In re: Lots 1, 2, and 3, Block 1, Oakland Heights, hereinafter Parcel A, and the Northeast 50 Feet of the Northwest ½ and the Northeast 40 Feet of the Southeast ½ of Lot 4, Block 1, Oakland Heights, hereinafter Parcel B, all in the City of Madison, Dane County Wisconsin

Ronald M. Trachtenberg, Esq.
Murphy Desmond S.C.
P.O. Box 2038
Madison, WI 53701-2038

Tax Parcel No. 251-0709-224-0602-4
251-0709-224-0604-0

Whereas, Wisconsin Avenue Associates, a Wisconsin general partnership, is the owner of the above described properties Parcel A, and 1509 Monroe Street Partnership, LLP, aka Monroe Street Partnership, a Wisconsin limited liability partnership, is the owner of the above described Parcel B;

Whereas, Wisconsin Avenue Associates and 1509 Monroe Street Partnership, LLP applied to the City of Madison for a conditional use permit for the demolition of existing structures on Parcel A and Parcel B for redevelopment purposes in conformity with Exhibit I hereto;

Whereas, the City of Madison agreed to grant and did grant the conditional use permit for demolition, but subject to the following condition _____ of the conditional use conditional approval letter of _____, 2008:

Paragraph No. _____: Except for redevelopment of Parcel A and Parcel B (Lots 1, 2, and 3, Block 1, Oakland Heights, hereinafter Parcel A, and the Northeast 50 Feet of the Northwest ½ and the Northeast 40 Feet of the Southeast ½ of Lot 4, Block 1, Oakland Heights, hereinafter Parcel B, all in the City of Madison, Dane County Wisconsin) in conformity with Exhibit I to this conditional approval letter of _____, 2008 and all other terms and conditions of this conditional approval letter of _____, 2008 which are incorporated herein, all new construction on Parcel A and Parcel B, including uses permitted in the C2 and C3 zoning districts, shall return to the Plan Commission under the conditional use standards for Plan Commission review and approval in compliance with the requirements of Section 28.04(22)(c)2, demolition standards or shall be subject to rezoning. A deed restriction shall be recorded stating this requirement prior to requesting sign-off on the demolition permit.

Now, therefore, in compliance with said conditional use permit for demolition requirement Paragraph No. _____, Wisconsin Avenue Associates and 1509 Monroe Street Partnership, LLP hereby restrict and give the following notice of Restriction on New Development on Parcel A and Parcel B:

Paragraph No. _____; Except for redevelopment of Parcel A and Parcel B (Lots 1, 2, and 3, Block 1, Oakland Heights, hereinafter Parcel A, and the Northeast 50 Feet of the Northwest ½ and the Northeast 40 Feet of the Southeast ½ of Lot 4, Block 1, Oakland Heights, hereinafter Parcel B, all in the City of Madison, Dane County Wisconsin) in conformity with Exhibit I to this conditional approval letter of _____, 2008 and all other terms and conditions of this conditional approval letter of _____, 2008 which are incorporated herein, all new construction on Parcel A and Parcel B, including uses permitted in the C2 and C3 zoning districts, shall return to the Plan Commission under the conditional use standards for Plan Commission review and approval in compliance with the requirements of Section 28.04(22)(c)2, demolition standards or shall be subject to rezoning.

Executed this _____ day of _____, 2008.

Wisconsin Avenue Associates,
a Wisconsin general partnership,

Robert J. Sieger, Partner

Debra A. Sieger, Partner

1509 Monroe Street Partnership, LLP,
a Wisconsin limited liability partnership,

Robert J. Sieger, Limited Partner

Debra A. Sieger, Limited Partner

AUTHENTICATION

Signature Robert J. Sieger and Debra A. Sieger
authenticated this ____ day of _____,
2008.

*

TITLE: MEMBER STATE BAR OF WISCONSIN
(If not, _____
authorized by § 706.06, Wis. Stats.)

Drafted by Attorney Ronald M. Trachtenberg