

EXHIBIT 1

Description of Vacated Street Portion East

That part of the Evan Acres Road right-of-way and the Savannah Road right-of-way conditionally discontinued and vacated by Resolution dated November 12, 2012 and recorded in the Office of the Register of Deeds for Dane County, Wisconsin ("Register's Office") on November 12, 2012 as Document Number 4931918 ("Vacation"), including a portion of the real property previously deeded to the City of Madison for street purposes pursuant to that certain Warranty Deed dated January 5, 1999 and recorded in the Register's Office on February 1, 1999 as Document Number 3077053 and re-recorded (to correct typographical errors) in the Register's Office on July 16, 1999 as Document Number 3135154, all being a part of the East 1/2 of Section 26, Town 7 North, Range 10 East, City of Madison, Dane County, Wisconsin, being more particularly described as follows:

Commencing at the former Southerly intersection of the Evans Acres Road right-of-way and the Savannah Road right-of-way as such intersection is shown in Certified Survey Map Number 640 recorded in the Register's Office on September 8, 1971 in Volume 3 of Certified Survey Maps, Page 156, as Document Number 1303026 ("CSM 640"), said intersection being the POINT OF BEGINNING:

Thence N48°33'10"W, a distance of 75.27 feet along that portion of the former right-of-way of Evan Acres Road forming the Northeast boundary of Lot 2 CSM 640; thence N02°18'19"W, a distance of 166.41 feet to the southern right-of-way of Evan Acres Road (as relocated pursuant to the Vacation ("Relocated")); thence 329.07 feet on a curve to the left, having a radius of 285.00 feet, central angle of 66°09'19", a chord bearing of N65°40'14"E, a distance of 311.09 feet along the Relocated right-of-way of Evans Acres Road and Relocated right-of-way of Savannah Road; thence S32°37'20"W, along that portion of the former right-of-way of Savannah Road forming the Northwest boundary line of Lot 2 of CSM 640 a distance of 408.75 feet to the POINT OF BEGINNING.

The above said parcel contains 0.68 acres, 29,450 square feet more or less.

EXHIBIT 2

Depiction of Vacated Street Portion East

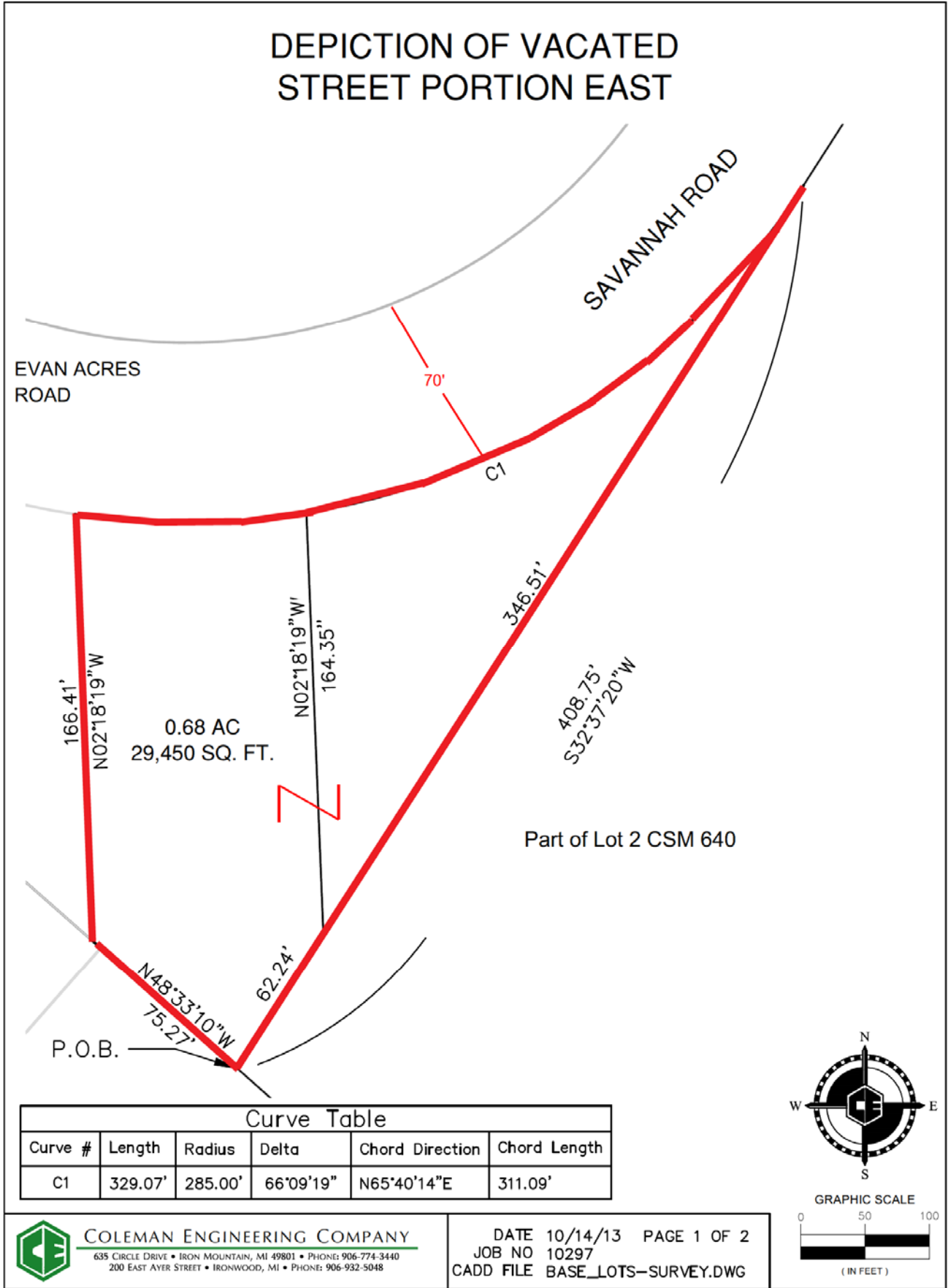


EXHIBIT 3

Description of Vacated Street Portion West

That part of the Evan Acres Road right-of-way conditionally discontinued and vacated by Resolution dated November 12, 2012 and recorded in the Office of the Register of Deeds for Dane County, Wisconsin (“Register’s Office”) on November 12, 2012 as Document Number 4931918 (“Vacation”), including a portion of the real property previously deeded to the City of Madison for street purposes pursuant to that certain Warranty Deed dated January 5, 1999 and recorded in the Register’s Office on February 1, 1999 as Document Number 3077053 and re-recorded (to correct typographical errors) in the Register’s Office on July 16, 1999 as Document Number 3135154, all being a part of the East 1/2 of Section 26, Town 7 North, Range 10 East, City of Madison, Dane County, Wisconsin, more particularly described as follows:

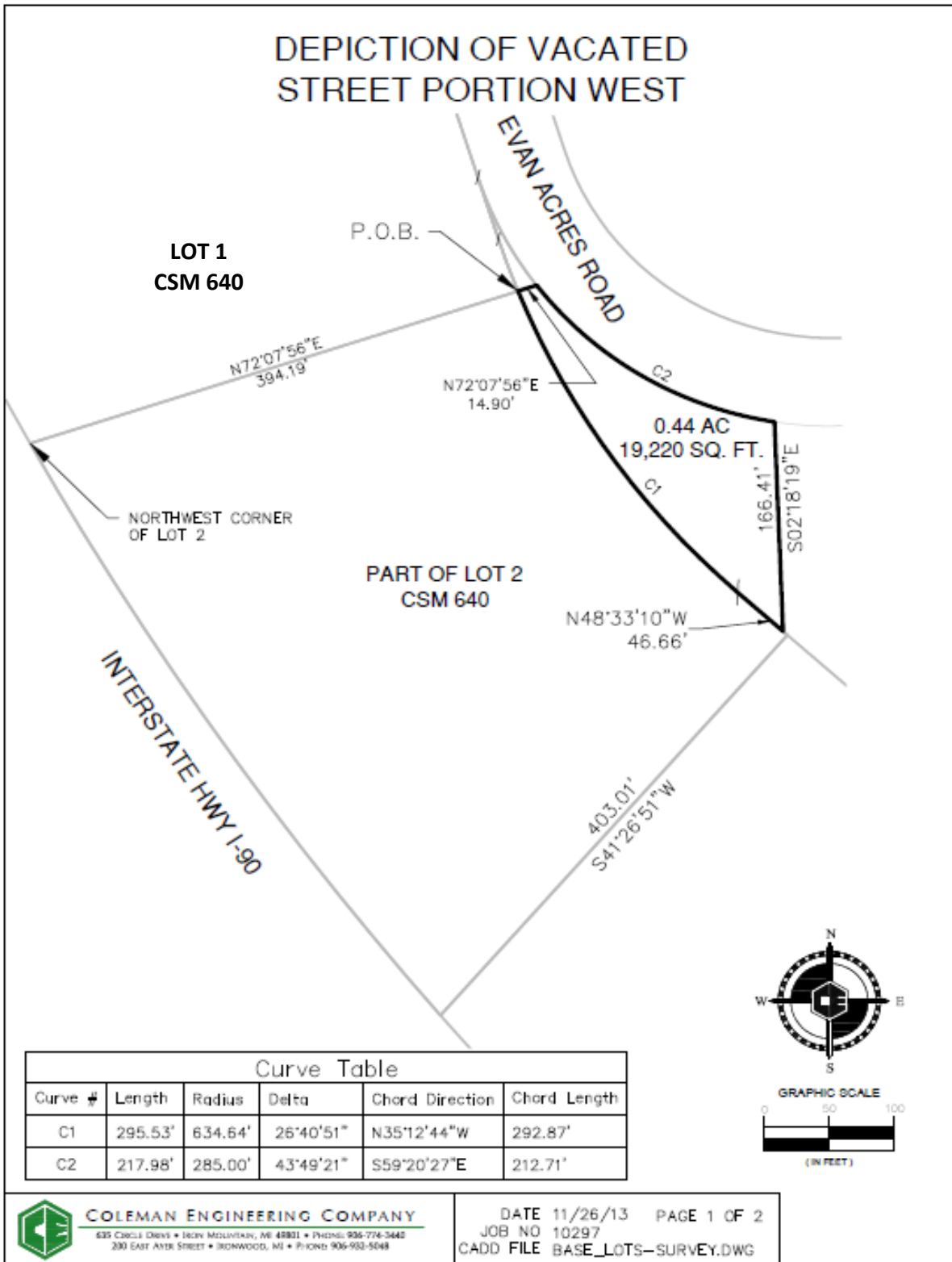
Commencing at the Northwest corner of Lot 2 of Certified Survey Map Number 640 recorded in the Register’s Office on September 8, 1971 in Volume 3 of Certified Survey Maps, Page 156, as Document Number 1303026 (“CSM 640”), said point being on the Northeast right-of-way line of Interstate Highway I-90; thence $N72^{\circ}07'56''E$ a distance of 394.19 feet to the Northerly corner of said Lot 2 CSM 640 and the POINT OF BEGINNING:

Thence $N72^{\circ}07'56''E$, a distance of 14.90 feet to the Southwesterly right-of-way of Evans Acres Road (as relocated pursuant to the Vacation (“Relocated”)); thence 217.98 feet on a curve to the left having a radius of 285.00 feet, a central angle of $43^{\circ}49'21''$, a chord bearing of $S59^{\circ}20'27''E$, a distance of 212.71 feet along said Relocated right-of-way of Evans Acre Road and Relocated right-of-way of Savannah Road; thence $S02^{\circ}18'19''E$ a distance of 166.41 feet; thence $N48^{\circ}33'10''W$, a distance of 46.66 feet along that portion of the former right-of-way of Evan Acres Road forming the Northeast boundary of Lot 2 CSM 640; thence 295.53 feet on a curve to the right having a radius of 634.64 feet, a central angle of $26^{\circ}40'51''$, a chord bearing of $N35^{\circ}12'44''W$, a distance of 292.87 feet along that portion of the former right-of-way of Evan Acres Road forming the Northeast boundary of Lot 2 CSM 640 to the POINT OF BEGINNING.

The above said parcel contains 0.44 acres, 19,220 square feet more or less.

EXHIBIT 4

Depiction of Vacated Street Portion West



COLEMAN ENGINEERING COMPANY
 635 CIRCLE DRIVE • IRON MOUNTAIN, MI 49831 • PHONE: 936-774-3440
 200 EAST AYLE STREET • IRONWOOD, MI • PHONE: 936-950-5048

DATE 11/26/13 PAGE 1 OF 2
 JOB NO 10297
 CADD FILE BASE_LOTS-SURVEY.DWG

EXHIBIT 5

Description of Vacated Street Portion North

That part of the Evan Acres Road right-of-way conditionally vacated and discontinued by Resolution dated November 12, 2012 and recorded in the Office of the Register of Deeds for Dane County, Wisconsin ("Register's Office") on November 12, 2012 as Document Number 4931918 ("Vacation"), being a part of the East 1/2 of Section 26, Town 7 North, Range 10 East, City of Madison, Dane County, Wisconsin, more particularly described as follows:

Commencing at the Southwest corner of Lot 1 of Certified Survey Map Number 640 recorded in the Register's Office on September 8, 1971 in Volume 3 of Certified Survey Maps, Page 156, as Document Number 1303026 ("CSM 640"), which is located on the Northeast right-of-way of Interstate Highway I-90, thence $N72^{\circ}07'56''E$, a distance of 394.19 feet along the south boundary line of Lot 1 CSM 640 to the POINT OF BEGINNING:

Thence 44.33 feet on a curve to the right having a radius of 634.64 feet, a central angle of $04^{\circ}00'09''$, a chord bearing of $N19^{\circ}52'14''W$, a distance of 44.32 feet along that portion of the former right-of-way of Evan Acres Road forming the east boundary of Lot 1 CSM 640; thence $N17^{\circ}52'10''W$ along that portion of the former right-of-way of Evan Acres Road forming the east boundary of Lot 1 CSM 640 a distance of 51.19 feet to the West right-of-way of Evan Acres Road; thence 97.38 feet on a curve to the left having a radius of 285.00 feet, a central angle of $19^{\circ}34'35''$, a chord bearing of $S27^{\circ}38'28''E$, a distance of 96.90 feet along the right-of-way of Evan Acres Road (as relocated pursuant to the Vacation); thence $S72^{\circ}07'56''W$ a distance of 14.90 feet to the POINT OF BEGINNING.

The above said parcel contains 0.01 acres, 494 square feet more or less.

EXHIBIT 6

Depiction of Vacated Street Portion North

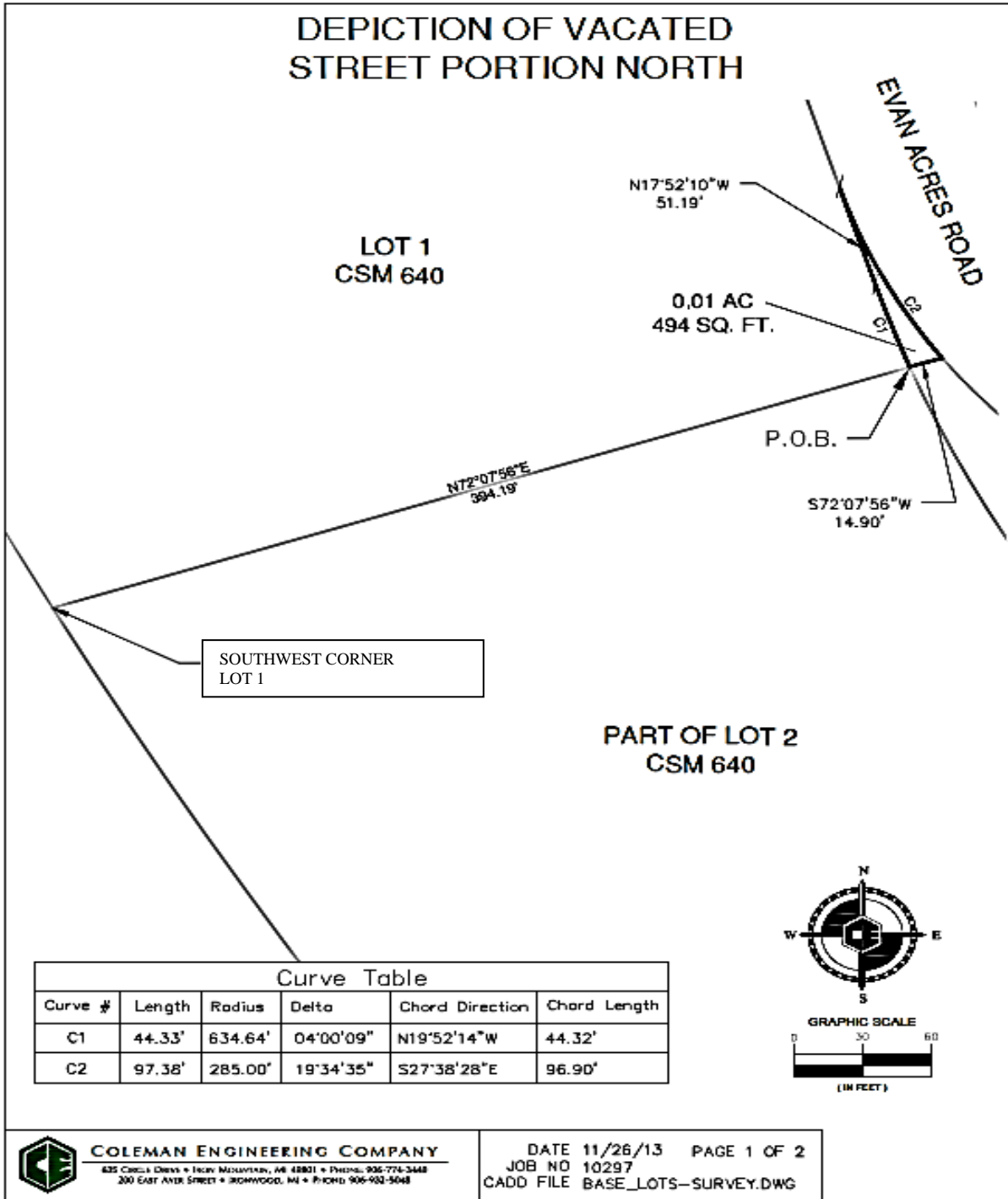


EXHIBIT 7

Description of Combined Parcel East

PARCEL A:

Part of Lot 2 of Certified Survey Map Number 640, recorded in the Office of the Register of Deeds for Dane County, Wisconsin (“Register’s Office”) on September 8, 1971 in Volume 3 of Certified Survey Maps, Page 156, as Document Number 1303026 (“CSM 640”), being part of Lot 11 of Assessor’s Plat Number 10 of the Town of Blooming Grove, also being a part of the East 1/2 of Section 26, Town 7 North, Range 10 East, City of Madison, Dane County, Wisconsin more particularly described as follows:

Commencing at the Northerly corner of said Lot 2 CSM 640, said point being on the Southeast right-of-way line of Savannah Road, also being the POINT OF BEGINNING (“**POB A**”); thence S57°22’40”E, 350.00 feet along the Northeast-most boundary line of Lot 2 CSM 640; thence S32°37’20”W, 653.19 feet along the Southeast boundary line of Lot 2 of CSM 640; thence N48°33’10”W, 354.19 feet to POB B (as defined below); thence N32°37’20”E, 598.85 feet along the boundary of Lot 2 of CSM 640, to the POB A.

AND

PARCEL B:

That part of the Evan Acres Road right-of-way and the Savannah Road right-of-way conditionally vacated and discontinued by Resolution dated November 12, 2012 and recorded in the Register’s Office on November 12, 2012 as Document Number 4931918 (“Vacation”), including a portion of the real property previously deeded to the City of Madison for street purposes pursuant to that certain Warranty Deed dated January 5, 1999 and recorded in the Register’s Office on February 1, 1999 as Document Number 3077053 and re-recorded (to correct typographical errors) in the Register’s Office on July 16, 1999 as Document Number 3135154, also being a part of the East 1/2 of Section 26, Town 7 North, Range 10 East, City of Madison, Dane County, Wisconsin, being more particularly described as follows:

Commencing at the Southerly intersection of the former Evans Acres Road right-of-way and former Savannah Road right-of-way as such intersection is shown on CSM 640, and being the POINT OF BEGINNING (“**POB B**”);

Thence N48°33’10”W, a distance of 75.27 feet along that portion of the former Evan Acres Road right-of-way forming the Northeast boundary of Lot 2 CSM 640; thence N02°18’19”W, a distance of 166.41 feet to the Southern right-of-way of Evan Acres Road (relocated pursuant to the Vacation (“Relocated”)), thence 329.07 feet on a curve to the left, having a radius of 285.00 feet, central angle of 66°09’19”, a chord bearing of N65°40’14”E, a distance of 311.09 feet along the Southern right-of-way of Relocated Evan Acres Road and Relocated Savannah Road; thence S32°37’20”W, a distance of 408.75 feet along that portion of the former Savannah Road right-of-way forming the Northwest boundary of Lot 2 CSM 640 to the POB B.

NOW KNOWN AS:

Part of Lot 2 of Certified Survey Map Number 640, recorded in the Office of the Register of Deeds for Dane County, Wisconsin (“Register’s Office”) on September 8, 1971 in Volume 3 of Certified Survey Maps, Page 156, as Document Number 1303026 (“CSM 640”), being part of Lot 11 of Assessor’s Plat Number 10 of the Town of Blooming Grove, together with that part of the Evan Acres Road right-of-way and the Savannah Road right-of-way conditionally vacated and discontinued by Resolution dated November 12, 2012 and recorded in the Register’s Office on November 12, 2012 as Document Number 4931918 (“Vacation”), including a portion of the real property previously deeded to the City of Madison for street purposes pursuant to that certain Warranty Deed dated January 5, 1999 and recorded in the Register’s Office on February 1, 1999 as Document Number 3077053 and re-recorded (to correct typographical errors) in the Register’s Office on July 16, 1999 as Document Number 3135154, also being a part of the East 1/2 of Section 26, Town 7 North, Range 10 East, City of Madison, Dane County, Wisconsin, being more particularly described as follows:

Commencing at the Northerly corner of Lot 2 CSM 640, also being the POINT OF BEGINNING (**POB A**); thence S57°22’40”E, 350.00 feet along the Northeast-most boundary line of Lot 2 CSM 640; thence S32°37’20”W, 653.19 feet along the Southeast boundary line of Lot 2 CSM 640; thence N48°33’10”W, 354.19 feet to the former Southerly intersection of the Evan Acres Road right-of-way and Savannah Road right-of-way as shown in CSM 640; thence N48°33’10”W, a distance of 75.27 feet along that portion of the former right-of-way of Evan Acres Road forming the Northeast boundary of Lot 2 CSM 640; thence N02°18’19”W, a distance of 166.41 feet to the Southern right-of-way of Evan Acres Road (as relocated pursuant to the Vacation (“Relocated”)); thence 329.07 feet on a curve to the left, having a radius of 285.00 feet, central angle of 66°09’19”, a chord bearing of N65°40’14”E, a distance of 311.09 feet along the right-of-way of Relocated Evan Acres Road and Relocated Savanna Road; thence N32°37’20”E, 190.10 feet along the South right-of-way of Savannah Road, to the POB A.

The above said parcel contains 5.71 acres, 48,556 square feet more or less

Street Address: 4001 Savannah Road, Madison, Wisconsin

Tax Parcel Number: 0710-264-0103-5

EXHIBIT 8

Depiction of Combined Parcel East

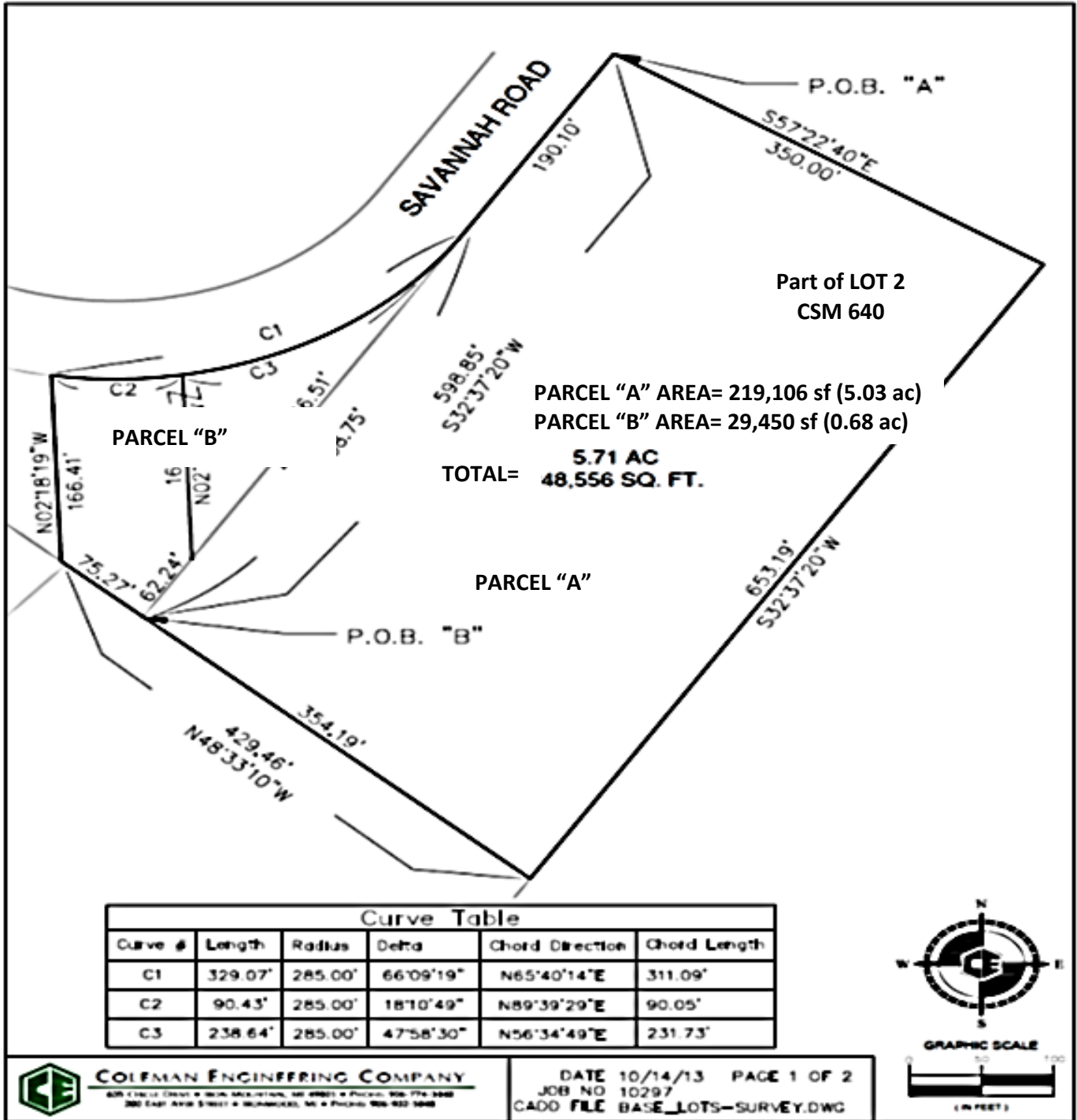


EXHIBIT 9

Description of Combined Parcel West

PARCEL A:

That part of the Evan Acres Road right-of-way conditionally vacated and discontinued by Resolution dated November 12, 2012 and recorded in the Office of the Register of Deeds for Dane County, Wisconsin (“Register’s Office”) on November 12, 2012 as Document Number 4931918 (“Vacation”), including a portion of the real property previously deeded to the City of Madison for street purposes pursuant to that certain Warranty Deed dated January 5, 1999 and recorded in the Register’s Office on February 1, 1999 as Document Number 3077053 and re-recorded (to correct typographical errors) in the Register’s Office on July 16, 1999 as Document Number 3135154, also being a part of the East 1/2 of Section 26, Town 7 North, Range 10 East, City of Madison, Dane County, Wisconsin, more particularly described as follows:

Commencing at the Northwest corner of Lot 2 of Certified Survey Map Number 640 recorded in the Register’s Office on September 8, 1971 in Volume 3 of Certified Survey Maps, Page 156, as Document Number 1303026 (“CSM 640”), said point being on the Northeast right-of-way line of Interstate Highway I-90; thence N72°07’56”E a distance of 394.19 feet to the Northerly corner of Lot 2 CSM 640 and the POINT OF BEGINNING (“POB A”);

Thence N72°07’56”E, a distance of 14.90 feet to the Southwesterly right-of-way of Evan Acres Road (as relocated pursuant to the Vacation (“Relocated”)); thence 217.98 feet on a curve to the left having a radius of 285.00 feet, a central angle of 43°49’21”, a chord bearing of S59°20’27”E, a distance of 212.71 feet along said Relocated right-of-way; thence S02°18’19”E a distance of 166.41 feet; thence N48°33’10”W, a distance of 46.66 feet along that portion of the former right-of-way of Evan Acres Road forming the Northeast boundary of Lot 2 CSM 640; thence 295.53 feet on a curve to the right having a radius of 634.64 feet, a central angle of 26°40’51”, a chord bearing of N35°12’44”W, a distance of 292.87 feet along that portion of the former right-of-way of Evan Acres Road forming the Northeast boundary of Lot 2 CSM 640 to the POB A.

AND

PARCEL B:

Part of Lot 2 of CSM 640, being part of Lot 11 of Assessor’s Plat Number 10 of the Town of Blooming Grove, also being a part of the East 1/2 of Section 26, Town 7 North, Range 10 East, City of Madison, Dane County, Wisconsin, more particularly described as follows:

Commencing at the Northwest corner of said Lot 2 CSM 640, said point being on the Northeast right-of-way line of Interstate Highway I-90, also being the POINT OF BEGINNING (“POB B”);

Thence N72°07’56” E, along the Northwest boundary of Lot 2 CSM 640 a distance of 394.19 feet to the former Southwest right-of-way of Evan Acres Road as shown in CSM 640; thence 295.53 feet on a curve to the left having a radius of 634.64 feet, a central angle of 26°40’51”, a chord bearing of S35°12’44” E, a distance of 292.87 feet along that portion of the former right-of-way of Evan Acres Road forming the Northeast boundary of Lot 2 CSM 640; thence S48°33’10” E, a distance of 51.09 feet along that portion of the former right-of-way of Evan Acres Road forming the Northeast boundary of Lot 2 CSM 640; thence S41°26’51” W, a distance of 403.01 feet to the Northeast right-of-way line of Interstate Highway I-90; thence 554.01 feet on a curve to the right having a radius of

2784.76 feet, a central angle of $11^{\circ}23'55''$, a chord bearing of $N34^{\circ}47'21''$ W, a distance of 553.10 feet along the Northeast right-of-way line of Interstate Highway I-90 to the POB B.

NOW KNOWN AS:

Part of Lot 2 of Certified Survey Map Number 640, recorded in the Office of the Register of Deeds for Dane County, Wisconsin ("Register's Office") on September 8, 1971 in Volume 3 of Certified Survey Maps, Page 156, as Document Number 1303026 ("CSM 640"), being part of Lot 11 of Assessor's Plat Number 10 of the Town of Blooming Grove, together with that part of the Evan Acres Road right-of-way conditionally vacated and discontinued by Resolution dated November 12, 2012 and recorded in the Office of the Register's Office on November 12, 2012 as Document Number 4931918 ("Vacation"), including a portion of the real property previously deeded to the City of Madison for street purposes pursuant to that certain Warranty Deed dated January 5, 1999 and recorded in the Register's Office on February 1, 1999 as Document Number 3077053 and re-recorded (to correct typographical errors) in the Register's Office on July 16, 1999 as Document Number 3135154, also being a part of the East 1/2 of Section 26, Town 7 North, Range 10 East, City of Madison, Dane County, Wisconsin, more particularly described as follows:

Commencing at the Northwest corner of Lot 2 of CSM 640, said point being on the Northeast right-of-way line of Interstate Highway I-90, also being the POINT OF BEGINNING ("POB B"); thence $N72^{\circ}07'56''$ E a distance of 394.19 feet along the Northwest boundary of Lot 2 of CSM 640; thence $N72^{\circ}07'56''$ E, a distance of 14.90 feet to the Southwest right-of-way of Evan Acres Road (relocated pursuant to the Vacation ("Relocated")); thence 217.98 feet on a curve to the left having a radius of 285.00 feet, a central angle of $43^{\circ}49'21''$, a chord bearing of $S59^{\circ}20'27''$ E, a distance of 212.71 feet along said Relocated right-of-way; thence $S02^{\circ}18'19''$ E a distance of 166.41 feet; thence $S48^{\circ}33'10''$ E, a distance of 4.43 feet along that portion of the former right-of-way of Evan Acres Road forming the Northeast boundary of Lot 2 CSM 640; thence $S41^{\circ}26'51''$ W, a distance of 403.01 feet to the Northeast right-of-way line of Interstate Highway I-90; thence 554.01 feet on a curve to the right having a radius of 2784.76 feet, a central angle of $11^{\circ}23'55''$, a chord bearing of $N34^{\circ}47'21''$ W, a distance of 553.10 feet along the Northeast right-of-way line of Interstate Highway I-90 to the POB B.

The above said parcel contains 4.39 acres, 191,228 square feet more or less.

Street Address: 3938 Evan Acres Road, Madison, Wisconsin

Tax Parcel Number: 0710- 264-0101-9

EXHIBIT 10

Depiction of Combined Parcel West

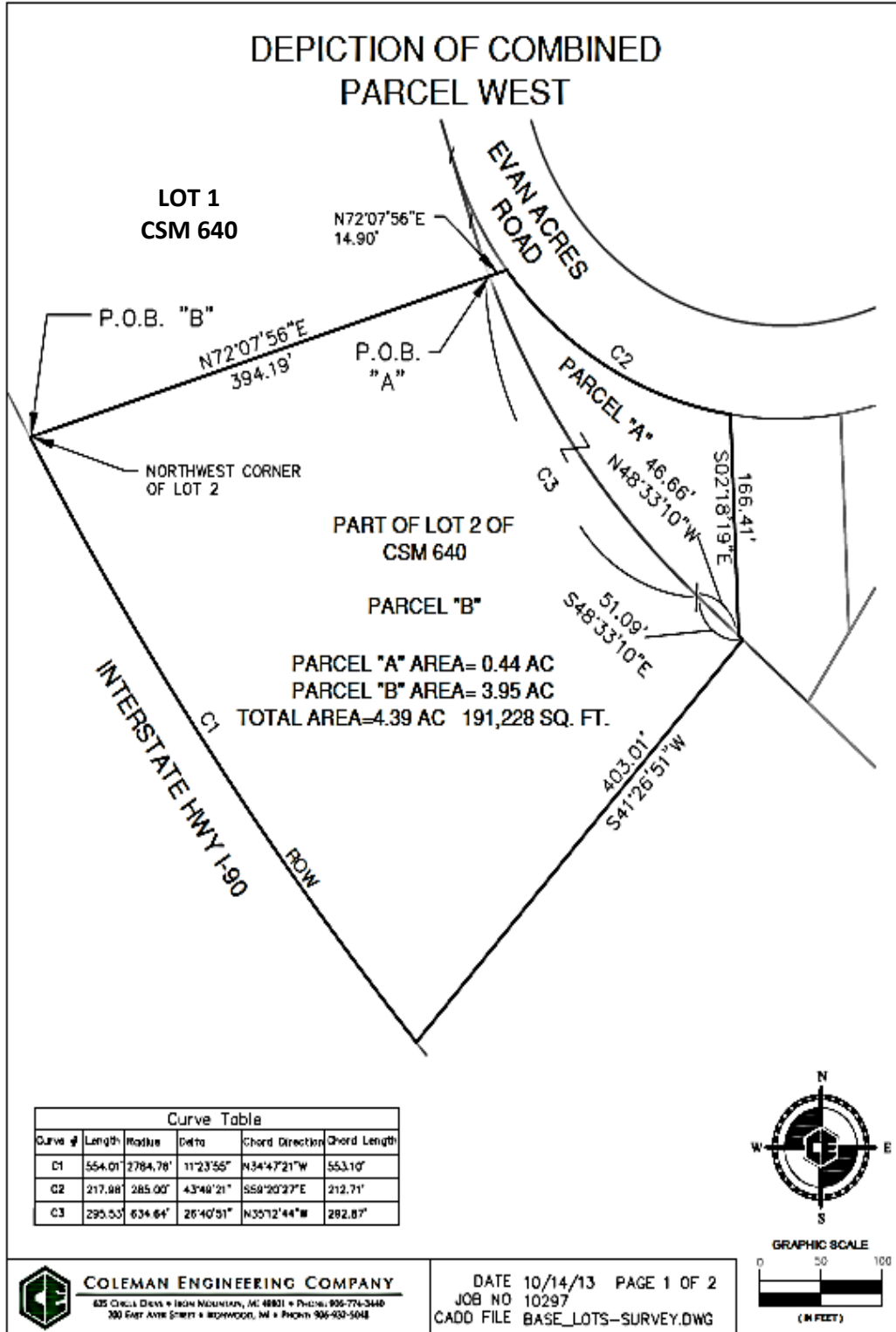


EXHIBIT 11

Description of Combined Property North

PARCEL A:

That part of the Evan Acres Road right-of-way conditionally vacated and discontinued by Resolution dated November 12, 2012 and recorded in the Office of the Register of Deeds for Dane County, Wisconsin (“Register’s Office”) on November 12, 2012 as Document Number 4931918 (“Vacation”), also being a part of the East 1/2 of Section 26, Town 7 North, Range 10 East, City of Madison, Dane County, Wisconsin, more particularly described as follows:

Commencing at the Southwest corner of Lot 1 of Certified Survey Map Number 640 recorded in the Register’s Office on September 8, 1971 in Volume 3 of Certified Survey Maps, Page 156, as Document Number 1303026 (“CSM 640”), said point being on the Northeast right-of-way line of Interstate Highway I-90, thence $N72^{\circ}07'56''E$, a distance of 394.19 feet along the South boundary of Lot 1 CSM 640 to the POINT OF BEGINNING (“POB A”);

Thence 44.33 feet on a curve to the right having a radius of 634.64 feet, a central angle of $04^{\circ}00'09''$, a chord bearing of $N19^{\circ}52'14''W$, a distance of 44.32 feet along that portion of the former right-of-way of Evan Acres Road forming the east boundary of Lot 1 CSM 640; thence $N17^{\circ}52'10''W$, a distance of 51.19 feet to the West right-of-way of Evan Acres Road; thence 97.38 feet on a curve to the left having a radius of 285.00 feet, a central angle of $19^{\circ}34'35''$, a chord bearing of $S27^{\circ}38'28''E$, a distance of 96.90 feet along the right-of-way of Evan Acres Road (as relocated pursuant to the Vacation); thence $S72^{\circ}07'56''W$ a distance of 14.90 feet to the POB A.

AND

PARCEL B:

Lot 1 of CSM 640, being part of Lot 11 of Assessor’s Plat Number 10 of the Town of Blooming Grove, also being a part of the East 1/2 of Section 26, Town 7 North, Range 10 East, City of Madison, Dane County, Wisconsin, more particularly described as follows:

Commencing at the Southwest corner of said Lot 1 of CSM 640, said point being on the Northeast right-of-way line of Interstate Highway I-90, also being the POINT OF BEGINNING (“POB B”)

Thence 278.06 feet on a curve to the right, along said Northeast right-of-way line of Interstate Highway I-90 having a radius of 2784.76 feet, a central angle of $05^{\circ}43'15''$, a chord bearing of $N26^{\circ}13'46''W$, a distance of 277.94 feet; thence $N72^{\circ}07'50''E$, along the Northern boundary of Lot 1 CSM 640 a distance of 433.05 feet to the Southwest right-of-way line of Evan Acres Road; thence $S17^{\circ}52'10''E$, a distance of 230.70 feet along the Southwest right-of-way of Evan Acres Road and the East boundary of Lot 1 CSM 640; then Easterly 44.33 feet on a curve to the left having a radius of 634.64 feet, a central angle of $04^{\circ}00'09''$, a chord bearing of $S19^{\circ}52'14''E$, a distance of 44.32 feet along that portion of the former right-of-way of Evan Acres Road forming the East boundary of Lot 1 CSM 640; thence $S72^{\circ}07'56''W$, a distance of 394.19 feet along the South boundary of Lot 1 of CSM 640 to the POB B.

NOW KNOWN AS:

Part of Lot 1 of Certified Survey Map Number 640, recorded in the Office of the Register of Deeds for Dane County, Wisconsin ("Register's Office") on September 8, 1971 in Volume 3 of Certified Survey Maps, Page 156, as Document Number 1303026 ("CSM 640"), being part of Lot 11 of Assessor's Plat Number 10 of the Town of Blooming Grove, together with that part of the Evan Acres Road right-of-way conditionally vacated and discontinued by Resolution dated November 12, 2012 and recorded in the Register's Office on November 12, 2012 as Document Number 4931918 ("Vacation"), also being a part of the East 1/2 of Section 26, Town 7 North, Range 10 East, City of Madison, Dane County, Wisconsin, more particularly described as follows:

Commencing at the Southwest corner of said Lot 1 CSM 640, said point being on the Northeast right-of-way line of Interstate Highway I-90, also being the POINT OF BEGINNING ("POB B")

Thence 278.06 feet on a curve to the right, along said Northeast right-of-way line of Interstate Highway I-90 having a radius of 2784.76 feet, a central angle of 05°43'15", a chord bearing of N26°13'46"W, a distance of 277.94 feet; thence N72°07'50"E along the North boundary of Lot 1 of CSM 640, a distance of 433.05 feet to the Southwest right-of-way of Evan Acres Road; thence S17°52'10"E, a distance of 179.51 feet along the Southwest right-of-way of Evan Acres Road; thence 97.38 feet on a curve to the left having a radius of 285.00 feet, a central angle of 19°34'35", a chord bearing of S27°38'28"E, a distance of 96.90 feet along the Southwest right-of-way of Evan Acres Road (as relocated pursuant to the Vacation); thence S72°07'56"W a distance of 14.90 feet; thence S72°07'56"W, a distance of 394.19 feet along the Southern boundary of Lot 1 of CSM 640 to the POB B.

The above said parcels contain 2.63 acres, 114,693 square feet more or less.

Street Address: 3922 Evan Acres Road, Madison, Wisconsin

Tax Parcel Number: 0710-261-0301-1

EXHIBIT 12

Depiction of Combined Property North

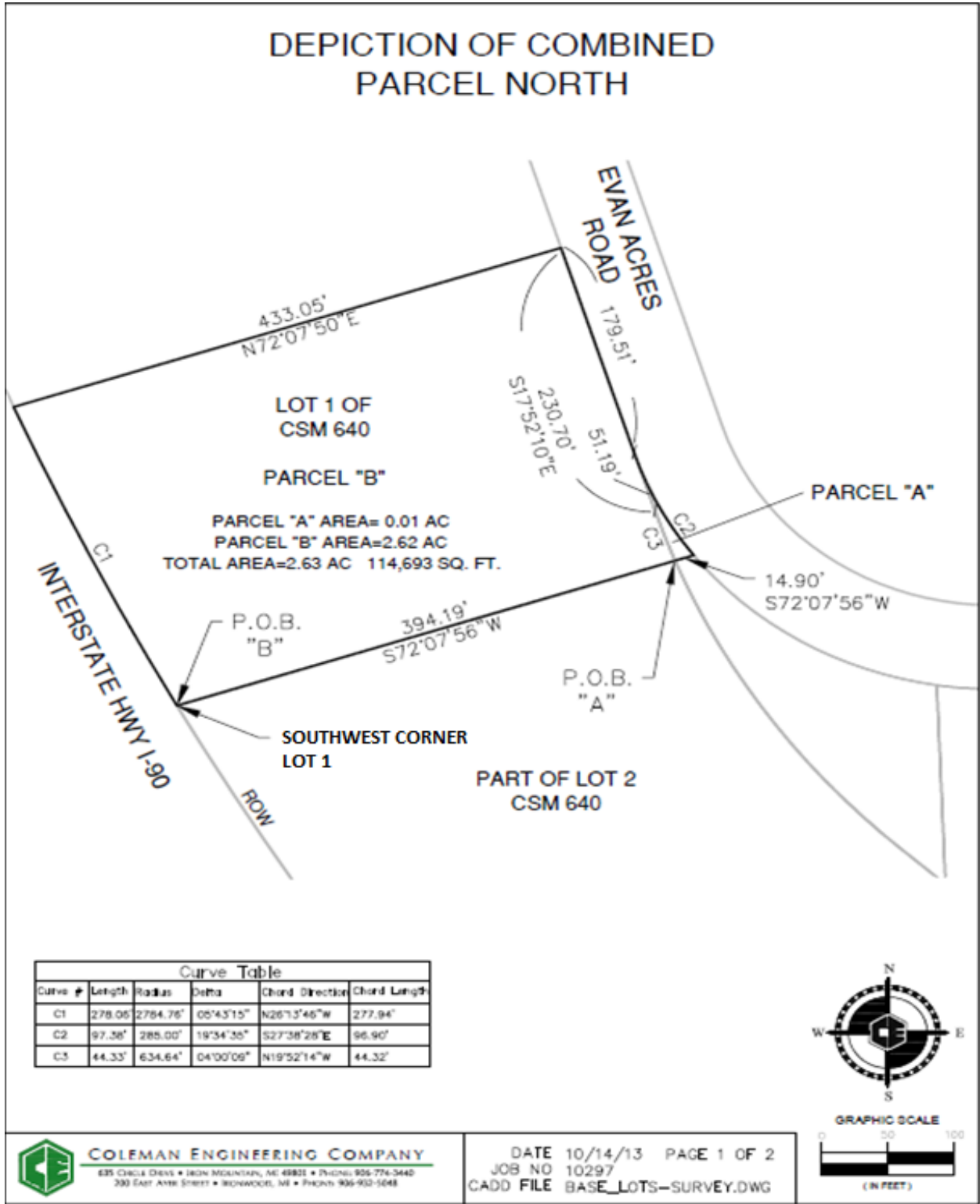


EXHIBIT 13

Recorded Declaration

(begins on next page)



8 8 0 0 8 5 2
Tx:8624793

**KRISTI CHLEBOWSKI
DANE COUNTY
REGISTER OF DEEDS**

DOCUMENT #

5121759

01/07/2015 3:17 PM

Trans. Fee:

Exempt #:

Rec. Fee: 30.00

Pages: 5

DECLARATION OF EASEMENT

Document Number

Recording Area

Drafted by and Return to:

Brian D. Anderson
Whyte Hirschboeck Dudek S.C.
P.O. Box 1379
Madison, WI 53701-1379

PIN: 0710-264-0102-7
0710-264-0103-5

THIS DECLARATION OF EASEMENT (this "Declaration") is made this 23rd day of December 2014 ("Effective Date") by the Ho-Chunk Nation, a federally recognized Indian Tribe ("Declarant").

The United States of America in trust for the Wisconsin Winnebago Tribe is the benefitted, federal trust owner of the real property also described on the attached and incorporated **Exhibit A** ("Benefitted Property"). Declarant owns the real property described on the attached and incorporated **Exhibit B** ("Burdened Property"). Declarant wishes to declare certain easements benefitting the Benefitted Property and burdening the Burdened Property.

The Declarant covenants and declares as follows:

1. Declaration. Declarant declares a permanent, non-exclusive easement ("Easement"), benefitting the Benefitted Property and burdening the Burdened Property, for the purpose of providing pedestrian and vehicular access between the Benefitted Property and the public roads (i.e., Savannah Road) over those portions of the Burdened Property improved from time to time with roads and walkways, for use by the Benefitted Property owner and its successors, assigns, agents, invitees, customers, employees, occupants and tenants.

2. No Merger. Declarant does not intend for the Easement to merge out of existence by virtue of common ownership by Declarant of any real property or of any of the burdens and benefits of the Easement.

simple owner of the Benefitted Property and the Burdened Property, and their respective successors-in-interest and assigns. The benefits and burdens declared under this Declaration are appurtenant to the Benefitted Property and Burdened Property, respectively, and may not be separated from and transferred or assigned apart from fee ownership therein.

4. No Grant of Easement to the Public. Nothing contained in this Declaration shall, or shall be deemed to, constitute a gift or dedication of any portion of the Burdened Property to the general public or for the benefit of the general public or for any public purpose whatsoever, it being the intention of the Declarant that this Declaration will be strictly limited to and for private purposes.

5. Severability. If any term or provision of this Declaration shall, to any extent, be held invalid or unenforceable, the remaining terms and provisions of this Declaration shall not be affected thereby, but each remaining term and provision shall be valid and enforced to the fullest extent permitted by law.

(Signature on next page)

Declarant has executed this Declaration as of the Effective Date.

DECLARANT:

Ho-Chunk Nation

By: Heather Cloud
Heather Cloud, Vice President

ACKNOWLEDGMENT

STATE OF WISCONSIN)
) SS
COUNTY OF JACKSON)

Personally came before me this December 23, 2014 the above-named Heather Cloud, in her capacity as the Vice-President of the Ho-Chunk Nation, to me known to be the person who executed the foregoing instrument in such capacity and acknowledged the same.

Michael P. Murphy
Name: Michael P. Murphy
Notary Public, State of Wisconsin
My Commission: is permanent

EXHIBIT A

DESCRIPTION OF BENEFITTED PROPERTY

Part of Lot 2 Certified Survey Map No. 640, recorded in the Dane County Register of Deeds Office on September 8, 1971 in Volume 3 of Certified Survey Maps, Page 156, as Document No. 1303026, being part of Lot 11 of Assessor's Plat No. 10 of the Town of Blooming Grove, also being a part of the East 1/2 of Section 26, Town 7 North, Range 10 East, said property being located in the City of Madison, Dane County, Wisconsin, more particularly described as follows:

Beginning at the Southeast corner of said Lot 2 of CSM No. 640 (said point being on the Northeast right-of-way line of Interstate Highway I-90); thence North 48° 50' 30" West, 96.03 feet; thence 397.17 feet along a circular curve to the right (along the Northeasterly right-of-way line of Interstate Highway I-90) having a radius of 2784.76 feet of a chord length of 396.82 feet, and a chord bearing of North 45° 00' 10" West; thence North 41° 02' 00" East, 403.11 feet to the Southeasterly line of Evan Acres Road; thence South 48° 58' 00" East, 425.03 feet; thence South 32° 12' 30" West, 435.91 feet to the point of beginning.

Street Address: 4002 Evan Acres Road, Madison, Wisconsin
Retired Tax Key No.: 0710-264-0102-7

EXHIBIT B

DESCRIPTION OF BURDENED PROPERTY

Part of Lot 2 Certified Survey Map No. 640, recorded in the Dane County Register of Deeds Office on September 8, 1971 in Volume 3 of Certified Survey Maps, Page 156, as Document No. 1303026, being part of Lot 11 of Assessor's Plat No. 10 of the Town of Blooming Grove, also being a part of the East 1/2 of Section 26, Town 7 North, Range 10 East, said property being located in the City of Madison, Dane County, Wisconsin, more particularly described as follows:

Beginning at the Northerly corner of said Lot 2 of CSM 640, said point being on the Southeast right-of-way line of Savannah Road, also being the POINT OF BEGINNING; thence S57°22'40"E, 350.00 feet; thence S32°37'20"W, 653.19 feet; thence N48°33'10"W, 354.19 feet; thence N32°37'20"E, 598.85 feet along the Southeast right-of-way line of Savannah Road to the Point of the Beginning.

Street Address: 4001 Savannah Road, Madison, Wisconsin
Tax Parcel Number: 0710-264-0103-5