

WB-40 AMENDMENT TO OFFER TO PURCHASE

**CAUTION: Use a WB-40 Amendment if both Parties will be agreeing to modify the terms of the Offer.
Use a WB-41 Notice if a Party is giving a Notice which does not require the other Party's agreement.**

1 Buyer and Seller agree to amend the Offer dated January 30, 2023, and accepted on June 7, 2023,
2 for the purchase and sale of real estate at 4710 Lien Road, Madison Wisconsin
3 _____, Wisconsin as follows:

4 Closing date is changed from _____, to _____.

5 Purchase price is changed from \$ _____ to \$ _____.

6 Other: 1) The cash portion payment at the time of closing is amended from two Million One
7 Hundred Thousand (\$2,100,000.00) to Two Million Seventy Thousand (\$2,070,000.00) Dollars.

8 This dollar reduction is made to reimburse the City of Madison for phase II Environmental
9 costs and to cover anticipated environmental closure costs with the Wisconsin DNR. With
10 this amendment the City of Madison has waived all due diligence and all environmental
11 contingencies regarding the subject property.

12 _____
13 2) If this amendment is required to go through the full City of Madison approval process
14 the City of Madison approvals must be completed and signed no later than March 31, 2024
15 or else this offer is null and void.

16 _____
17 3) All other provisions of the original offer dated January 30, 2023 and signed by the
18 City of Madison on June 7, 2023 and the first Amendment dated July 12, 2024 and signed by
19 the City on July 25 and 26, 2023 are included in this amendment unless changed above.
20 _____
21 _____
22 _____
23 _____
24 _____
25 _____
26 _____
27 _____
28 _____
29 _____
30 _____

31 The attached _____ is/are made part of this Amendment.

32 ALL OTHER TERMS OF THE OFFER TO PURCHASE AND ANY PRIOR AMENDMENTS REMAIN THE SAME.

33 This Amendment is binding upon Seller and Buyer only if a copy of the accepted Amendment is delivered to the Party
34 offering the Amendment on or before February 15, 2024 (Time is of the Essence). Delivery
35 of the accepted Amendment may be made in any manner specified in the Offer to Purchase, unless otherwise provided
36 in this Amendment.

37 **NOTE: The Party offering this Amendment may withdraw the offered Amendment prior to acceptance and**
38 **delivery as provided at lines 33-34.**

39 This Amendment was drafted by Konrad C. Opitz of Opitz Realty, Inc. on 01/29/2024
40 _____ Licensee and Firm ▲ Date ▲

41 This Amendment was presented by Konrad C. Opitz of Opitz Realty, Inc. on 1/29/2024
42 _____ Licensee and Firm ▲ Date ▲

43 (x) _____
44 Buyer's Signature ▲ Date ▲
45 Print name ▶

(x) Konrad C. Opitz 1/29/24
Seller's Signature ▲ Date ▲
Print name ▶ Konrad C. Opitz, Member

46 (x) _____
47 Buyer's Signature ▲ Date ▲
48 Print name ▶

(x) Neil C. Halleen 1/29/24
Seller's Signature ▲ Date ▲
Print name ▶ Neil C. Halleen, Member

49 This Amendment was rejected _____
50 _____ Party Initials ▲ Date ▲