

**FIRST AMENDMENT TO THE CENTER FOR
INDUSTRY & COMMERCE AMENDED AND
RESTATED DECLARATION OF COVENANTS,
CONDITIONS, AND RESTRICTIONS**

Return To:
City of Madison
EDD – Office of Real Estate
Services
P.O. Box 2983
Madison, WI 53701

Tax Parcel Number
See Exhibit A

THIS FIRST AMENDMENT TO THE CENTER FOR INDUSTRY & COMMERCE AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS (hereafter “Amendment”) is made this ____ day of December, 2019, by the City of Madison as Declarant and those persons signing below who represent a majority of the members of the Association Board (as defined below).

WITNESSETH

WHEREAS, The Center for Industry & Commerce L.L.C., previously Declarant under the Declaration, executed The Center for Industry & Commerce Amended and Restated Declaration of Covenants, Conditions, and Restrictions and recorded the same with the Dane County Register of Deeds on December 20, 2018 as Document No. 5461197 (the “Declaration”); and

WHEREAS, Article VII establishes the Owners Association (the “Association”); and

WHEREAS, Article X of the Declaration provides that the Declaration may be amended by a written recorded instrument executed by a majority of the Association Board and Declarant, so long as Declarant continues to hold any interest in the Project described in the Declaration; and

WHEREAS, the City of Madison, as Declarant, and the majority of the Association desire to further amend the Declaration pursuant to the terms of this First Amendment.

NOW, THEREFORE, the undersigned hereby amend the Declaration as follows:

Section V.B.2.j. of the Declaration is hereby deleted and restated as follows:

- j) Infiltration plans that adhere to the City of Madison's and the Regional Planning Commission's infiltration requirements (whichever is more stringent) such that individual Development Sites developed within the Project shall have a plan that includes provisions to maximize infiltration of storm water.

IN WITNESS OF ALL THE ABOVE, Declarant has executed this First Amendment as of the Effective Date.

[Signatures begin on the following page]

|

CITY OF MADISON
A municipal corporation

By: _____
Satya Rhodes-Conway
Mayor

By: _____
Maribeth Witzel-Behl
City Clerk

Personally came before me this _____ day of _____, 20____, the above-named Satya Rhodes-Conway, Mayor of the City of Madison, acting in said capacity and known by me to be the person who executed the foregoing instrument and acknowledged the same.

Notary Public, State of Wisconsin

Print or Type Name
My Commission: _____

State of Wisconsin)
)ss.
County of Dane)

Personally came before me this _____ day of _____, 20____, the above-named Maribeth Witzel-Behl, City Clerk of the City of Madison, acting in said capacity and known by me to be the person who executed the foregoing instrument and acknowledged the same.

Notary Public, State of Wisconsin

Print or Type Name
My Commission: _____

RES-19 - _____), File ID No. _____, adopted by the Common Council of the City of Madison on _____.

Drafted by the City of Madison Office of Business Resources