

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

**THIS SECOND AMENDMENT TO DECLARATION
OF COVENANTS, CONDITIONS AND
RESTRICTIONS** (hereafter "Amendment") is made this
27th day of July, 2017, by the City of Madison as Declarant
and those persons signing below who represent a majority
of the members of the Design Review Board (as defined
below).

WITNESSETH

WHEREAS, The Center for Industry &
Commerce L.L.C., previously the Declarant under the Declaration, executed The Center for
Industry & Commerce Declaration of Covenants, Conditions, and Restrictions for the Center for
Industry & Commerce and recorded the same with the Dane County Register of Deeds as
Document No. 3677132 (the "Declaration"); and

WHEREAS, the Declaration was amended in 2005 by the Amendment to the Center for
Industry & Commerce Declaration of Covenants, Conditions, and Restrictions recorded on
February 23, 2005 in the Dane County Register of Deeds as Document No. 4023951 ("First
Amendment"); and

WHEREAS, Article IV of the Declaration establishes a design review board (the
"Design Review Board" or "Board"); and

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

WHEREAS, Article X.F. permits the assignment of rights from the Declarant to another
person or entity, and The Center for Industry & Commerce L.L.C. so assigned its rights as
Declarant under the Declaration to the City of Madison by recorded document with the Dane
County Register of Deeds Document No. 5007196; and



9 1 7 4 1 9 7
Tx:8874729

**KRISTI CHLEBOWSKI
DANE COUNTY
REGISTER OF DEEDS**

**DOCUMENT #
5344856**

07/27/2017 1:58 PM

Trans. Fee:

Exempt #:

Rec. Fee: 30.00

Pages: 6

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

Tax Parcel No.:
See Exhibit A

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10788. KSK

WHEREAS, the City of Madison as Declarant and the majority of the Design Review Board desire to amend the Declaration pursuant to the terms of this Amendment.

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

1. Any capitalized term used in this Amendment and not defined herein shall have the meaning assigned to such term in the Declaration.
2. Article VI.F. of the Declaration is hereby rewritten to read, in its entirety, as follows:

Easement for Pedestrian/Bike Path Reserved

Declarant reserves, for the benefit of all lands located within the Project, a ten (10) foot wide easement across the rear yard of each Development Site for the purpose of providing a free-flowing pedestrian and bicycle path from one Development Site to the next, such that a pedestrian/bike path around the entire perimeter of The Center for Industry & Commerce Plat may be created. The precise location of such path on any given Development Site shall be determined by mutual agreement between the Board and Applicant. The City shall be responsible to construct the pedestrian/bike path at City's sole cost, which shall be completed in the discretion of the City.

3. Article VI.P.1. of the Declaration, as amended by the First Amendment, is hereby amended to add the following sentence to the end of the paragraph:

Notwithstanding the foregoing, the City (and not the individual Owners) will be responsible, at City's sole cost, for the maintenance of the pedestrian/bike path referenced in Article VI.F. in the manner described in this paragraph.

4. This Second Amendment shall be effective upon recording with the Dane County Register of Deeds. No plans that have previously been approved by the Design Review Board shall require re-approval or modification as a result of this Second Amendment.
5. No Other Changes. Except as modified herein, all terms and conditions of the Declaration and First Amendment are hereby ratified and shall remain in full force and effect.

SIGNATURES FOLLOW ON THE NEXT TWO PAGES

DECLARANT:

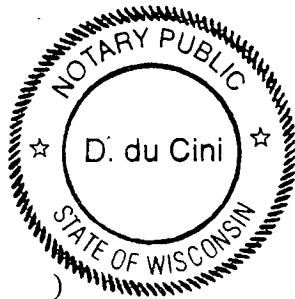
THE CITY OF MADISON, WISCONSIN, a
municipal corporation

By: *Paul R. Soglin* Date: 27 July 2017
Paul R. Soglin, Mayor

By: *Maribeth Witzel-Behl* Date: 7-20-2017
Maribeth Witzel-Behl, City Clerk

State of Wisconsin)
County of Dane)ss.
)

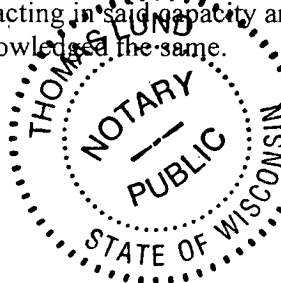
Personally came before me this 27th day of July, 2017, the above named Paul R. Soglin, Mayor of the City of Madison, acting in said capacity and known by me to be the person who executed the foregoing instrument and acknowledged the same.



D. du Cini
Notary Public, State of Wisconsin
D. du Cini
(print or type name)
My Commission: 10.20.2020

State of Wisconsin)
County of Dane)ss.
)

Personally came before me this 20th day of July, 2017, 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.

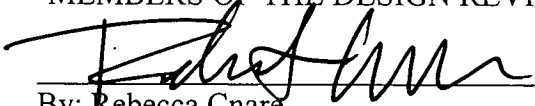


Thomas Lund
Notary Public, State of Wisconsin
THOMAS LUND
(print or type name)

My Commission: 05/24/2019

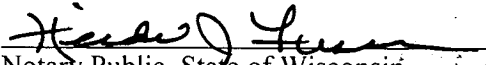
SIGNATURES CONTINUED ON FOLLOWING PAGE

MEMBERS OF THE DESIGN REVIEW BOARD


By: Rebecca Cnare

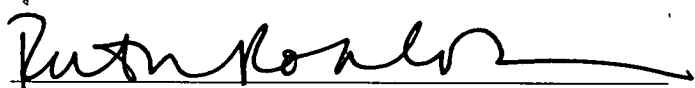
State of Wisconsin)
)ss.
County of Dane)

Personally came before me this 18th day of July, 2017, the above named Rebecca Cnare, City of Madison employee and member of The Center of Industry and Commerce Design Review Board, 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

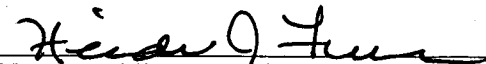
Heidi J. Fisher
(print or type name)

My Commission: expires 9/6/19


By: Ruth Rohlich

State of Wisconsin)
)ss.
County of Dane)

Personally came before me this 18th day of July, 2017, the above named Ruth Rohlich, City of Madison employee and member of The Center of Industry and Commerce Design Review Board, 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

Heidi J. Fisher
(print or type name)

My Commission: expires 9/6/19

EXHIBIT A

Lots in The Center for Industry & Commerce, in the City of Madison, Dane County, Wisconsin

<u>PLAT LOT NUMBER</u>	<u>PARCEL NUMBER</u>
1	0810-163-0301-8
2	0810-163-0302-6
3 & 4	0810-163-0303-4
5, 6 & 7	0810-163-0306-8
8	0810-163-0308-4
9-20	0810-162-0119-7
21	0810-162-0201-2
22	0810-162-0202-0
23	0810-162-0203-8
24	0810-162-0204-6
25	0810-162-0205-4
26	0810-162-0206-2
27	0810-162-0207-0
28	0810-162-0208-8
29	0810-162-0209-6
30	0810-162-0210-3
31	0810-162-0211-1
32	0810-162-0212-9
33	0810-162-0213-7
34	0810-162-0214-5
35	0810-162-0301-0
36	0810-162-0302-8
37	0810-162-0303-6
38	0810-162-0304-4
39	0810-162-0305-2
40	0810-162-0306-0
41	0810-162-0307-8
42	0810-162-0308-6
43	0810-162-0309-4
44	0810-162-0310-1
45	0810-162-0311-9
46	0810-162-0312-7
47	0810-162-0313-5
48	0810-162-0314-3
49	0810-162-0315-1
50	0810-162-0316-9
51	0810-162-0401-8
52	0810-162-0402-6
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54	0810-162-0404-2
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63	0810-162-0602-2
64	0810-162-0603-0
65	0810-162-0604-8
66	0810-162-0605-6
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77	0810-162-0616-3
78	0810-162-0617-1
79	0810-162-0618-9
80	0810-162-0619-7
81	0810-162-0620-4
82	0810-162-0621-2
83 & 84	0810-162-0622-0
85 & 86	0810-162-06246
87	0810-163-0101-2
88	0810-163-0102-0
89 & 90	0810-163-0103-8
91	0810-163-0105-4
92	0810-163-0106-2