

DECLARATION OF CONDITIONS AND COVENANTS  
 THE CENTER FOR INDUSTRY AND COMMERCE  
 CITY OF MADISON, DANE COUNTY, WISCONSIN

DANE COUNTY  
 REGISTER OF DEEDS

DOCUMENT #  
 3759250

07/16/2003 09:09:07AM

Trans. Fee:  
 Exempt #:

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 Pages: 1

001727

WHEREAS, The Center for Industry & Commerce LLC, owner of Lot(s) 1,2,92,52-56,58,59,62-64 in the Plat known as \_\_\_\_\_  
The Center for Industry & Commerce recorded on the 8th day of May, 2003 in Volume 58-024B of Plats on page(s) 129-134 in the Office of the Register of Deeds of Dane County, Wisconsin, will be benefitted through the installation of sidewalk improvements by the City of Madison on Lots 1,2,92,52-56,58,59,62-64 abutting said lot(s)

NOW, THEREFORE, the undersigned owner hereby declares and provides that Lot(s) 1,2,92,52-56,58,59,62-64 is/are subject to the following conditions and covenants:

1. The owner concurs with the City of Madison's policy to promote the general welfare of the City through the installation of sidewalk improvements within the public right-of-way of Lots 1,2,92,52-56,58,59,62-64 adjacent to said lot(s).
2. The owner acknowledges that it is the City of Madison's policy to assess the above described lot(s) the full cost of sidewalk improvements, including inspection, engineering, and supervision costs.
3. The owner, its successors and assigns hereby waives all special assessment notices and hearings as required by Section 66.60(18) of the Wisconsin Statutes and Section 4.09 of Madison General Ordinances and further agrees that the benefits to the above described lot(s) for the construction of said sidewalk improvements, will be divided proportionately among said lot(s) which it may elect to pay in five equal successive annual installments.
4. The City of Madison shall have the right annually during the payment period, to place an amount equal to one-fifth of said charge above specified, together with interest on all unpaid balances thereof at the prevailing interest rate on the tax roll to be collected, together with the general taxes in the same manner as if said charge had been levied as a special assessment against the property, and as if said annual amounts were installments of special assessment.
5. In the event of a default in the payment of any of the said five annual installments above specified, the collection of the same shall be enforced by the City of Madison by action for debt or by sale of the property for nonpayment of taxes.

This space is reserved for recording data.

Return to:

City Engineering Division  
 Rm. 115, City-County Building  
 Madison, Wisconsin

Tax Parcel No. (see below)

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 28<sup>th</sup> day of March, 2003.

The Center for Industry & Commerce L.L.C.  
 By: T. Wall Properties Master Corp.  
 Its Manager

STATE OF WISCONSIN)  
 COUNTY OF DANE ) SS

Personally came before me this 28<sup>th</sup> day of March, 2003, the above named Terrence R. Wall to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

Patricia A. Wheeler  
 NOTARY PUBLIC

My Commission Expires: 2/15/04

Drafted by: City Engineering Division  
 Rm. 115, City-County Building  
 GAD:mah Madison, Wisconsin

Lot No.	Parcel No.
1	251-0810-163-0301-8
2	251-0810-163-0302-6
52	251-0810-162-0402-6
53	251-0810-162-0403-4
54	251-0810-162-0404-2
55	251-0810-162-0405-0
56	251-0810-162-0406-8
58	251-0810-162-0408-4
59	251-0810-162-0501-6
62	251-0810-162-0601-4
63	251-0810-162-0602-2
64	251-0810-162-0603-0
92	251-0810-163-0106-2

Handwritten mark resembling a stylized 'H' or '11'.