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DOC.# 09827162

Document No

WARRANTY DEED

REGISTER'S OFFICE | SS
Milwaukee County, WI

RECORDED 12/21/2009 08:24AM

JOHN LA FAVE
REGISTER OF DEEDS
AMOUNT: 27.00
FEE EXEMPT 77.25 #: 12

THIS WARRANTY DEED is made by the MILWAUKEE INDUSTRIAL TRADE CENTER, LLC, a Wisconsin limited liability company, herein called "MITC," as the Grantor, to THE REDEVELOPMENT AUTHORITY OF THE CITY OF MILWAUKEE, a corporation existing under Wis Stat. § 66.1333, herein called "RACM," as the Grantee.

WITNESSETH:

Recording Area

RETURN TO
Gregg Hagopian
City Attorney's Office
841 N. Broadway, 7th Floor
Milwaukee, WI 53202

Tax Key Nos: See Exhibit A

1. **Conveyance of MITC Parcel.** MITC hereby conveys to RACM, the real estate, in the City and County of Milwaukee, State of Wisconsin, described on **EXHIBIT A** attached hereto (the "MITC Parcel"), together with MITC's rights and privileges appurtenant thereto, and MITC's right, title and interest in all strips and gores of land lying adjacent to or between any component property of the MITC Parcel.

2. **No Transfer Fee.** There is no real-estate-transfer fee due with respect to this Deed as it represents a conveyance from MITC to RACM in lieu of condemnation (Wis Stat. § 77.25 (12)), but a real-estate-transfer return is required with respect to this Deed.

3. **Warranty.** This is not homestead property. MITC conveys the MITC Parcel together with all and singular the hereditaments and appurtenances thereunto belonging; and, MITC warrants that the title is good, indefeasible in fee simple and free and clear of encumbrances except for the "Permitted Encumbrances" listed on **EXHIBIT B** attached hereto, and MITC will warrant and defend the same.

IN WITNESS WHEREOF, MITC, as Grantor, has caused this Deed to be executed by its duly authorized signatories and delivered to RACM as of the 15th day of December, 2009

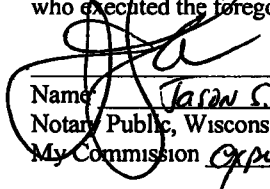
MITC: Milwaukee Industrial Trade Center, LLC

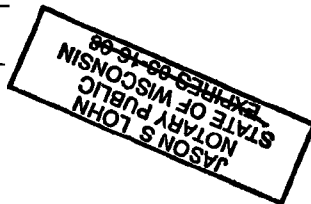
By 
Gerald A. Blomberg, Jr., General Manager

ACKNOWLEDGMENT

STATE OF WISCONSIN)
) SS
COUNTY OF MILWAUKEE)

Personally came before me this 10th day of December, 2009, the above-named Gerald A. Blomberg, Jr., as General Manager of Milwaukee Industrial Trade Center, LLC, to me known to be the person who executed the foregoing instrument in such capacity and acknowledged the same


Name Jason S. Lohm
Notary Public, Wisconsin
My Commission Expires 3/11/12



DRAFTED BY

Gregg C. Hagopian, Assistant City Attorney
841 N. Broadway, 7th Floor
Milwaukee, WI 53202
(414) 286-2620 – Telephone
(414) 286-8550 – Facsimile

EXHIBIT A
LEGAL DESCRIPTIONS

PARCEL A:

Lots 1, 2, 3, 4, 5 and 6 in Block 2 in Garden Acre Subdivision of a part of the North East 1/4 of Section 12 in Township 7 North, Range 21 East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin. Excepting therefrom that part thereof described in Deed recorded as Document No. 5420870.

Tax Key No: 269-0305-111-5

Address: 2823 W. VIENNA AVENUE

PARCEL B:

Lots 1, 2 and 3 in Block 7 in Garden Acre Continuation, in the North East 1/4 of Section 12, in Township 7 North, Range 21 East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin.

Tax Key No: 269-0259-4

Address: 3010-3024 W. HOPKINS STREET

PARCEL C:

Lot 6 except the East 29 feet thereof in Block 7 in Garden Acre Continuation, in the North East 1/4 of Section 12, in Township 7 North, Range 21 East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin. Excepting therefrom that part thereof described those lands conveyed to the City of Milwaukee in Deed recorded as Document No. 5420871.

Tax Key No: 269-0261-100-1

Address: 2926 W. MELVINA STREET

PARCEL D:

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18, in Block 6, and Lots 4 and 5, in Block 7, in Garden Acre Continuation, being a part of the Northeast 1/4 of Section 12, in Town 7 North, Range 21 East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin.

TOGETHER with the vacated alley abutting said lots and that portion of vacated West Melvina Street abutting Lot 5, in Block 7 and Lot 1, in Block 6.

EXCEPTING THEREFROM that part described in a Deed recorded as Document No. 5420871 and further excepting all of vacated 29th Street abutting on the East.

Tax Key No: 269-0252-112-6

Address: 2900 W. HOPKINS STREET

PARCEL E:

Lots 16 to 27, inclusive, and the South 26 feet of Lot 28, in Block 2 in Erbacher and Banholzer's Subdivision, being a part of Lots 48 and 57, and all of Lots 49, 50, 51, 52, 53, 54, 55 and 56 in Pease's Subdivision, in the Northwest 1/4 of Section 7, in Township 7 North, Range 22 East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin.

Tax Key No 270-0144-111-1

Address: 2642 W. Hopkins Street

PARCEL F:

All that part of the Northeast 1/4 and the Southeast 1/4 of Section 12, Town 7 North, Range 21 East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin, described as follows:

Commencing at the Northwest corner of the Northeast 1/4 of Section 12, Town 7 North, Range 21 East; thence North 88° 28' 13" East, 937.70 feet along the North line of said 1/4 Section to a point on the East right of way line of the Soo Line Railroad and it's extension thereof; thence South 03° 54' 38" East, 169.59 feet to the point of beginning; thence North 89° 00' 40" East, 69.90 feet; thence North 00° 59' 20" West, 100.00 feet to the South line of West Capitol Drive; thence North 89°

00' 40" East along said South line, 95.59 feet; thence North 89° 04' 08" East along said South line 94.57 feet; thence South 37° 53' 44" East, 217.77 feet to a point on the West line of North 31st Street; thence South 00° 35' 01" East along said West line, 273.31 feet to a point on the West line of North Hopkins Street; thence South 36° 25' 17" East along said West line 2045.90 feet; thence South 44° 07' 45" East, 176.96 feet to a point on the West line of North 27th Street; thence South 00° 35' 35" East along said West line 339.73 feet to a point on the South line of the Northeast 1/4 of Section 12, Town 7 North, Range 21 East; thence South 00° 37' 51" East along said West line, 479.98 feet to a point on the North line of West Townsend Street, thence South 88° 23' 15" West along said North line 1538.66 feet to a point on the East right of way line of the Soo Line Railroad; thence North 03° 54' 38" West along said East line 2983.97 feet to the point of beginning.

EXCEPTING THEREFROM that part described in an instrument recorded as Document No 4349942.

Tax Key No: 269-9993-110-2

Address: 3533 North 27th Street

PARCEL G:

Lots 1, 2, 3, 21, 22 23, 24, 25 and 26, together with the East 1/2 of vacated North 26th Street adjoining said lots on the West in Block 2 in Peoples Building and Loan Association Subdivision No. 3, being a part of the Southwest 1/4 of Section 7, in Township 7 North, Range 21 East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin.

Excepting therefrom that part thereof described in Quit Claim Deed recorded as Document No. 5025903

Tax Key No: 285-1704-110-8

Address: 2537 W. HOPKINS STREET

PARCEL H:

Blocks 3 and 4 together with vacated West Keefe Avenue, the West 1/2 of vacated North 26th Street adjoining said Block 3 on the East and the vacated alley in said Blocks, in Peoples Building and Loan Association No. 3, being a part of the Southwest 1/4 and Northwest 1/4 of Section 7, in Township 7 North, Range 22 East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin

Tax Key No: 285-1724-111-5

Address: 3424 N. 27TH STREET

EXHIBIT B
PERMITTED ENCUMBRANCES

- Public or private rights, if any, in such portion of the subject premises as may be presently used, laid out or dedicated in any manner whatsoever, for road, street, highway and/or alley purposes
- Rights and easements, if any, in and to any and all railroad switches, sidetracks, spur tracks and rights of way located upon or appurtenant to the subject premises, but only as to rights and easements owned by parties **other than** Milwaukee Industrial Trade Center, LLC ("MITC"), any affiliate of MITC, or any of First Stage Milwaukee, Inc, Nodemart, LLC, Knapp Railroad Builders, Inc, Midwest Rail & Dismantling, Inc Great Lake Asbestos Abatement, LLC, Mineral Range Inc, Milwaukee Materials, LLC or Redemption Fellowship Church.
- Easements, if any, of the public or any school district, utility, municipality or person, as provided in Section 66.1005(2) of the Statutes, for the continued use and right of entrance, maintenance, construction and repair of underground or overground structures, improvements or service in that portion of the subject premises which were formerly a part of alleys now streets now vacated
- Covenants, conditions and restrictions (but omitting any such covenant, condition or restriction based on race, color, religion, sex handicap, familial status, or national origin, unless and only to the extent that said covenant (a) is exempt under Chapter 42, Section 3607 of the United States Code, or (b) relates to handicap but does not discriminate against handicapped persons) set forth in Warranty Deed, recorded as Document No 2345102, providing for no forfeiture or reversion of title in case of violation. (Affects Parcel A)
- Utility Easement granted to Wisconsin Electric Power Company and Wisconsin Telephone Company recorded on September 23, 1960 as Document No. 3835616. (Affects Parcel A)
- Easement recorded as Document No 5458416. (Affects Parcel D)
- Utility Easement granted to Wisconsin Telephone Company recorded as Document No. 1935371 (Affects Parcel E)
- Utility Easement granted to Wisconsin Electric Power Company recorded as Document No 3282941. (Affects Parcel E)
- Right of Way Sewer Easement recorded on June 16, 1923 as Document No. 1212315 (Affects Parcel F)
- Grant of Easement recorded on July 31, 1924 as Document No 1296202. (Affects Parcel F)
- Reservation contained in deed recorded on December 29, 1905 as Document No 536650 (Affects Parcel F)
- Grant recorded as Document No 1311742 (Affects Parcel F)
- Grant recorded as Document No 1317375 (Affects Parcel F)
- Grant recorded as Document No 1317376 (Affects Parcel F)

- Covenants, conditions and restrictions contained in a Warranty Deed recorded as Document No. 1387609. (Affects Parcel F)
- Easement recorded as Document No. 1715476. (Affects Parcel F)
- Grant recorded as Document No. 1737811. (Affects Parcel F)
- Easement recorded as Document No. 1774376. (Affects Parcel F)
- Easement recorded as Document No 1775663 (Affects Parcel F)
- Easement recorded as Document No 1869056 (Affects Parcel F)
- Grant and Dedication recorded as Document No 1927618 (Affects Parcel F)
- Right of Way Sewer recorded as Document No. 1971874 (Affects Parcel F)
- Easement recorded as Document No 1997253 (Affects Parcel F)
- Re-Routing of Creek recorded as Document No 2065116 (Affects Parcel F)
- Grant recorded as Document No. 2837776 (Affects Parcel F)
- Utility Easement recorded as Document No 3403000 (Affects Parcel F)
- Easements, reservations, covenants and agreements contained in a certain Warranty Deed recorded as Document No. 3410206. (Affects Parcel F)
- Easement recorded as Document No 3816472. (Affects Parcel F)
- Easement recorded as Document No. 3909211. (Affects Parcel F)
- Easement recorded as Document No. 3961233. (Affects Parcel F)
- Easement recorded as Document No. 3961234. (Affects Parcel F)
- Easement set forth in Assignment of Easements and Conveyance of Sewers recorded on August 27, 1993 as Document No. 6818720. (Affects Parcel F)
- Declaration of Restrictions recorded as Document No 7426591. (Affects Parcel F)
- Groundwater Use Restriction recorded on September 26, 2000 as Document No 7966446 (Affects Parcel F)
- Notice of Contamination to Property recorded on September 26, 2000 as Document No 7966447 (Affects Parcel F)
- Declaration of Restrictions as contained in Groundwater Use Restriction recorded on November 3, 2000 as Document No 7985063 (Affects Parcel F)

- Notice of Contamination to Property recorded on May 18, 2001 as Document No. 8067982 (Affects Parcel F)
- Easement recorded as Document No. 8589079. (Affects Parcels A, B, D and F)
- Utility Easement granted to Wisconsin Gas LLC doing business as WE Energies, recorded as Document No 9410657. (Affects Parcel F)
- Easement recorded as Document No. 5774103. (Affects Parcels G and H)
- Rights of the City of Milwaukee and the Redevelopment Authority of the City of Milwaukee by reason for the fact that the subject premises are included in the Redevelopment Plan for the W Capitol Drive and N 35th Street "Century City" Project Area A certified copy of said Redevelopment Plan with accompanying approval resolutions of the Common Council of the City of Milwaukee and the Redevelopment Authority of the City of Milwaukee was recorded on December 9, 2005 as Document No. 9145406.
- Rights of Telecorp under lease dated 9/8/00 and Memorandum of Lease dated 3/31/01 and recorded as Doc No 8047322), but subject to Termination of Memorandum of Lease recorded as Document No 9807492
- Rights of VoiceStream PCS II Corporation under lease dated 9/11/00 (Memorandum of Lease recorded as Doc. No. 8003099), including rights of tenant in tenant fixtures.
- Municipal and zoning ordinances
- Real estate taxes for the year 2009 and subsequent years.
- Rights, if any, of Belly Commodity Trading, LLC, under Belly's 8/9/07 unrecorded lease with MITC
- Rights, if any, of Tower Automotive Products Company, Inc under its 11/9/06 unrecorded lease with MITC, but subject to a letter to Grantor from Brian Fitzpatrick dated November 3, 2009 purporting to terminate this Lease
- All matters of survey, including encroachments and rights of utility companies in overhead utility lines, all as identified in survey prepared by Land Information Services dated November 2, 2006 as Job No. S06169R0P.
- Water and sewer service charges, if any, relating to any period after December 15, 2009
- Any liens, including broker liens and contractor liens, arising out of the acts of RACM, or those claiming by or through RACM
- Assessments of Business Improvement District 37 of the City of Milwaukee for year 2009 and subsequent years
- Reciprocal Easement Agreement recorded as Document No 8923073
- All rights of tenants shown above to fixtures under their leases.

- **Special Privilege from the City of Milwaukee for a fence encroachment into a street ROW, under City Common Council File 071569 (SP 2386) and payments therefore for year 2009 and subsequent years.**

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