

Resolution approving partial release of covenants and restrictions included within Gundersen Lutheran Development Agreement.

AMENDED RESOLUTION

WHEREAS, Bethany Lutheran Homes through its attorney submitted the attached request dated June 10, 2013 to the City of La Crosse seeking a partial release of the covenants and restrictions included within the Amended and Restated Gundersen Lutheran Development Agreement dated March 30, 2012.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of La Crosse that it hereby conditionally grants the request of Bethany Lutheran Homes, Inc. dated March 30, 2012 granting the partial release of covenants and restrictions included within the Amended and Restated Gundersen Lutheran Development Agreement dated March 30, 2012,

BE IT FURTHER RESOLVED that the City's granting of the partial release is expressly conditioned on:

1. Bethany Lutheran Homes, Inc. signing and delivering the Payment for Municipal Services Agreement dated November 13, 2013 to the City Clerk's Office on or before 5:00 pm on Monday, November 18, 2013;
2. Gundersen Lutheran Medical Center, Inc. and Gundersen Lutheran Administrative Services, Inc. signing and delivering the Partial Release of Covenants and Restrictions in Development Agreement and Amendment to Restrictive Covenant on or before 5:00 pm on Monday November 18, 2013.

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute the attached Partial Release of Covenants and Restrictions in Development Agreement and Amendment to the Restrictive Covenant.

BE IT FURTHER RESOLVED that Bethany Lutheran Homes, Inc. is responsible for the recording fee and any other transaction costs currently estimated in the amount of \$30.00 in connection with said request.

BE IT FURTHER RESOLVED that the City staff is hereby authorized to take any and all steps necessary to effectuate this resolution.