

AMENDMENT TO RECORDED EASEMENT

Document Number

Document Title

Recording Area

Name and Return Address

Kwik Trip, Inc.
Attn: Julie Long
P.O. Box 2107
La Crosse, WI 54602-2107

Parcel Identification Number (PIN)

Drafted by: Thomas E. Reinhart, P.O. Box 2107, La Crosse, WI 54602-2107

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This information must be completed by submitter: document title, name & return address, and PIN (if required). Other information such as the granting clause, legal description, etc., may be placed on this first page of the document or may be placed on additional pages of the document.

WRDA Rev. 12/22/2010

**AMENDMENT TO RECORDED
EASEMENT**

The undersigned, Kwik Trip, Inc., a Wisconsin corporation ("Grantor") and the City of La Crosse, Wisconsin, a municipal corporation ("Grantee") have an interest arising under that certain Easement dated February 7, 2012, and recorded on February 20, 2012, with the Office of Register of Deeds, La Crosse County, Wisconsin, as Document No. 1591048, a copy attached hereto as Exhibit A.

The undersigned hereby agrees to amend the Easement to include additional language, as follows:

1. Grantee shall allow building(s) to be constructed within the North eight feet (8') portion of the easement, which is legally described on attached Exhibit B.

2. Any future structures and/or buildings constructed by Grantor within the Easement Property shall require the placement of footings at a depth sufficient to prevent any damage caused by excavation associated with the maintenance of the existing water pipes, sanitary sewer pipes and appurtenant facilities (hereinafter referred to as "Facilities").

3. Grantee shall provide to Grantor a minimum of fourteen (14) days prior written notice related to the removal, replacement or relocation of the current Facilities located within the Easement Property, provided however, that in the event of an emergency, no such advance notice shall be required but the City shall advise Grantor upon the completion of any work in the Easement Property as soon thereafter as reasonably possible.

4. Grantor shall be responsible for determining the need for, and shall provide geotechnical supports to, any additional improvements constructed within the Easement Property, while the Grantor removes or reconstructs the Facilities or relocates the Facilities closer to any existing improvements of Grantor.

5. All other terms and conditions of the Easement shall remain in full force and effect.

[Signature Page Attached]

GRANTOR:
KWIK TRIP, INC.

By: *[Signature]*

Its: JEFFREY J WRIBEL, VP, CFO: TREAS OF KWIK TRIP

Dated: JUNE 13, 2019

GRANTEE:
CITY OF LA CROSSE

By: *[Signature]*

Its: TIMOTHY KASFI, MAYOR

Dated: JUNE 21, 2019

By: *[Signature]*

Its: Teri Lehrke, City Clerk

Dated: 6/21/19

STATE OF WISCONSIN)
) ss.
COUNTY OF LA CROSSE)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certifies that JEFFREY J WRIBEL, VP, CFO: TREAS. of Kwik Trip, Inc., a Wisconsin corporation, has signed the foregoing instrument, and who is known to me, acknowledged before me on this date that, being informed of the contents of the instrument, he, executed the same voluntarily.

Dated this 13 day of JUNE, 2019.



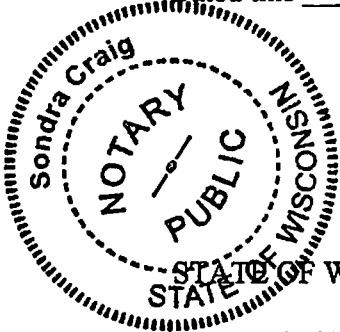
[Signature]
Notary Public
State of Wisconsin, County of LA CROSSE
My Commission: 4-3-2023

STATE OF WISCONSIN)
) ss.
COUNTY OF LA CROSSE)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certifies that Teri Lehrke, City Clerk of the City of La Crosse, Wisconsin, a municipal corporation, has signed the foregoing instrument, and who is known to me, acknowledged before me on this date that, being informed of the contents of the instrument, he/she, executed the same voluntarily.

Dated this 21st day of June, 2019.

Sondra Craig
Notary Public
State of Wisconsin, County of La Crosse
My Commission: 11/11/2021



STATE OF WISCONSIN)
) ss.
COUNTY OF LA CROSSE)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certifies that Tim Kabat, Mayor of the City of La Crosse, Wisconsin, a municipal corporation, has signed the foregoing instrument, and who is known to me, acknowledged before me on this date that, being informed of the contents of the instrument, he/she, executed the same voluntarily.

Dated this 21st day of June, 2019.

Sondra Craig
Notary Public
State of Wisconsin, County of La Crosse
My Commission: 11/11/2021

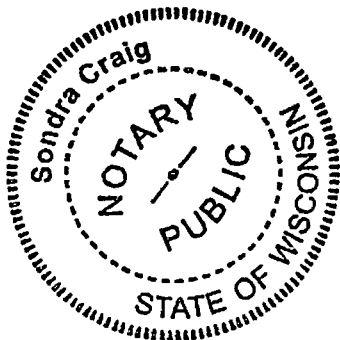


EXHIBIT A

#29

EASEMENT

KNOW ALL MEN BY THESE PRESENTS that Kwik Trip, Inc., a Wisconsin corporation ("Grantor") hereby dedicates and grants to the City of La Crosse ("Grantee"), the right to lay, maintain, operate, repair and remove water pipes, sanitary sewer pipes and appurtenant facilities to provide for installation and maintenance of fire hydrants and any other ingress or egress needed for drainage, lighting, landscaping or emergency response, under and within a strip of land through and over the following property legally described and depicted on attached Exhibit A ("Easement Property").

1. Grantor hereby grants and conveys said Easement provided however that Grantee shall make all reasonable efforts to minimize and avoid any interference with Grantor's operation of its business and/or access thereto.
2. Following any entry upon the Easement Property by the Grantee or its contractors for the purposes set forth in this Easement, the Grantee shall cause the surface to be restored to the condition existing prior to such entry to the extent reasonably possible.
3. Grantor warrants that it has good title to the Easement Property and full right and authority to grant the foregoing easement.
4. This Easement shall run with the land and be binding on, and inure to the benefit of, the assigns and successors in interest of Grantor and Grantee.

GRANTOR:

KWIK TRIP, INC.

Dated: February 7, 2012.

By:

Stephen D. Lochr

Stephen D. Lochr, Vice President

Drafted by: Matthew Ballager



1591048

LACROSSE COUNTY
REGISTER OF DEEDS
CERVEL A. KRIBBE

RECORDED ON
02/29/2012 11:16AM
REC FEE: 30.00
EXEMPT #:
PAGES: 4

#112

THIS SPACE RESERVED FOR RECORDING DATA

Return to:

City Attorney
400 La Crosse Street
La Crosse, WI 54601

FILE

17-10285-11

STATE OF WISCONSIN)
) ss.
LA CROSSE COUNTY)

Personally came before me on FEBRUARY 7, 2012, the above named Stephen D. Loehr, Vice President of Kwik Trip, Inc., a Wisconsin corporation and to be the person who executed the foregoing instrument and acknowledged the same.

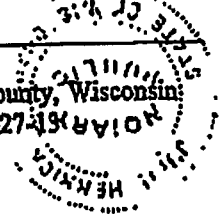
Julie Herrick
Julie Herrick
Notary public, La Crosse County, Wisconsin
My commission expires 10-27-13


EXHIBIT B

The North 8 feet of:

A part of a 60 foot wide street known as Palace Street, located in the Southwest Quarter of the Southwest Quarter of Section 16, Township 16 North, Range 7 West. Said part of Palace Street abuts Outlot 1 of Block 6 of the First Addition to Couleesitas Industrial Addition, and Lots "C" and "D" of Certified Survey Map, Volume 1, Pages 102 & 102A, Document #888013, and Lot 1 of Certified Survey Map, Volume 12, Page 1, Document #1403956, all in the City of La Crosse, La Crosse County Wisconsin, and is more particularly described as follows:

Commencing at the northwest corner of Outlot 1, Block 6, of said First Addition to Couleesitas Addition, being on the south right-of-way line of said Palace Street; thence North, along the southerly prolongation of the east right-of-way line of Commerce Street to the intersection of the east right-of-way line of said Commerce Street and a 15 foot radius curve concave to the northeast; thence Southeasterly, along said curve to the north right-of-way line of said Palace Street and the point of beginning of this vacation description;

thence East, along the north right-of-way line of said Palace Street 683.45 feet, more or less, to the point of curvature of a 15 foot radius curve concave to the northwest; thence South 60 feet to the south right-of-way line of said Palace Street; thence West, along said south right-of-way line to a point that is perpendicular and 60 feet from the point of beginning; thence North 60 feet to the point of beginning.