

BOMIER PROPERTIES INC.

COMMERCIAL REALTORS® & DEVELOPERS

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December 3, 2009

Mr. Greg Keil
City of Menasha
140 Main St.
Menasha, WI 54952

RE: Province Terrace and Midway Business Park

Dear Greg:

Please find attached two copies of the Amendment to Listing Contract to renew the listings at Province Terrace and Midway Business Park. Bomier Properties, Inc. appreciates the opportunity to continue to market these properties for the City of Menasha.

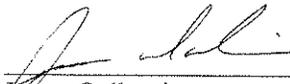
The commercial real estate market in general has been extremely slow over the last year with vacant land receiving the least amount of interest. The silver lining in this poor market has been leasing to local and regional businesses. The few opportunities that we've had to work with buyers suitable for your properties have generally opted to lease or purchase existing buildings. We are hopeful that the market will rebound and generate greater activity in vacant land by the second quarter of 2010.

Upon extension of the listing agreement, we plan to redistribute the listing information to all area brokerage firms, Chamber of Commerce and any relevant government agencies. In addition, we will continue to canvas the surrounding area with our cold calling efforts.

Again, we appreciate the opportunity to continue working with the City of Menasha. Once you've had the opportunity to review and discuss internally, please sign and date both copies of the amendment and return one copy in the enclosed, self-addressed envelope. Please don't hesitate to call me with any questions or concerns you might have.

Best regards,

BOMIER PROPERTIES INC.



Jason Gallmeier
Sales Associate

JG/kk

Enclosures

WB-42 AMENDMENT TO LISTING CONTRACT

1 It is agreed that the Listing Contract dated November 19, 2007, between the undersigned, for sale of the property known as
2 (Street Address/Description) Province Terr. & Midway Business Park
3 in the City of Menasha, County of
4 Winnebago and Calumet, Wisconsin is amended as follows:

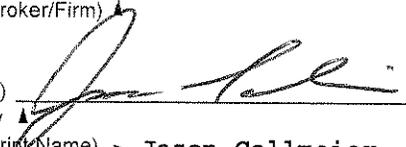
5 () The list price is changed from \$ _____ to
6 \$ _____

7 (**X**) The expiration date of the contract is changed from December 1, 2009, to midnight
8 June 1, 2010.

9 () The following items are (added)(deleted) STRIKE ONE from the list of property to be included in the list price: _____
10 _____
11 _____

12 () Other: _____
13 _____
14 _____
15 _____
16 _____
17 _____
18 _____
19 _____
20 _____
21 _____
22 _____
23 _____
24 _____
25 _____

26 ALL OTHER TERMS OF THE CONTRACT AND ANY PRIOR AMENDMENTS REMAIN UNCHANGED.

27 (X) Jason Gallmeier/Bomier Properties, Inc.
28 (Broker/Firm) ▲
29 
30 (X) 11/12/2009
31 By ▲ (Date) ▲
32 (Print Name) ► Jason Gallmeier

(X) _____
(Seller's Signature) ▲ (Date) ▲
(Print Name) ► Mayor Donald Merkes
(X) _____
(Seller's Signature) ▲ (Date) ▲
(Print Name) ► _____

December 15, 2009

Greg Keil
City of Menasha
140 Main Street
Menasha, WI 54952

RE: Commercial Listing
Midway Business Park and Province Terrace

Dear Greg:

It is my understanding that the Listing Contract has expired with your current broker, for the City of Menasha's available vacant land located in the Midway Business Park, Province Terrace and Manitowoc Road.

Drifka Group Inc. has a strong interest in marketing the above properties. Robert and Jenifer Drifka are the principals of Drifka Group and are one-third owners of BFT Investments, LLP (Midway Crossing Development). I do not feel that the Midway Crossing Development is in any way competition with your available land because of their location differences and development types. They each target different types of users. However due to their proximity to each other they have a common vested interest in all three developing simultaneously. Drifka Group's focus on Midway Crossing simply brings a marketer to your available land that has a vested interest in the entire area developing.

Drifka Group Inc. would appreciate the opportunity to work with the City of Menasha on the above properties. Drifka Group Inc. would suggest a 12 month listing agreement using the City's standard commission percentages currently paid to broker's. The current asking prices are fair and competitive and should remain the same going forward.

I have attached the questionnaire that the City used previously for marketing proposals of the aforementioned lands. If the City, any members of the Plan Commission, and City Council have any questions please feel free to call.

Sincerely,

DRIFKA GROUP INC.



Robert E. Drifka

Name of Firm: Drifka Group Inc. Robert & Jenifer Drifka
Address: N9601 Crystal Drive, Appleton, WI 54915
Phone Number: 920-993-9065 *Email Address:* bob@drifkagroup.com

How long has your firm been marketing commercial real estate in the Fox Cities area?
Drifka Group Inc. is celebrating its Twelfth year.

State the no. of brokers & describe their experience in marketing commercial real estate.
Drifka Group Inc. consists of 2 brokers; Bob & Jenny Drifka. A combined 25 years of experience in the marketing of commercial real estate. Experience includes working with clients selling and leasing properties, buyer agency, development, and property management. We work with national, regional, local companies, commercial loan officers from various financial institutions, and the Fox Cities Chamber of Commerce.

Describe how you intend to market the properties including the types of advertising media (MLS, print, broadcast, signage, other) and the frequency of placement.
Drifka Group Inc. uses several types of marketing: Loopnet and Co-Star which are very well known Web-sites that provide a national internet listing service for commercial real estate properties. Ninety-eight percent of the national commercial brokerage firms are members. So the listed properties will be seen by brokers when they are doing their client site searches.
Drifka Group Inc. is a member of the Fox Cities Chamber of Commerce. We advertise properties on the Chamber's web site.
Drifka Group Inc.'s web site on which we post all of our commercial real estate listings. Install signs on the property and development brochures for advertising purposes to other brokers and potential buyers.

Describe the methods you would employ to identify prospects and promote the site(s) to the prospect.
Drifka Group Inc. is very familiar with the southeast side of the Fox Cities; our office is located in Darboy. We would promote the area as a rapidly growing area for residential and commercial development. We would include the above marketing to identify and promote the sites. See the attached sales sheet that Drifka Group Inc. has completed in the South Oneida and Appleton Road areas.

What do you consider to be a reasonable time frame for the sale of one or more lots:
This is very difficult to answer due to the current economic situation and uncertainty going forward. However this is usually a slow time (November – January) for commercial real estate and Drifka Group is currently very busy? I feel that the uptick in business will continue next year. The rebound will be slow and cautious but I am optimistic.

Drifka Group Inc. Sales and or Developments in the South Oneida and Appleton Road areas:

Appleton Road & Midway Rd area (Midway Business Park):

Fox Communities Credit Union SE corner of Appleton Rd & Wittman Drive
Ed Esselman Lot 1 Wittman Drive
Gold Cross Ambulance – Lot 15 Wittman Drive
Wisconsin Orthopedic – Lot 14 Wittman Drive
Christ the Rock Main - Salvation Army
Christ the Rock office – Day Care

South Oneida Street Area:

BFT Investments Midway Crossing Development
BFT – Lakeview Credit Union
BFT – CVS Pharmacy
Rusch - Tail Waggers
Menasha – Alternative Resolutions

Lake Park Square Area:

Christ the Rock; Assisted them in acquisition and development of their land. After which Drifka Group sold the western 34 acres portion of their property in 2007.