



Memorandum

To: Common Council
From: Greg Keil, CDD *GK*
Date: December 3, 2015
RE: First Amendment to Development Agreement Between the City of Menasha and Woodland Development, LLC

This amendment is proposed in response to the WisDOT review of the Preliminary Plat of Lake Cottage Estates. WisDOT's comments required the inclusion of a statement that: "No improvements or structures are allowed between the right-of-way line and the highway setback line." Since the existing roadway is considered an improvement and is located within the 50 foot highway setback line, that condition cannot be met.

The developer has now chosen to develop the property through a condominium plat, which is not subject to state plat review. The other consideration addressed in the amendment is to change the number of lots/units from 11 to 10 due to soil conditions on the development site.

**FIRST AMENDMENT TO DEVELOPMENT AGREEMENT BETWEEN THE CITY OF MENASHA AND
WOODLAND DEVELOPMENTS, LLC
DATED SEPTEMBER 8, 2015**

THIS FIRST AMENDMENT TO DEVELOPMENT AGREEMENT, executed in Menasha, Wisconsin on this ___ day of December, 2015, is made effective between the City of Menasha and Woodland Developments, LLC and is made with reference to the Development Agreement dated September 8, 2015.

1. Replace "subdivision" with "condominium."
2. Replace "lot" with "condominium unit."
3. As to paragraph 10, delete "...9 of the 11" and replace with "...8 of the 10..."
4. All other terms and conditions set forth in the Development Agreement dated September 8, 2015, shall remain the same.

IN WITNESS WHEREOF, the undersigned have executed this FIRST AMENDMENT as of the date first written above:

City of Menasha

By: _____
Donald Merkes, Mayor

By: _____
Deborah A. Galeazzi, City Clerk

Woodland Developments, LLC

By: _____
Michael H. Hagens, Member