

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING (hereinafter "MEMORANDUM") is made this _____ day of _____ 2015, by and between the CITY OF MANITOWOC, Wisconsin, a municipal corporation, with its principal offices located at 900 Quay Street, Manitowoc, Wisconsin 54220 (hereinafter "CITY"), and BROADWIND TOWERS, INC., a Wisconsin corporation, with its principal office located at 101 South 16th Street, Manitowoc, Wisconsin 54220 (hereinafter "BROADWIND").

WITNESSETH

WHEREAS, as a result of BROADWIND hauling oversized loads throughout City streets, two areas on Franklin Street at the South 21st Street and South 26th Street intersections have been damaged and are in need of repair; and

WHEREAS, City has completed pavement design, plans and specifications for the repair and received bids for the project; and

WHEREAS, BROADWIND has committed to make a one-time payment in the amount of \$10,000 as a contribution to the cost to repair the specified damaged areas at the above-referenced intersections, which amount is approximately 30% of the total project cost; and

WHEREAS, it is agreed between the CITY and BROADWIND that any new future areas of street damage due to route changes of hauling future towers will be evaluated on their own merits and this agreement does not commit BROADWIND to any future expenditures.

NOW, THEREFORE, in consideration of the mutual covenants hereinafter set forth, it is hereby acknowledged, agreed and understood by all parties as follows:

1. The above Recitals are true and correct.
2. The CITY accepts the one-time payment in the amount of \$10,000 from BROADWIND as settlement for their share of the cost to repair the specified damaged areas on Franklin Street at the South 21st Street and South 26th Street intersections.
3. This MEMORANDUM is the entire agreement between the parties.

IN WITNESS WHEREOF, the parties hereto have caused this MEMORANDUM to be executed by duly authorized representatives of their respective corporations as of the date and year first written above.

CITY OF MANITOWOC

By: _____
Justin M. Nickels, Mayor

By: _____
Jennifer Hudon, City Clerk/Deputy Treasurer

STATE OF WISCONSIN)
) ss.
COUNTY OF MANITOWOC)

Personally came before me this ____ day of September, 2015, the above signed Justin M. Nickels, Mayor, and Jennifer Hudon, City Clerk/Deputy Treasurer, of the City of Manitowoc, Wisconsin and acknowledged that they executed the foregoing instrument as such Officers of said City, by its authority.

Notary Public
Manitowoc County, Wisconsin
My commission (expires) (is): _____

BROADWIND TOWERS, INC.

By: _____
Eric B. Blashford, President

By: _____
Dan Dangler, V.P. Finance

STATE OF WISCONSIN)
) ss.
COUNTY OF MANITOWOC)

Personally came before me this ____ day of September, 2015, the above signed _____ and _____, as officer of Broadwind Towers, Inc., Manitowoc County, Wisconsin and acknowledged that they executed the foregoing instrument as such Officers by their authority.

Drafted by Kathleen M. McDaniel,
City Attorney for the City of Manitowoc

Notary Public
Manitowoc County, Wisconsin
My commission (expires) (is): _____