

The University of Wisconsin Oshkosh
Campus Continuum LLC
Akses Acquisition Group, LLC

Memorandum of Agreement – Signed April 2, 2007

In the spirit of cooperation and in furtherance of the public purposes and interest that unites this effort, the parties identified below use the vehicle of this memorandum of agreement to outline and express their shared desire and commitment to work toward the ends stated in this document.

The community of Oshkosh has unmatched potential for the development of new residential facilities in areas proximate to the Fox River and immediately adjacent to the University of Wisconsin Oshkosh. The development of new opportunities for residential owner-occupied properties near the University is in the best interests of the people of the community and of the plans in place for both the City of Oshkosh and the University of Wisconsin Oshkosh.

After reviewing and discussing the various alternative developmental options and scenarios, and mindful of the City's developmental option afforded to the Akses Acquisition Group, the parties to this agreement do hereby agree to work in good faith, with due diligence and in a thoughtful and intentional way to undertake a market research study that will determine the feasibility of constructing a condominium development that would offer special programs and services to the residents under the terms of a relationship to be established between Campus Continuum LLC and the University of Wisconsin Oshkosh.

The parties express here a commitment to work cooperatively, in good faith, and in an exclusive relationship manner with one another to (1) conduct that market assessment survey with funding support from the University of Wisconsin Oshkosh Foundation (results jointly owned by the UW Oshkosh Foundation and Campus Continuum) and (2) explore the developmental and programmatic options that may be developed as a result of these shared discussions.

The efforts of all parties will be undertaken in an open, honest and transparent manner to demonstrate to the people of Oshkosh that the exploration of this partnership arrangement is conducted and completed in a manner that engenders good will, support, cooperation and understanding between any and all individuals and organizations with an interest in ensuring the orderly and efficient completion of this market survey and the ensuing discussions between and among the participating parties. Nothing in this agreement limits, restricts or impairs the ability of the parties to develop other approaches, should the project envisioned here not come to fruition.

Signed by the respective principals, identified below:



Richard H. Wells
Chancellor
University of Wisconsin
Oshkosh



Tim Ridders
Member, Akses
Acquisition Group –
Oshkosh, LLC



Gerard Badler
Managing Director
Campus Continuum LLC