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Document No. 1-16

1038588

RONALD A. VOIGT
OZAUKEE COUNTY
REGISTER OF DEEDS
RECORDED ON
09/12/2016 11:44 AM
REC FEE: 30.00

PAGES: 4

EXEMPT #:

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SEP 19 2016

VILLAGE OF BELG

LAND COVENANT

ACCEPTANCE OF CONDITIONS OF
CONDITIONAL USE PERMIT

Return to:
Julie Lesar
Village of Belgium
104 Peter Thein Ave.
Belgium, WI 53004

#30

THIS COVENANT, made this 31 day of August, 2016, by **Donald A. Urness** and **Eileen A. Urness, Grantors**, for the use and benefit of all persons from time to time resident or owning property within the boundaries of the **Village of Belgium**, Ozaukee County, Wisconsin, and for the use and benefit of the said **Village of Belgium**, in its own right and as agent for the purpose of enforcing these presents on behalf of the above described class of persons, **Grantees**.

The premises affected by these presents (hereinafter called the Premises) are described as follows:

Parcel 1: A piece or parcel of land beginning at a point which is 100 feet West of the Southeast corner of the Southwest ¼ of the Southwest ¼ of Section 15, Township 12 North, Range 22 East, running thence North 42 feet from highway, thence West 30 feet, thence South 42 feet, thence East 30 feet to the place of beginning, Village of Belgium, Ozaukee County, Wisconsin, ALSO KNOWN AS Lot 6 in Block 2 of the Assessor's Plat of the Village of Belgium.

Parcel 2: A parcel of land in the Village of Belgium, commencing at a point which is 103 feet West and 67 feet North of the Southeast corner of the Southwest ¼ of Section 15-12-22 East, continuing 11 feet North, thence West 30 feet, thence South 11 feet, thence East 30 feet to the place of beginning, Village of Belgium, Ozaukee County, Wisconsin, ALSO KNOWN AS a part of Lot 5 in Block 2 of the Assessor's Plat of the Village of Belgium.

Tax Parcel Nos. 18-050-02-06.000 & 18-050-02-05.003

Grantors warrant and covenant that at the time of the ensealing and delivery of these presents they are all of the owners of the Premises and that no other person has any estate or interest therein except by reason of easements for public utilities, building



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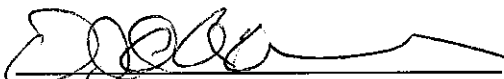
Grantors warrant and covenant that at the time of the ensembling and delivery of these presents they are all of the owners of the Premises and that no other person has any estate or interest therein except by reason of easements for public utilities, building


restrictions, dedications to the public or public bodies, instruments not of record, and mortgages to financial institutions.

Grantors represent that they made application to the **Village of Belgium**, pursuant to the Zoning Ordinance of the **Village of Belgium**, for permission to conduct on the Premises a use there permissible not by right but only by Conditional Use Permit; that in connection therewith Grantors made certain representations and agreements as to site and operation plans which were incorporated into the Conditional Use Permit; that based thereon a Conditional Use Permit was issued under date of August 22, 2016, and that a true copy thereof is attached hereto.

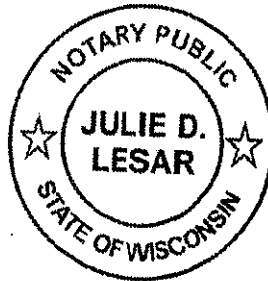
NOW, THEREFORE, Grantors hereby accept the said Conditional Use Permit and covenant strictly to comply with all of the terms and conditions thereof. This Covenant shall run with the land and shall be binding on the Grantors and on all persons claiming any estate or interest in the Premises by, through or under the Grantors, as long as the Premises are used as described in the Conditional Use Permit.

IN WITNESS WHEREOF, Grantors have hereunto set their hands and seals this 31st day of August, 2016.

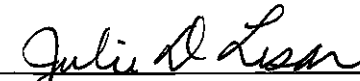
 (SEAL)
Donald A. Urness

 (SEAL)
Eileen A. Urness

STATE OF WISCONSIN)
(ss.
COUNTY OF OZAUKEE)



Personally came before me this 31st day of August, 2016, the above named Donald A. Urness and Eileen A. Urness to me known to be the persons who executed the foregoing instrument and acknowledged the same.


Notary Public, State of Wisconsin
My commission expires: 3-1-2020

This Instrument Drafted By: Attorney Gerald H. Antoine

CONDITIONAL USE PERMIT

Before the Plan Commission of the Village of Belgium, Ozaukee County, Wisconsin, in regard to the Premises known as 814 Main Street in the Village of Belgium, Ozaukee County, Wisconsin, Tax Parcel Nos. 18-050-02-06.000 and 18-050-02-05.003.

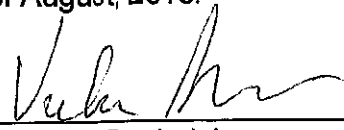
WHEREAS, the Zoning Ordinance and Zoning Map of the Village of Belgium provide that the above Premises may not be used of right for the purpose hereinafter described but that upon application such use may be approved by the Village Plan Commission pursuant to §§ 270-28 to 270-36 of the Village Zoning Ordinance as a Conditional Use, in particular circumstances as defined by the standards in the Zoning Ordinance; and

WHEREAS, Donald A. Urness and Eileen A. Urness having made application for a conditional use permit pursuant to § 270-34.O of the Village Zoning Ordinance, and a public hearing having been held thereon on August 22, 2016, and the Plan Commission of the Village of Belgium having determined that by reason of the particular nature, character and circumstances of the proposed use, and of the specific and contemporary conditions, issuance of a conditional use permit permitting such use upon the terms and conditions hereinafter prescribed would be consistent with the requirements of the Zoning Ordinance.

NOW, THEREFORE, a Conditional Use Permit is hereby issued to Donald A. Urness and Eileen A. Urness, subject to compliance with the terms and conditions hereinafter stated permitting that the above Premises may be used for the purpose of an

art studio and art gallery.

ISSUED by action of the Plan Commission of the Village of Belgium on the 22nd day of August, 2016, but executed this 24th day of August, 2016.

by: 
Vickie Boehrlein
Title: Chairman, Plan Commission

ATTEST:


Julie Lesar, Village Clerk

Original filed in the office of the Clerk of the Village of Belgium.

Signed: 
Julie Lesar

The **CONDITIONS** of this Permit are:

1. This Permit shall become effective upon execution and recording by the Owner and Permittee of the Premises of an acceptance hereof in such form as to constitute an effective covenant running with the land.
2. This Permit is subject to amendment and termination in accordance with the provisions of the Zoning Code of the Village of Belgium.
3. Operation of the use permitted shall be in strict conformity to the Application for this Permit, any plans submitted therewith, and the terms of the Permit.
4. The Owner and Permittee and their agents and assigns shall comply with the requirements and provisions of all Village ordinances and State Statutes and all other applicable regulations of any kind.
5. Conditions on Operations: Hours of operation shall be 7:00 AM to 10:00 PM Sunday through Saturday.
6. Conditions on the Site: None