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RONALD A. VOIGT
OZAUKEE COUNTY
REGISTER OF DEEDS
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VILLAGE OF BELGIUM

Document No.

LAND COVENANT

ACCEPTANCE OF CONDITIONS OF
CONDITIONAL USE PERMIT

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

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THIS COVENANT, made this 29 day of Aug, 2019, by **Jentges Excavating & Pumps, Inc., Grantor**, 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 on Exhibit "A" attached hereto.

Tax Key Numbers:

- 18-064-0006.000
- 18-064-0007.000
- 18-014-12-005.00
- 18-014-12-001.00
- 18-014-11-027.00

Grantor warrants and covenants that at the time of the ensealing and delivery of these presents it is the sole owner of the Premises and that no other person or entity 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.

Grantor represents that it or its agent 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 Grantor or its agent made certain representations and agreements as to site and operation plans which were incorporated into a Conditional

Use Permit; that based thereon a Conditional Use Permit was issued under date of August 26, 2019, and that a true copy thereof is attached hereto.

NOW, THEREFORE, Grantor hereby accepts the Conditional Use Permit and covenants strictly to comply with all of the terms and conditions thereof. This Covenant shall run with the land and shall be binding on the Grantor and its successors, assigns, tenants, guests and invitees, including all persons or entities claiming any estate or interest in the Premises by, through or under the Grantor, as long as the Premises are used as described in the Conditional Use Permit.

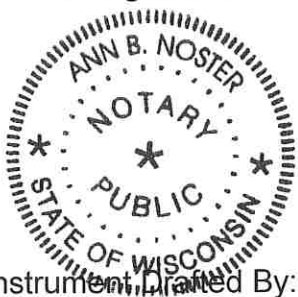
IN WITNESS WHEREOF, Grantor has hereunto set its hand and seal this ____ day of Aug 29, 2019.

JENTGES EXCAVATING & PUMPS, INC.

By: John A. Jentges (SEAL)
John A. Jentges, President

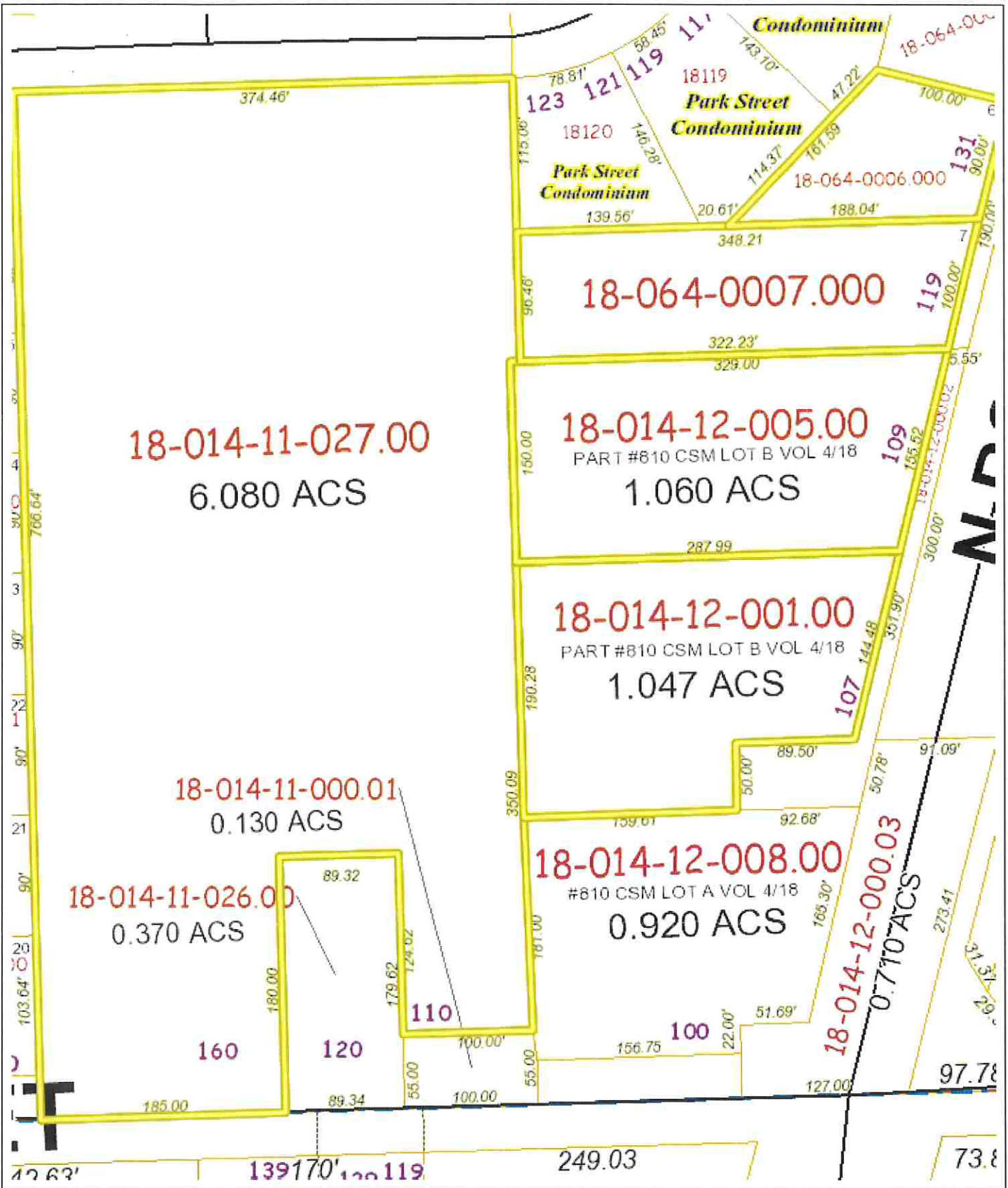
STATE OF WISCONSIN)
(ss.
COUNTY OF OZAUKEE)

Personally came before me this 29th day of August, 2019, the above named John A. Jentges, to me known to be the person who executed the foregoing instrument and acknowledged the same.



[Signature]
Notary Public, State of Wisconsin
My commission expires: 3-5-21

This Instrument Drafted By: Attorney Gerald H. Antoine



Ozaukee County GIS

Exhibit A Jentges Excavating

DISCLAIMER: Ozaukee County does not guarantee the accuracy of the material contained here in and is not responsible for any misuse or misrepresentation of this information or its derivatives.



SCALE: 1 = 100'



Ozaukee County

121 W Main St
 P.O. Box 994
 Port Washington WI 53074
 262-284-9411

Print Date: 8/28/2019

CONDITIONAL USE PERMIT

Before the Plan Commission of the Village of Belgium, Ozaukee County, Wisconsin, in regard to the Premises known as 110 and 160 Main Street and 107, 109, 119 and 131 N. Royal Avenue in the Village of Belgium, Ozaukee County, Wisconsin.

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, Jentges Excavating & Pumps, Inc., having made application for a conditional use permit pursuant to § 270-35.L of the Village Zoning Ordinance, and a public hearing having been held thereon on August 26, 2019, 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 Jentges Excavating & Pumps, Inc., subject to compliance with the terms and conditions hereinafter stated permitting that the above Premises may be used for the purpose of

recycling, crushing and screening of earthen materials such as concrete and asphalt.

ISSUED by action of the Plan Commission of the Village of Belgium on the 26th day of August, 2019, but executed this 28th day of August, 2019.

by: Peter Anzia
Peter Anzia
Title: Chairman, Plan Commission

ATTEST:

Julie Lesar
Julie Lesar, Village Clerk

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

Signed: Julie Lesar
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:
 - a. Hours of operation shall be 7:00 a.m. to 5:00 p.m. Monday through Friday

and 9:00 a.m. to Noon on Saturday. Closed on Sunday.

6. Conditions on the Site:
 - a. Materials will be collected on the north end of the property, processed and completed to the south end of the property.
 - b. The existing berm between the Premises and the abutting homeowners is located on the homeowners' properties. The Permittee will plant trees on the berm if requested by the abutting homeowners.
 - c. The Permittee will post security cameras on the Premises.