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RONALD A. VOIGT
OZAUKEE COUNTY
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VILLAGE OF BELGIUM

Document No.

LAND COVENANT

**ACCEPTANCE OF CONDITIONS OF
AMENDED 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 14 day of May , 2020, by **Buechler Estates, LLC**, 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 **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:

Legal description attached as Exhibit A

Tax Key Number 18-023-10-001.00 & 18-022-13-002.00

Grantor warrants and covenants that at the time of the ensembling 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 an Amended Conditional Use Permit; that based thereon an Amended Conditional Use Permit was issued under date of November 25, 2019, and that a true copy thereof is attached hereto.

NOW, THEREFORE, Grantor hereby accepts the Amended 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 Amended Conditional Use Permit.

IN WITNESS WHEREOF, Grantor has hereunto set its hand and seal this 14 day of May, 2020.

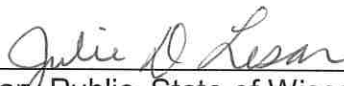
Buechler Estate, LLC

By:  (SEAL)
Brian Buechler, Member



STATE OF WISCONSIN)
(ss.
COUNTY OF OZAUKEE)

Personally came before me this 14 day of May, 2020, the above named Brian Buechler, to me known to be the person who executed the foregoing instrument and acknowledged the same.


Notary Public, State of Wisconsin
My commission expires: 3-1-2024

This Instrument Drafted By: Attorney Gerald H. Antoine

EXHIBIT A

PARCEL 1:

Lot Two (2) of Certified Survey Map No. 3964, recorded on February 23, 2016 as Document No. 1029791, and being part of the Southeast 1/4 and the Northeast 1/4 of the Southeast 1/4 of Section Twenty-two (22), Township Twelve (12) North of Range Twenty-two (22) East, Village of Belgium, Ozaukee County, Wisconsin.

PARCEL 2:

That part of the West Half of the Southwest Quarter ($W \frac{1}{2} SW \frac{1}{4}$) of Section Twenty-three (23), Township Twelve (12) North of Range Twenty-two (22) East, Village of Belgium, Ozaukee County, Wisconsin, described as follows, viz: Commencing at a point 91 rods North of the Southwest corner of the $SW \frac{1}{4}$ of said Section 23; which point is the point of beginning of the land to be described; thence continuing North 115 feet to point; thence East to the middle of the Green Bay Road (Now known as U.S.H. 141); thence Southwesterly along the middle of said highway to a point being due East of the point of beginning; thence West and along a north line of a certain premises described in Volume 340 of Records, on page 352, 31 rods to the point of beginning, EXCEPTING THEREFROM that portion thereto heretofore conveyed to Ozaukee County, Wisconsin for highway purposes. ALSO: That part of the West Half of the Southwest Quarter ($W \frac{1}{2} SW \frac{1}{4}$) of Section Twenty-three (23), Township Twelve (12) North of Range Twenty-two (22) East, Village of Belgium, Ozaukee County, Wisconsin, described as follows, viz: Commencing at a point 91 rods North of the Southwest corner of the Southwest $\frac{1}{4}$ of said Section 23; thence North 115 feet to a point; said point being the point of beginning of this parcel being conveyed; thence continuing North 100 feet to a point; thence East to the middle of the Green Bay Road (now known as County Trunk Highway LL); thence Southwesterly along the middle of said highway to a point being due East of the point of beginning; thence West and along a north line of a certain premises described in Volume 374 of Records, on page 302, to the point of beginning, EXCEPTING THEREFROM that portion thereof heretofore conveyed to Ozaukee County, Wisconsin for highway purposes. AND ALSO: That part of the West Half of the Southwest Quarter ($W \frac{1}{2} SW \frac{1}{4}$) of Section Twenty-three (23), Township Twelve (12) North of Range Twenty-two (22) East, Village of Belgium, Ozaukee County, Wisconsin, described as follows, viz: Commencing at point 60 rods North of the Southwest corner of the Southwest $\frac{1}{4}$ of said Section 23; thence North, 31 rods; thence East, 31 rods; to the middle of the Green Bay Road (now known as County Trunk Highway LL); thence Southwesterly along the middle of said highway, 34 rods to the north line of land owned by Nic Krick; thence West along said north line, 15 rods and 9 feet to the place of beginning, EXCEPTING THEREFROM that portion therefore heretofore conveyed to Ozaukee County, Wisconsin, as described by deeds recorded in the Ozaukee County Registry in Volume 72 of Deeds on page 244 and in Volume 118 of Deeds, on page 38, as Document No. 149475. TOGETHER with a right of way one rod wide along the North line of the Southwest $\frac{1}{4}$ of Section 23-12-22 East extending from the West line of said Southwest $\frac{1}{4}$ Easterly to County Trunk Highway LL, formerly known as STH 32 - U.S. 141. SUBJECT TO the right of way created in deed recorded in Volume 42 of Deeds, page 534, and that created in deed recorded in Volume 17 of Deeds, page 611, and that created in Volume 104 of Deeds, page 347.

For informational purposes only

Property Address: 587 S. Royal Avenue, Belgium, WI 53004

Tax Key No.: 18-022-13-002.00 (Parcel 1) & 18-023-10-001.00 (Parcel 2)



AMENDED CONDITIONAL USE PERMIT

Before the Plan Commission of the Village of Belgium, Ozaukee County, Wisconsin, in regard to the Premises known as 587 S. Royal Avenue in the Village of Belgium, Ozaukee County, Wisconsin, Tax Parcel No. 18-023-10-001.00 and 18-022-13-002.00.

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, the Plan Commission issued a Conditional Use Permit to Buechler Estates, LLC on January 22, 2018 permitting that the Premises may be used for the purpose of holding barn weddings, barn wedding receptions, private barn receptions and corporate barn parties, and

WHEREAS, Buechler Estates LLC, having made application for an amendment to the previously issued conditional use permit, and a public hearing having been held thereon on November 25, 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 an amended 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, an Amended Conditional Use Permit is hereby issued to Buechler Estates LLC, subject to compliance with the terms and conditions hereinafter stated, permitting

that the above Premises may be used for the purpose of holding barn weddings, barn wedding receptions, private barn receptions and corporate barn parties.

ISSUED by action of the Plan Commission of the Village of Belgium on the 25th day of November, 2019, but executed this 11th day of May, 2020.

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. The maximum number of attendees per event shall not exceed 400 for the north

and south barn, contingent upon receipt of a report from a licensed engineer verifying that the barn structure can accommodate that maximum capacity.

- b. Any music and sound amplification outside the barn structure is limited to the period from dawn until dusk. All music and sound amplification inside the barn structure must end by midnight.
- c. Temporary structures or tents must be removed from the site within 96 hours after the end of an event.
- d. Any sale and consumption of alcohol shall be in compliance with Village and State license requirements.
- e. Adequate restroom facilities shall be provided in accordance with state laws and Village ordinances.

6. Conditions on the Site:

- a. A site plan and operation plan per §§ 270-29.B and 270-30 of the Village Zoning Ordinance addressing ingress/egress to the site, parking, lighting, and setbacks/buffers to property lines shall be submitted and approved by the Plan Commission before operation commences.
- b. Sufficient on-site parking of not less than a minimum of fifty (50) spaces plus four (4) handicapped spaces shall be provided to accommodate attendees.
- c. The Owner shall provide an updated structural analysis by a licensed engineer prior to increasing the maximum number of attendees as provided in Section 5.a above verifying that the barn structure is capable of safely allowing for the occupancy load associated with an event with 400 attendees.
- d. The Owner shall provide verification that all structures comply with State building codes before operation commences.

7. Permit expiration:

This permit shall expire annually on December 31. A renewal permit may be granted by the Plan Commission upon application from the permit holder and a subsequent review and approval by the Plan Commission. The Plan Commission may modify the terms and conditions of the Permit as a condition for renewal.