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2 **2017 RES-149**
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5 **AUTHORIZING TERMINATION OF THE “TRUAX AIR PARK DECLARATION OF**
6 **COVENANTS, CONDITIONS & RESTRICTIONS” AS IT APPLIES TO DANE**
7 **COUNTY OWNED PARCELS**
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9 WHEREAS, June 26, 1980 the “Truax Air Park Declaration of Covenants, Conditions &
10 Restrictions” (Covenants) were most recently amended; and
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12 WHEREAS, “the purpose of the declaration is to provide for economically feasible
13 development through creating efficient, attractive surroundings for employees, tenants
14 and clients – a showcase for prospects – reduced maintenance – maximum exposure –
15 and effective institutional advertising”; and
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17 WHEREAS, the Covenants created a “Development Review Committee” (DRC), to
18 review and approve all described development to parcels included in the legal
19 description of the Truax Air Park; and
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21 WHEREAS, the majority of the designated positions in the DRC membership as defined
22 no longer exist; and
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24 WHEREAS, it is difficult to convene the meetings with minimal members while much of
25 the work involves granting variances to the Covenants; and
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27 WHEREAS, many of the terms of the Covenants have become obsolete and are not
28 always applicable to the development of parcels within the legal description of the
29 property described in the Covenants; and
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31 WHEREAS, new oversight of development has been created by the City of Madison and
32 the Dane County Airport Commission, resulting in a redundant and burdensome process
33 for development when the DRC is also engaged; and
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36 WHEREAS, the Covenants allow for their termination with the written consent of the
37 owners and the lessees of 75% of the included property based on the total number of
38 the square feet therein; and
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40 WHEREAS, Dane County is an owner of land within the legal description of the Truax Air
41 Park; and
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43 WHEREAS, the Dane County Regional Airport Commission and staff have determined
44 that the termination of the Covenants is in the best interest of the County.
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46 NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive and the Dane
47 County Clerk are hereby authorized to execute on behalf of Dane County the
48 “TERMINATION OF DECLARATIONS OF COVENANTS, CONDITIONS AND
49 RESTRICTIONS FOR TRUAX AIR PARK.”
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