

# DEED RESTRICTION

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WHEREAS,

Skaar Pit LLC

are owners of the following described real estate in the  
Town of Cottage Grove, Dane County, Wisconsin, further  
described as follows:

KRISTI CHLEBOWSKI  
DANE COUNTY  
REGISTER OF DEEDS

DOCUMENT #

Name and return address:

## Parent Parcel Numbers

0711-284-9210-0

0711-331-8580-6

0711-331-8501-1

0711-331-9001-4

0711-331-8012-0

## Legal Description

Lots 1, 2, and 4 through 7 of the Ironstone Commercial Park plat, Section 28 and  
Section 33, T7N, R11E, Town of Cottage Grove, Dane County, WI

**WHEREAS**, said owners desire to place certain restrictions and notice on the above-described real estate, to bind the owner(s) and those who may acquire title hereafter.

**WHEREAS**, the restrictions provided herein shall be enforceable at law or equity against any party who has or acquires any interest in the land subject to this restriction by the following who are named as Grantees and beneficiaries with enforcement rights:

- The County Government of Dane County, Wisconsin provided that the land is under the jurisdiction of said County at the time the enforcement action is commenced, and;
- The Town Government of the Town of Cottage Grove, Dane County, provided that the land is within the jurisdiction of said Town at the time the enforcement is commenced.

**THEREFORE**, the following restrictions are hereby imposed:

- a. Land uses on the property shall be limited exclusively to the following permitted uses:
  - i. Agricultural uses (livestock not permitted)
  - ii. Agricultural accessory uses (livestock not permitted)
  - iii. Contractor, landscaping or building trade operations
  - iv. Freight and bus terminals
  - v. Governmental, institutional, religious, or nonprofit community uses
  - vi. Indoor entertainment or assembly
  - vii. Indoor sales
  - viii. Indoor storage and repairs
  - ix. Light industrial
  - x. Off-site parking
  - xi. Office uses
  - xii. Outdoor sales, display or repair
  - xiii. Outdoor storage
  - xiv. Personal or professional service
  - xv. A transportation, utility, communication, or other use required by law
  - xvi. Undeveloped natural resources and open space areas
  - xvii. Utility services
  - xviii. Vehicle repair or maintenance service
  - xix. Warehousing and distribution facilities
- b. Land uses on the property shall be limited exclusively to the following conditional uses:
  - i. Communication towers
  - ii. Transportation, communication, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above
- c. Residential and associated accessory uses are prohibited.
- d. Each lot must have a principal building.

- e. Outdoor display of equipment and vehicles immediately available for direct sale or lease to customers is permitted without screening from public rights-of-way, provided that:
  - i. Such display area shall be clearly indicated on a site plan approved by the Town of Cottage Grove.
  - ii. All such displays shall be located on an asphalt, concrete, or other hard surface not including gravel, and set back at least 10 feet from all lot lines.
  - iii. All vehicles and equipment within such display area shall be maintained in working and operable condition.
  - iv. No other materials or equipment may be stored or kept in such display area, unless it is first screened as an outdoor storage area.
  - v. If displayed equipment or vehicles are removed from the display area, all support fixtures used to display such equipment or vehicles shall be removed at the same time.
  - vi. Any temporary signage in or around the display area shall be on the vehicles or equipment being sold or leased.
  - vii. All lighting shall meet Town of Cottage Grove requirements. No upward spot lighting is permitted.
- f. Outdoor storage of trash, scrap, pallets, recyclables, fuel tanks, inoperative vehicles, and materials not immediately available for direct sale or lease to customers shall be kept within outdoor storage yards that are:
  - i. Clearly indicated on a site plan approved by the Town of Cottage Grove.
  - ii. Not within 200 feet of the rights-of-way for Highways 12-18 or N.
  - iii. Gravel or hard surfaced.
  - iv. Fully screened from all adjacent public rights-of-way by buildings, landscaped berms, walls, and/or opaque fences. Chain link fences with slatted inserts or mesh coverings are not considered opaque fences.

The restrictions set forth herein may be amended or terminated in the following manner:

1. The owner(s) of the subject property may submit a written petition calling for the amendment or termination of the restrictions. Such a petition must be submitted to the Dane County Clerk who shall refer the petition to the Dane County Zoning and Land Regulation Committee (or successor committee), which shall then schedule and hold a public hearing on the petition.
2. The petition shall then be referred to the Town Government of the Town in which the subject property is located. The Zoning and Land Regulation Committee shall issue a written report on the petition to the County Board of Supervisors. The County Board shall, by majority vote, approve or reject the petition. Amendment or termination of the restrictions shall also require the approval of the Town Board.
3. Upon approval of the petition calling for an amendment or termination of the restrictions, the owner(s) of the subject property shall draft the amendatory covenant instrument. The owner(s) shall then execute and record the amendatory covenant with the Dane County Register of Deeds.
4. A rezoning of the subject property to a different zoning district shall also act to terminate the restrictions set forth herein.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Grantor (owner)

\_\_\_\_\_  
Signature of Grantor (owner)

\_\_\_\_\_  
\*Name printed

\_\_\_\_\_  
\*Name printed

**STATE OF WISCONSIN, County of \_\_\_\_\_**

Subscribed and sworn to before me on \_\_\_\_\_ by the above-named person(s).

Signature of notary or other person  
Authorized to administer an oath \_\_\_\_\_  
(as per s. 706.06, 706.07)

Print or type name: \_\_\_\_\_

Title: \_\_\_\_\_ Date Commission expires: \_\_\_\_\_