



1559596

LACROSSE COUNTY  
REGISTER OF DEEDS  
CHERYL A. MCBRIDE

RECORDED ON  
10/05/2010 02:19PM  
REC FEE: 30.00

This space is reserved for recording EXHIBIT # 110

Return to PAGES: 2

CITY CLERK  
400 LA CROSSE STREET  
LA CROSSE, WI 54601

Parcel # 17-20017-30

110210

### REVOCABLE OCCUPANCY PERMIT

Pursuant to Sec. 66.0425, Wis. Stats., Delchromo, Inc., is hereby granted a Revocable Occupancy Permit for the installation of a three foot by eight foot double side illuminated sign with said sign extending into the highway right-of-way of the building located at 111-113 Third Street South, in front of property as described below:

The Southerly twenty (20) feet of Lot Two (2) in Block Twenty three (23) of the Town of La Crosse, in the city of La Crosse.

In granting this permit, the applicants agree to comply with the following terms and conditions, which agreement shall be indicated by the affixing of the signature of said applicants:

1. The maximum projection into the City right-of-way is not to exceed nine(9) feet, and the sign shall not be closer than two (2) feet behind the curb, measured horizontally, and whichever of these requirements is most restrictive shall apply.
2. The minimum clearance above the sidewalk is nine (9) feet.
3. The sign must be maintained in good condition at all times.
4. The applicant shall be primarily liable for damages to person or property by reason of the maintenance of said sign.
5. Applicant waives any and all rights to contest in any manner the validity of Sec. 66.0425, Wis. Stats.
6. Provision for a bond is hereby waived.
7. Applicant agrees to maintain during the life of the permit, public liability or business owner's insurance in the amount of not less than \$100,000 per occurrence for bodily injury and for property damage.
8. Applicant agrees that if they do not remove the sign within ten (10) days after receiving notice from the City to do so, the City is authorized to remove the same and applicants agree to pay the City for all costs of such removal.
9. Applicant further agrees that the City shall not be liable to applicants for any damage applicants may receive to their sign should it be damaged by the City if the City performs work or maintenance in the area of the Revocable Occupancy Permit.
10. Applicant further agrees if said encroachment is damaged from any cause whatsoever, to the extent that repair costs would be equal to or greater than 50% of the assessed or estimated value of the described encroachment at that time of said occurrence, then it

cannot be repaired, re-erected and/or replaced anywhere within the existing highway right-of-way.

11. Applicant further agrees that if the City determines that the installation or use of the described encroachment authorized under this permit increases the difficulty of highway maintenance, creates conditions adverse to the best interest of the highway users, the general public, or presents a threat to highway safety, then the Occupant, upon notification by the City shall promptly remove the encroachment from the highway right of way.
12. Applicant further agrees that the City shall not be responsible for any compensation to the applicant should the Revocable Occupancy Permit be revoked, and applicants further waive any and all benefits under Federal or State Eminent Domain or Relocation laws.
13. Failure by the Applicant to comply with the provisions of this permit is cause for the City to terminate this permit and to require the Applicant to take immediate action to clear the right of way to a safe condition.
14. Applicant further agrees that the obligations and conditions of this Revocable Occupancy Permit shall be binding upon all heirs, successors and assigns of applicant.
15. The person(s) signing this Permit warrant that they have the authority to sign as, or on behalf of, the party for whom they are signing.

Above conditions accepted this 8<sup>th</sup> day of August, 2010.

DELCROMO, INC.

BOARD OF PUBLIC WORKS

By: Mark Nolop  
mark nolop

Mathias Harter  
Mathias Harter, President

STATE OF WISCONSIN )  
 )ss.  
COUNTY OF LA CROSSE )

STATE OF WISCONSIN )  
 )ss.  
COUNTY OF LA CROSSE )

Personally came before me this 8<sup>th</sup> day of August, 2010, the above named Mark Nolop to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

Personally came before me this 8<sup>th</sup> day of August, 2010, the above named Mathias Harter Mayor to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

Brenda L. Bullen  
Notary Public, La Crosse County, WI  
My commission expires: 1-30-11

Brenda L. Bullen  
Notary Public, La Crosse County, WI  
My commission expires: 1-30-11

This instrument drafted by: Stephen F. Matty, City Attorney, 400 La Crosse Street, La Crosse, WI 54601