Ord. #3747

REPORT OF COMMITTEE

To the Honorable Mayor and Common Council of the City of La Crosse:

Your Judiciary & Administration Committee having under consideration the annexed ordinance to amend Section 15.02(B) of the Code of Ordinances of the City of La Crosse by transferring certain property from the single family residence district to the local business district, and said matter having been referred to the City Plan Commission and the same having been made and filed its report thereon, and due notice of hearing having been given, proof of publication which is attached hereto, and said hearing having been heard at the time and place specified in said notice, and all persons having had an opportunity to be heard for and against said zoning change, recommends the same be adopted as amended. (2010 State Road)

Received Sacend Reading
and passed
out o 9 1997

BY COUNCIL

Respectfully submitted,

Richard P. Becker, Chmn. Vincent J. Cacciapaglio Robert Slaback Bernard F. Maney Sam Solverson Betty L. Woodruff

App	proved:	

ORDINANCE NO. 3747

AN AMENDED ORDINANCE to amend Section 15.02(B) of the Code of Ordinances of the City of La Crosse by transferring certain property from the single family residence district to the local business district. (2010 State Road)

THE COMMON COUNCIL of the City of La Crosse do ordain as follows:

SECTION I: Subsection (B) of Section 15.02 of the Code of Ordinances of the City of
La Crosse is hereby amended by transferring the following described premises from the single family
residence district to the local business district on the Master Zoning Map, to-wit:

Lot 25 lying North of Alley as re-routed, Fairfax Addition, City of La Crosse, La Crosse County, Wisconsin.

SECTION II: This rezoning is subject to a restrictive covenant limiting the use of the above property and structure located thereon.

SECTION III: This ordinance shall take effect and be in force from and after its passage and publication.

John D. Medinger, Mayor

Teri Lehrke, City Clerk

Passed:

10/9/97

Approved:

10/13/97

Published: 10/18/97

Zoning Map changed to conform

with adopted Ordinance.

CITCH ANNING DEPARTMENT

Turk Jush He

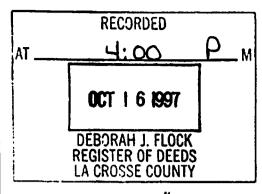
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Restrictive Covenant

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Document Number

Document Title



Recording Area #4 8

#18.00

Name and Return Address

Johns + Flaherty, S.C. 2005 5th Ave. So., Scite 600 10.0. Box 1626 La Crosse, W.F. 54602

Parcel Identification Number (PIN)

This information must be completed by submitter: document title, name & return address, and PIN (if required). Other information such as the granting clauses, legal description, etc. may be placed on this first page of the document or may be placed on additional pages of the document. Note: Use of this cover page adds one page to your document and \$2,00 to the recording fee. Wisconsin Statutes, 59.517. WRDA 2/96

RESTRICTIVE COVENANT

WHEREAS, David H. Osley and Karen Osley, Land Contract Vendees, and La Vonne M. Grabinski, Owner, are the owners certain property located at 2010 State Road, City and County of La Crosse, Wisconsin, more fully described as follows, to-wit:

Lot 25 lying North of Alley as re-routed, Fairfax Addition, City of La Crosse, La Crosse County, Wisconsin.

and,

WHEREAS, said property is currently zoned by the City of La Crosse as single family residence district (15.05), and

WHEREAS, David Osley has filed a petition asking the Common Council of the City of La Crosse to rezone the above-described real estate from single family residence district to local business district (Section 15.08), and

WHEREAS, the undersigned voluntarily agrees to a restrictive covenant hereinafter described as a condition of said zoning.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned agree that the below stated restrictive covenant shall apply to the above-described property so long as such property carries a zoning of local business district and shall run with the land such that it will have affect on all successors in interest. The above described real property shall be subject to the following limitations and conditions in use:

- 1. The front portion of the building as shown on the attached diagram which faces State Road shall only be used as a barber shop, beauty shop or office space.
- 2. No beer and/or liquor to be sold at this location;
- 3. No video arcade and/or rental of videos;
- 4. No auto repair and/or body shop;
- 5. No fast food restaurant and/or grocery store;
- 6. No delicatessen, ice cream shop, and/or soda fountain shop;

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- 7. No additions or rebuilding of the existing building as shown on the attached diagram dated September 30, 1997, shall take place without prior Common Council approval.
- 8. If fifty percent (50%) or more of the current building as shown on the attached diagram is not useable because of damage or other catastrophe, no rebuilding of the same shall take place without prior Common Council approval.

Should the property not be used as provided herein, said property shall revert to the single family residence district (15.05) and all regulations applicable to said single family residence district shall apply.

The provisions of this restrictive covenant are intended for the benefit of the City of La Crosse, its Boards, Administrators, officers and agents, and any person or legal entity directly affected and aggrieved by the use of the above described real estate. The provisions of this restrictive covenant may be enforceable in any Court of general jurisdiction in La Crosse County and shall be subject to requirable remedies of injunction. Nothing herein shall prevent the City of La Crosse or its officers and agents from any other enforcement or remedy provided by the La Crosse Municipal Code of the City of La Crosse.

OWNER:

By: La Vonne m. D.

Representative of the Estate of

Virgil Grabinski

STATE OF WISCONSIN)

)ss

COUNTY OF LA CROSSE)

Personally came before me this 7 th day of October, 1997, the above named La Vonne M. Grabinski to me known to be the person who executed the foregoing instrument and acknowledged the same.

Notary Public, State of

My\Commission:

LAND CONTRACT VENDEES:

y: / / ///// David H. Oslev

By: 77 aren

Karen Osley

STATE OF WISCONSIN)

)ss

COUNTY OF LA CROSSE)

Personally came before me this day of October, 1997, the above named David H: Osley, and Karen Osley to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Notary Public, State of Wis

My Commission:

Drafted by:

Patrick J. Houlihan, City Attorney 400 La Crosse Street La Crosse, WI 54601

2010 STATE RD

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		1 4
ENTRY	BARBER SHOP (FRONT)	N
HALL	192 sa.FT.	Trans.
	TOILET FURNACE STORAGE	1 7 7
	. F	37
	OFFICE/SHOP AREA (REAR)	
	4∞ 50.FT.	
TOIL ROC	STORAGE	