

Document Number
QUIT CLAIM DEED

Wisconsin Department of Transportation - Aeronautics
Exempt from fee: s.77.25(12) Wis. Stats.
BOA rev.11/30/98

THIS DEED, made by The City of La Crosse, Wisconsin, **GRANTOR**, quit claims the property described below to the Mississippi Valley Conservancy Inc, **GRANTEE**, for good and valuable consideration.

Other persons having an interest of record in the property: None

This is not homestead property.

Legal Description:

Part of the NE¼ of the NE¼, part of the SE¼ of the NE¼, part of the SW¼ of the NE¼, and part of the NE¼ of the SE¼, all in Section 16, Township 10 North, Range 6 West, Extended 4th Principal Meridian, Crawford County, Wisconsin, more particularly described as Lot 1 and Outlot 1 of Certified Survey Map #1253, recorded as Document #304282, Crawford County Register of Deeds Office.

THE CONDITIONS AND COVENANTS OF SAID QUIT CLAIM DEED ARE AS STIPULATED IN THE ATTACHED "ADDENDUM A". ADDENDUM A IS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE.

This space is reserved for recording data

Return to:

Becher-Hoppe Associates, Inc.
Attn: Cheryl R. Schroeder
PO Box 8000
Wausau, WI 54402-8000

Parcel Identification Number/Tax Key Number

12-126-0140-0005

12-126-0140-0010

(Signature)

Tim Kabat, Mayor for the City of La Crosse

(Print Name)

(Signature)

Teri Lehrke, City Clerk for the City of La Crosse

(Print Name)

(Signature)

(Print Name)

(Signature)

(Print Name)

(Date)

State of Wisconsin

_____) ss.
County)

On the above date, this instrument was acknowledged before me by the above-named person(s) or officers.

(Signature, Notary Public, State of Wisconsin)

(Print or Type Name, Notary Public, State of Wisconsin)

(Date Commission Expires)

ADDENDUM A
QUIT CLAIM DEED CONDITIONS

The **GRANTOR** is the owner and desires to preserve the wetland conveyed under this Quit Claim for public use and benefit. It is understood and agreed that these covenants and agreements shall be binding upon the heirs, administrators, executors and assigns of the parties, and that these covenants and agreements shall run with the land.

Purpose. The GRANTOR has received a Section 404 Clean Water Act permit (IP 2009-1030-BCN) under the Federal Clean Water Act (33 U.S.C. §1251 et seq. 1972) for which purpose this Sugar Creek Mitigation Site has been restored to wetland conditions in full compliance with this permit and which conditions must be protected in perpetuity by these restrictive covenants.

Inspection. The right of the Army Corps of Engineers (USACE) and the Wisconsin Department of Natural Resources (WDNR) to enter the Sugar Creek Wetland Mitigation Site, in a reasonable manner, at reasonable times and with due notice, for the purpose of inspecting the Sugar Creek Wetland Mitigation Site to determine if the GRANTEE or successor is complying with the lease or deed restrictions. Further reserve the right of representatives of the above named entities to observe, study, record, make scientific studies and educational observations.

Covenants.

The following restrictive covenants that shall run with and bind in perpetuity, the Sugar Creek Wetland Mitigation Site, said site being more particularly described as follows:

Part of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, part of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$, part of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, and part of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, all in Section 16, Township 10 North, Range 6 West, Extended 4th Principal Meridian, Crawford County, Wisconsin, more particularly described as Lot 1 and Outlot 1 of Certified Survey Map #1253, recorded as Document #304282, Crawford County Register of Deeds Office,

EXCEPTING THEREFROM that parcel of land described on the Parking Lot Exception Area Exhibit attached hereto and made a part hereof by reference, described as follows:

Part of Lot 1 of Crawford County CSM 1253 located in part of the Southeast 1/4 of the Northeast 1/4 of Section 16, Township 10 North, Range 6 West, Village of Ferryville, Crawford County, Wisconsin, containing 2500 square feet (0.0574 acres) described as follows: Commencing at the East quarter corner of Section 16; thence along the East line of said Section 16, North 01°27'56" East, 592.09 feet; thence North 88°33'13" West, 361.49 feet to the East line of said CSM 1253; thence along said East line, South 17°58'55" West, 74.83 feet; thence continuing along said East line South 16°11'13" West, 142.35 feet; thence continuing along said East line, South 17°37'02" East, 70.15 feet to the Point of Beginning; thence continuing along said East line, South 17°37'02" East, 50.00 feet, thence South 72°22'58" West, 50.00 feet; thence North 17°37'02" West, 50.00 feet; thence North 72°22'58" East, 50.00 feet to the Point of Beginning.

Uses. There shall be no commercial, industrial, residential or other incompatible activities adversely affecting wetlands undertaken or allowed within the Sugar Creek Wetland Mitigation Site.

Buildings and structures. There shall be no buildings, dwellings, barns, roads advertising signs, billboards or other structures built or placed in the Sugar Creek Wetland Mitigation Site except structures essential to maintaining the site's ecological structure and function or conducting scientific studies consistent with the purposes of these covenants.

Topography. There shall be no dredging, filling, excavating, mining, drilling or removal of any topsoil, sand, gravel, rock, minerals or other materials within the restored wetland area or in adjacent on-site areas that affect the site except for the purpose of protecting or maintaining the site. There shall be no plowing or any other activity that would alter the topography of the Sugar Creek Wetland Mitigation Site.

Dumping or disposal. There shall be no dumping of trash, ashes, garbage or other unsightly or offensive material, including any hazardous or toxic waste. Nor shall there be dumping or depositing of other materials if such action would alter the topography or hydrology of the mitigation site.

Water. The hydrology of the Sugar Creek Wetland Mitigation Site will not be altered in any way that would effectively drain the site or by any means including pumping, draining, diking, impounding or diverting surface or ground water out of the Sugar Creek Wetland Mitigation Site except for the purpose or protecting or maintaining the site's wetland status.

Agricultural Uses. No plowing, tilling, brushing, cultivating, crop planting or other agricultural activities (with the exception of planting native plants to enhance the site) may take place within the Sugar Creek Wetland Mitigation Site.

Recreational motorized vehicles and watercraft prohibited. There shall be no operation of any motorized vehicles, watercraft, or equipment within the Sugar Creek Wetland Mitigation Site. Including but not limited to all terrain vehicles, off road motorcycles, or boats with electric or gas motors except for management purposes. Motorized vehicles are allowed only for land management purposes such as invasive species control and prescribed burning.

Vegetation. There shall be no removal, cutting, mowing or alteration of any vegetation or change in the natural habitat in any manner, except as necessary to remove non-native species, manage wildlife, control noxious weeds, eliminate a dangerous condition or public nuisance, support scientific research in wetland and plant community restoration or otherwise maintain the property in a native state.

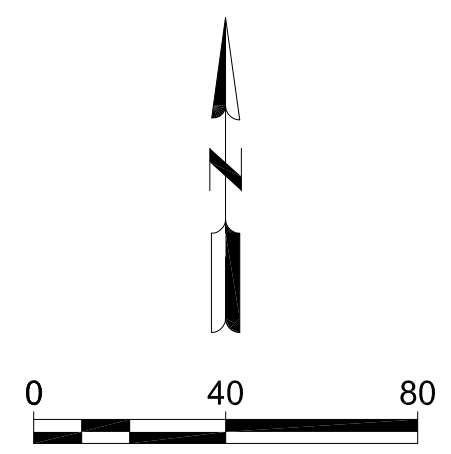
Enforcement. As these Restrictive Covenants preserve the integrity of wetland mitigation under a Department of the Army permit, the USACE and the WDNR shall also have the right to enforce the Covenants. The right shall include, but not be limited to, the right to bring an action in any court of competent jurisdiction to enforce the terms of these Covenants, to require the restoration of this property to its natural condition or to enjoin non-compliance by appropriate injunctive relief. The Grantee does not waive or forfeit the right to take action as may be necessary to ensure compliance with terms of these Covenants by any prior failure to act. Nothing herein shall be construed to entitle the Grantee to institute any enforcement action against the Grantor for any changes to the Conservancy Area due to causes beyond the Grantor's control and without the Grantor's fault or negligence (such as changes caused by fire, flood, storm, civil or military authorities undertaking emergency action or unauthorized wrongful acts of third parties).

Transferability. Any lease cannot be reassigned and the grantee shall not allow new easements within the Sugar Creek Wetland Mitigation Site. The Sugar Creek Wetland Mitigation Site may not be sold, assigned, or transferred separately from the Permanent Limited Easement for drainage purposes recorded as Document #306738, in the Crawford County Register of Deeds Office. Any transfer of land or proposed project shall adhere to the Wisconsin Statute 44.40 to determine whether the proposed action will have an adverse effect upon historic property.

These covenants and restrictions shall run with and burden the Sugar Creek Wetland Mitigation Site in perpetuity and shall bind the grantee and their heirs, successors, and assigns.

EXHIBIT

LA CROSSE REGIONAL AIRPORT SUGAR CREEK LAND TRANSFER PARKING LOT EXCEPTION AREA



Bearings are referenced to the East line of the Northeast 1/4 of Section 16-10-06 Assumed to Bear North 01°27'56" East

- Legend
- U.S. Public Land Survey Monument
 - Property Corner
 - Exception Area Boundary
 - Right-of-way Line
 - Parcel Line
 - Section Line

LEGAL DESCRIPTION Exception Area

Part of Lot 1 of Crawford County CSM 1253 located in part of the Southeast 1/4 of the Northeast 1/4 of Section 16, Township 10 North, Range 6 West, Village of Ferryville, Crawford County, Wisconsin, containing 2500 square feet (0.0574 acres) described as follows:

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