

1664288

RESOLUTION

Recorded
MAY 31, 2005 AT 08:37AM
OUTAGAMIE COUNTY
JANICE FLENZ
REGISTER OF DEEDS
Fee Amount: \$21.00



988R693

2100
⑥

Return to:

Susan J. Duda
Clerk/Treasurer
City of Kaukauna
P.O. Box 890
Kaukauna, WI 54130

I, Susan J. Duda, Clerk/Treasurer of the City of Kaukauna, hereby certify that the attached Resolution No. 3438 was adopted by the Common Council of the City of Kaukauna on February 14, 2005, as recorded in the official book of Council Proceedings.

Dated this 25th day of May, 2005.

A handwritten signature in cursive script, appearing to read "Susan J. Duda", written over a horizontal line.

Susan J. Duda
Clerk/Treasurer

RESOLUTION NO. 3438

**RESOLUTION APPROVING PARTIAL AMENDMENT TO
PROTECTIVE COVENANTS IN THE INDUSTRIAL PARK NO. 1**

WHEREAS, lands within Kaukauna Industrial Park are subject to Protective Covenants dated September 8, 1975, which are recorded as Document No. 699644 in Volume 988 of Records, Page 693 with the Register of Deeds of Outagamie County, Wisconsin; and,

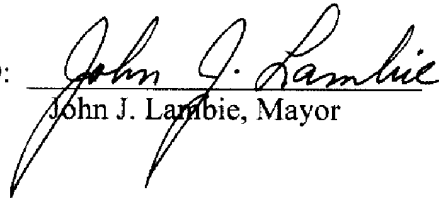
WHEREAS, said Protective Covenants may be amended only upon the recording of an instrument setting forth such amendment and which instrument shall be signed by the majority of the owners of the lots in said industrial park, as said majority is defined in said covenants and approved by a resolution adopted by the Common Council of the City of Kaukauna, by at least a three-quarters favorable vote of all members of the Common Council; and,

WHEREAS, Team Industries, Inc. has requested an amendment of said Protective Covenants to allow for a lesser building setback for a portion of lands owned by Team Industries, Inc., which lands abut Prospect Lane and said amendment has been approved by the majority of owners as required by said Protective Covenants;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Kaukauna that the attached Partial Amendment to Protective Covenants is hereby approved effective upon adoption.

Introduced and adopted by a vote of eight ayes and zero nays this 14th day of February, 2005.

APPROVED:


John J. Larnie, Mayor

ATTEST:


Susan J. Duda, Clerk/Treasurer

PARTIAL AMENDMENT TO
PROTECTIVE COVENANTS
Title of Document

Document Number

The undersigned, who are either the owners or the duly authorized Officer, agent, Managing member or other representative of the owner of lands located within the Kaukauna Industrial Park.

And being entitled by the existing Protective Covenants to the number of votes indicated Beside my signature, do hereby approve and recommend to the Common Council of the City of Kaukauna the approval of the following partial amendment to the Protective Covenants dated September 8, 1975, and recorded as Document No. 699644 in Volume 988 of Records, Page 693 in the Office of the Register of Deeds, Outagamie County, Wisconsin.

2. Building Setbacks d. Prospect Lane.

For the portion of Prospect Lane adjoining Lot 1 and the northwesterly 175 feet of Lot 2 both of Certified Survey Map Number 323, City of Kaukauna, Outagamie County, Wisconsin, the required yard setback for a building shall be ten (10) feet from the lot line, not fifty (50) feet.

Record this document with the Register of Deeds

Name and Return Address:

Atty. Paul Van Berkel
180 West Wisconsin Avenue
Kaukauna, WI 54130

//
(Parcel Identification Number)

Team Industries Inc
BY Donald J. Murphy votes 4

SETLE INN
BY Eric Sout votes -

G + G Machine
BY Randy Jankel votes 1

Banta Fulfillment Services
BY Jeremy McNeal votes 3

Gilbert + And Nash Co.
BY Dan J. Brooks votes 1

EMS Kennel
BY Steve J. Ross votes 1

BY Wayne Bodek votes 1

Warm Sensations LTD
BY Karl Mueller votes 2

TRANSPO CONTRACTORS, INC
BY M. Lukas Company INC votes 1

BY Al Kura votes -

BADGER GRAPHIC SALES

FOX VALLEY TOOL + DIE
BY Mark Giff votes 1

RED-D-ARC WELDERS
BY PAT HERMUS votes 1

Quality Mail Marketing
BY Janet K. Pashy votes 1

SCHUH TRANSPORT INC.
BY Wm. M. Schuh votes 1

Precision Scraping + Alignment
BY Mike Nelesen votes 1

BY [Signature] votes -

DAVIES CLAW
BY Bruce V. G. M. votes 1

VANNY WILSON INC
BY Car [Signature] votes 1

CARMEN FERRIS
BY JH Quality Patterns votes 1

Jessyde Patton
BY Thomas M. Patton votes 1

Fox Structures, Inc

BY Safety - Kleen System votes 1
~~_____~~
 BY Luca Bagnari votes 1
~~_____~~
 BY Mary J. More votes 1
DITCH WITH MIDWEST
 BY Mah Wahab votes 2
MW TRUCKING, INC
 BY MORTON BUILDINGS INC votes 1
D. Henry
 BY Tom Kelly votes 4
OVERNITE TRANSPORTATION
 BY Enterprise Electric votes 1
Pole w/ Poles
 BY Eric Van Horn votes 1
VAS MIDWEST CARRIERS COOP.
 BY James Egan votes 1
Accurate Machine Co. Inc.
 BY Supreme Builders votes 1
Arthur and Home Inc
 BY Jacynth Leggett votes 1
Quintaven Construction Inc.
 BY D. Tennessen votes 1
Concrete Cutters Inc
 BY Milton Propane votes 1
Jerry D.

BY [Signature] votes 1
SCHUCK MECHANICAL
 BY Jim Schuch votes 1
Schubertky HTG
 BY James Pennington votes -
Five Star Frozen Foods Inc.
 BY _____ votes _____
 BY _____ votes _____
 BY _____ votes _____
 BY _____ votes _____
 BY _____ votes _____
 BY _____ votes _____
 BY _____ votes _____
 BY _____ votes _____
 BY _____ votes _____
 BY _____ votes _____
 BY _____ votes _____

ACKNOWLEDGMENT

STATE OF WISCONSIN
 OUTAGAMIE COUNTY
 William E. Hammen
 Personally came before me this 10th day of Feb, 2005,
 the above named _____ were acknowledged before
 me at TEAM Industries, Inc. in Kaukauna, WI.

~~to be known~~ to be the persons who executed the foregoing instrument
 and acknowledged the same.

signature [Signature]

 type or print name and return address
Jeanne M. Girton

Notary Public Outagamie County,
 My commission expires: 03/04/07

ACKNOWLEDGMENT

STATE OF WISCONSIN
 OUTAGAMIE COUNTY
 Personally came before me this 10th day of Feb, 2005,
 the above named officers _____

to me known to be the officers who executed the foregoing
 instrument and acknowledged the same.

signature _____

 type or print name and return address

Notary Public Outagamie County,
 My commission expires: _____

PARTIAL AMENDMENT TO PROTECTIVE COVENANTS
Title of Document

Document Number

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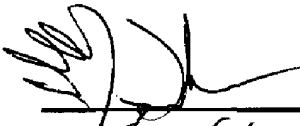
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Name and Return Address:

Atty. Paul Van Berkel
180 West Wisconsin Avenue
Kaukauna, WI 54130

//
(Parcel Identification Number)



BY Jerry Fahrner votes 1
Owner 860 Eastline Road

BY _____ votes _____

BY _____ votes _____

BY _____ votes _____

BY _____ votes _____

BY _____ votes _____

BY _____ votes _____

BY _____ votes _____

BY _____ votes _____

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BY _____ votes _____

BY _____ votes _____

BY _____ votes _____

BY _____ votes _____

BY _____ votes _____

BY _____ votes _____

ACKNOWLEDGMENT

ACKNOWLEDGMENT

STATE OF WISCONSIN)
OUTAGAMIE COUNTY }
COUNTY OF PORTAGE } ss.
Personally came before me this 9th day of Feb., 2005,
the above named

STATE OF WISCONSIN
OUTAGAMIE COUNTY
Personally came before me this ____ day of _____, 2005,
the above named officers

Jerry Fahrner, President

to me known to be the persons who executed the foregoing instrument
and acknowledged the same.

to me known to be the officers who executed the foregoing
instrument and acknowledged the same.

Carol Austrang
signature Carol Austrang

signature

2800 Mecca Drive, Plover, WI 54467
type or print name and return address

type or print name and return address

Notary Public, Outagamie County,
My commission expires: 3-23-08

Notary Public Outagamie County,
My commission expires: _____