

ORDINANCE NO. 2008-05  
TOWN OF UNION

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF AND  
APPROVING THE DIVISION OF CERTAIN LANDS

(VILAGI PROPERTY)

RECITALS

- A. Sigmond E. Vilagi (the "Owner") is the owner of approximately 49 acres of land at 15830 West Union Road, located in the West  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 9 in the Town of Union, and depicted on Exhibit A (the "Property").
- B. The Owner has requested that the Town allow the Property to be divided into one 35 acre lot (the "35 acre lot") and one 19 acre lot (the "19 acre lot"), and that the zoning classification of the 19 acre lot be changed from A-1 Agricultural District to A-2 Agricultural District.
- C. The Plan Commission conducted a public hearing on the proposed zoning change and land division, preceded by publication of a Class 2 notice, on September 25, 2008.
- D. On September 25, 2008, the Plan Commission recommended that the proposed zoning change and land division be approved, subject to two conditions. The first condition is that the Owner record deed restrictions that prohibit residential development on the 35 acre lot. The second condition is that the Owner create a driveway easement along the easterly boundary of the 35 acre lot, for the benefit of the 19 acre lot, allowing for access to the 19 acre lot from West Union Road.

*NOW, THEREFORE, the Town Board of the Town of Union, Rock County, Wisconsin, does ordain as follows:*

ORDINANCE

- 1. Change in Zoning. Upon the effective date of this Ordinance the Zoning classification of the 19 acre lot shall be changed from A-1 Agricultural District to A-2 Agricultural District.


2. Approval of Certified Survey Map. Upon the effective date of this Ordinance, the certified survey map creating the 35 acre lot shall be approved and shall be signed by the Town Clerk.
3. Effective Date. This ordinance shall take effect upon satisfaction of the following conditions:
  - A. The Owner shall execute a deed restriction that is approved by the Town Attorney, and that prohibits any residential development on the 35 acre lot, and shall record or provide for the recording of such deed restriction, free and clear of any lien or encumbrance, in a manner that is satisfactory to the Town Attorney.
  - B. The Owner shall create a driveway easement along the easterly boundary of the 35 acre lot, for the benefit of the 19 acre lot, allowing for access to the 19 acre lot from West Union Road, and shall record or provide for the recording of such easement, free and clear of any lien or encumbrance that is inconsistent with the exercise or survival of the easement, in a manner that is satisfactory to the Town Attorney.
4. Expiration. If all conditions set forth in this ordinance are not satisfied on or before 12:00 noon on December 4, 2008, then this ordinance shall automatically, and without any further action, become null and void and of no force or effect.

*The above ordinance was duly adopted by a majority vote of the Town of Union Town Board at a regular meeting held on October 2, 2008.*

APPROVED:

By:   
Kendall Schneider, Town Chair

ATTEST:

By:   
Regina Ylvisaker, Town Clerk

APPROVED: 10.2.08

PUBLISHED: 10.10.08

POSTED



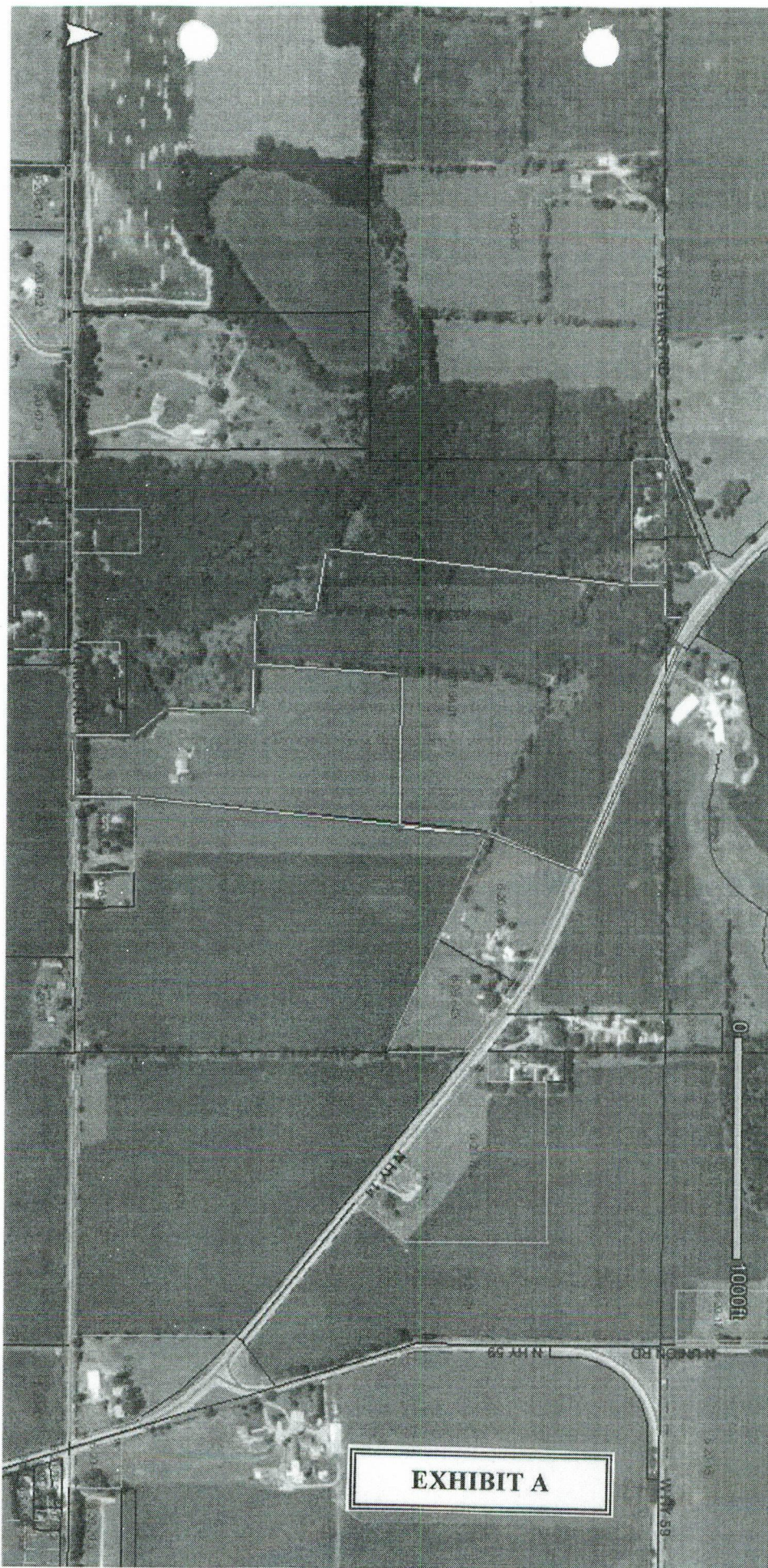


EXHIBIT A