

Exhibit 12

Hammond ~ St. Croix Business Center II

Covenants and Design Standards

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HAMMOND ~ ST. CROIX BUSINESS CENTER II COVENANTS AND DESIGN STANDARDS

INTRODUCTION

The Hammond ~ St. Croix Business Center is a planned development designed to provide an area for the future growth and development of those businesses and industries that seek an aesthetically acceptable working environment that is exclusively reserved for, and conducive to, the development and protection of corporate office, office research and development, institutions, and non-nuisance manufacturing and industrial facilities. The control, ownership and sale of Business Center property lies exclusively with the owner, St. Croix Services Incorporated. The intent and purpose of the Business Park is to promote and maintain desirable economic development that is practical, feasible, and an asset to owners, neighbors, and the Village of Hammond, while maintaining a park-like environment.

The Hammond ~ St. Croix Business Center is located in the Village of Hammond, Wisconsin, one and one half miles north of Interstate 94 and one-half mile east on County Highway J. Land purchased at the site is with the understanding that the site is to be used for development purposes, not investment purposes. Purchase of a site(s) shall be followed by the construction of a building(s) and occupied within 18 months of purchase date.

Access to the property is via Engineer Way. The installation or extension of public roads and any extension of water and sewer service and all other utilities to the property and building(s) is the responsibility of the purchaser unless otherwise agreed to in writing with St. Croix Services, Inc.

Easements for installation and maintenance of utilities are reserved as shown on the recorded plat. Within these easements, no structure or other buildings shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utility lines or which may change the direction or flow of drainage channels in the easements. The easement area of each lot and all improvements in such easement area shall be maintained continuously by the owner of the lot except for those improvements for which a public authority of utility company is responsible.

A surface drainage channel exists on a portion of the property providing an unrestricted flow of water to the box culvert inlet with the outflow of this culvert to the storm water detention pond. The property owner(s) shall maintain the design capacity of this surface channel as represented by the regional storm water report prepared by Ayres Associates. The channel capacity shall be sized to safely convey the 100 year peak flow rate with appropriate safety factors. Design calculations shall be completed by a licensed professional engineer in the State of Wisconsin.

OBJECTIVES

The purpose of these standards is to establish rules, regulations, standards, and procedures for the approval of all new development proposals and the expansion of existing businesses and industries in order to:

- a) Provide for safe, efficient vehicular and pedestrian circulation.
- b) Provide for screening, landscaping, signage, and lighting.
- c) Ensure efficient, safe, and attractive land development.
- d) Provide for compliance with appropriate design standards to ensure adequate light and air, proper building arrangements, and minimal adverse effect on adjacent properties.
- e) Develop proper safeguards to minimize the impact on the environment.
- f) Ensure the provision of adequate water supply, drainage, and storm water management, sanitary facilities, and other utilities and surveys.

- g) Encourage modern and innovative design, construction, technology, and planning methods.
- h) Advance and promote sound growth and continued development within the Business Center.
- i) Provide for appropriate maintenance standards applicable to properties within the Business Center.

LAND USE/ZONING

Phase II of the Business Center is comprised of 21 acres more or less and is located in the Village of Hammond. Said lands are, pursuant to Village of Hammond Ordinance 2-21-94, and zoned M 1 District Manufacturing. Those uses allowed within the M District Manufacturing is the manufacture, processing or assembly of goods and the repair and servicing of processed goods which do not require open storage.

STANDARD REQUIREMENTS

The interpretation and application of the provisions of these standards shall be held as minimum requirements for the promotion of the public health, safety, and welfare.

No structure shall be erected, converted, enlarged, reconstructed or altered, and no structure or land shall be used or maintained for any purpose or in any manner which is not in conformity with the provisions of these standards.

Where permitted and prohibited uses, site and landscape regulations building design criteria, off-street parking and loading requirements, and other regulations contained herein are either more or less restrictive than comparable conditions and/or imposed by provisions contained within Village of Hammond Zoning Ordinance or of any other law, ordinance, rule, resolution or regulations, the requirements that are more restrictive or which impose a higher standard shall govern.

DEFINITIONS

For the purpose of these standards, the following words and terms shall have the following meanings:

Accessory Building or Use: A building or use which is:

- a. Constructed, conducted or located on the same lot as the principal building or use served.
- b. Clearly customary and incidental to, subordinate in purpose to, and serves the principal building or use.
- c. Either in the same ownership as the principal building or use of is clearly operated and maintained solely for the comfort, convenience, necessity or benefit of the occupants, employees, customers or visitors to the principal building or use.

Building Height: The vertical distance measured from the average of the highest and lowest point of that portion of the lot immediately adjacent to the building to the highest point of the roof for flat roofs; to the decline of mansard roofs, and to the mean height between eaves and ridge for gable, hip, and gambrel roofs.

Business Center Review Committee (BCRC): A committee appointed by and from members of the St. Croix Services, Incorporated board of directors.

Fence: A barrier acceptable to the Village of Hammond and construed of materials other than shrubbery erected for the purpose of protection, confinement, enclosure or privacy. The term "fence" shall include barriers of at least 25% opacity.

Floor Area Ratio: The total square footage of all floors of a building or buildings measured from the face of the exterior walls excluding cellars or basements, divided by the total area of the lot on which such building or buildings are located.

Frontage, Zoning Lot: The length of all the property measured at the designated setback line of such zoning lot fronting on a street, measured between side lot lines.

Green/Open Space: An area of land associated with, and located on the same tract of land as, a major building or group of buildings in relation to which it serves to provide light and air or scenic, recreational or similar purposes. Such space shall, in general, be available for entry and use by the occupants of the building or buildings involved but may include a limited proportion of space so located and treated as to enhance the amenity of the development by providing landscaping features, screening for the benefit of the occupants of those in neighboring areas, or a general appearance of openness. Green space may include, but shall not be limited to, lawns, decorative plantings, wooded areas, landscaping areas, sidewalks and walkways, active and passive recreational areas, and water surfaces. It shall not include parking lots or other vehicular surfaces or accessory buildings.

Loading Berth: That portion of a lot designed to serve the purpose of loading or unloading all types of vehicles.

Mechanical Equipment: Includes air conditioning units, cooling towers, space heaters, ventilators, air compressors, flues, stacks, chimneys, and anything else as determined by the BCRC.

Office-Showroom: A building in which at least the front 20 percent of the floor space is devoted to office and /or showroom activities, the remainder being used for warehousing, light manufacturing, or research and testing.

Setback: The minimum horizontal distance between a building and the street or lot line.

Setback, Front Yard: The minimum horizontal distance between the building or use, and a street right-of-way line.

Setback Lines: Lines established adjacent to lot lines or street right-of-way lines for the purpose of defining limits within which any or certain buildings, structures, or uses may not be constructed, maintained or carried on, except as shown herein.

Setback, Rear Yard: The minimum horizontal distance between the back line of the building or use, and the rear lot lines.

Setback, Side Yard: The minimum horizontal distance between the side line of the building or use, and the side lot lines, unless the side line or rear line of the building or use is parallel to a street, whereas it shall be a front yard setback.

Use: The purpose for which land or premises or a building thereon is designated, arranged or intended, or for which it is or may be occupied or maintained.

Use, Permitted: A use which is lawfully established in a particular district or districts and which conforms with all requirements, regulations, and performance standards of such district. A permitted use may be a principal use or an accessory use.

Use, Principal: A use or structure which determines the predominant or major use of the lot upon which it is conducted or located. A principal use may be either a permitted or a special use as determined by the Industrial Park Committee.

(Words used in the present tense shall include the future; words in the singular shall include the plural, and the plural the singular; the word building shall include the word structure; the word lot shall include the word plot; the word shall is mandatory and not discretionary; and the word may is discretionary. If there is a definition not contained herein, refer to Webster's Dictionary, the last available edition.)

ADMINISTRATION

The final administration and implementation of these standards shall be vested in the Business Center Review Committee. All final determinations and approvals not vested by Wisconsin statute to the Village of Hammond shall be made by the Business Center Review Committee.

APPEALS

Appeals to the requirements contained in these standards shall be heard by the full board of directors of St. Croix Services Incorporated.

PLAN APPROVAL PROCEDURE

All development within the Hammond ~ St. Croix Business Center is required to receive plan approval prior to the issuance of a building permit. The examination of plans by the Business Center Review Committee and the issuance of a building permit shall be conditioned upon the Business Center Review Committee's finding that the plans demonstrate that the physical external design of the buildings intended and landscaping attributable thereto for each project conform to the requirements of these covenants.

It should be understood that the development and design standards described and discussed within these covenants are attributable to those properties lying within the Hammond ~ St. Croix Business Center.

PLAN SUBMITTAL

Four (4) copies of the site plan shall be submitted to the Business Center Review Committee for distribution and examination as deemed necessary and appropriate. The site plan shall consist of the following:

- A. Name of project/development;
- B. Location of project/development by street address or other legal description;
- C. Location map, including area within one-quarter mile of site;
- D. Name and mailing address of company/developer submitting the plan;
- E. Name and mailing address of engineer/architect;
- F. Date of plan preparation;
- G. North point indicator;

H. Scale;

I. Boundary line of property, with dimensions;

J. Location, identification, and dimension of existing and proposed:

1. Topographic contours at a minimal interval of two feet.
2. Adjacent streets and street right of ways.
3. On-site street and street right of ways.
4. Curb cuts for the site.
5. Utilities and utility right of way easements.
 - a. Electric
 - b. Natural gas
 - c. Telephone
 - d. Water
 - e. Sewer (sanitary and storm)
6. Buildings and structures.
7. Parking facilities, including parking spaces, circulation aisles, curbs, bumpers, and landscape islands.
8. Off-street loading areas, including stacking or storage areas and access drives. Additionally, the location and dimensions of all proposed outdoor storage areas, along with descriptions thereof, and the location and dimensions of all fencing and screening, including an accurate description of the materials intended to be used for said fences and/or screenings.
9. Water bodies, if any.
10. Surface water holding ponds, drainage ditches, drainage patterns, and erosion control plans.
11. Wetlands.
12. Fences and retaining walls.
13. Exterior signs.
14. Exterior refuse collection areas.
15. Exterior lighting.
16. Landscaping plan, prepared pursuant to the landscaping standards contained herein.
17. Surface water drainage arrows.

- K. A staging plan for any project involving more than one construction season which sets forth the chronological order of construction and relates the proposed uses and structures to the construction of various service facilities and gives estimated completion dates.
- L. Site statistics, including site square footage and percent of site coverage, along with gross square footage of both existing and proposed structures and buildings.
- M. Elevation drawings of all sides of all proposed structures and buildings, with dimensions.
- N. Samples of exterior materials and exterior colors intended.
- O. A listing of all required Federal, State, and Village permits and status of applications.
- P. Information for fire department, including type of roof construction and where sprinklers and smoke domes are located.
- Q. Other information considered pertinent by the BCRC and consultants.

REVIEW AND DETERMINATION

The Business Center Review Committee and/or their appointee shall review the plan to ensure that these criteria and the standards contained herein are met as part of the site plan review process.

GENERAL BUILDING AND PERFORMANCE STANDARDS

- A. **PURPOSE.** The purpose of this section is to establish general development performance standards. These standards are intended and designed to assure compatibility of uses and to protect and enhance the value of the property and structures located in the Business Center.
- B. **BUILDING.** The Hammond ~ St. Croix Business Center encourages a variety of architectural styles. However, basic harmony is intended to prevail so that no one structure detracts from the attractiveness of the overall environment. The BCRC shall review building design in order to guarantee architectural compatibility and integrity. Wood frame pole-type structures are prohibited. Pre-engineered steel buildings shall be permitted subject to C., 4. below.
- C. **BUILDING EXTERIOR.** Colors, materials, finished, and building form shall be coordinated in a consistent manner on the side and rear exterior walls. Materials shall be one of the following:
 - 1. Hard burned clay brick - color and texture to be approved.
 - 2. Concrete masonry. Units shall be those generally described by the National Concrete Masonry Association as "customized architectural concrete masonry units" or shall be broken faced brick type units with marble aggregate or split face or broke off concrete block. There shall be no exposed concrete block on the exterior of any building. Any concrete masonry units that have a gray cement color shall be coated.
 - 3. Concrete may be poured in place, tilt-up or pre-cast. Poured in place and tilt-up walls shall have a finish of stone, a texture or a coating. Textured finishes, except in special cases, shall be coated. Coating shall be an approved cementitious or epoxy type with a ten (10) year minimum life expectancy.

4. Architectural steel siding may be used only in combination with one of the approved materials and with approval of the BCRC. Any metal siding proposed for use shall be entirely coated with a colorfast, abrasion and corrosion resistant to chemicals, withstands temperature extremes, and has a low permeability. Such panels shall be insulated (facing shall carry a U.S. Approval) and have a vapor barrier. Any material utilized to attach the metal siding to the building shall be concealed or the utilization of shadow panels or semi-concealed fastener panels with fasteners painted to match the panels shall be required. Metal siding may be utilized on all sides of building walls. However, the front of each such structure shall, with regard to its design and appearance, be subject to BCRC approval.
5. FRONT BUILDING WALL AND BUILDING WALLS FACING AN ADJACENT STREET. Twenty (20) percent of any exterior building wall (front, side or rear) facing an adjacent street shall be constructed of one or more of the materials listed under C., 1, 2, 3, and 4 above. The colors, materials, and finishes shall be coordinated in a consistent manner with other buildings within the district. The exterior building wall or walls making up the front wall, whether one or more, of any building facing an adjacent street may be finished or accentuated with any one or more of the following materials:
 1. Brick and masonry
 2. Natural stone
 3. Glass curtain walls
 4. Stone and glass curtain walls
 5. Other material approved by the BCRC, in writing.
6. Such other materials as may be approved by the BCRC from time to time, in writing.
- D. MECHANICAL EQUIPMENT AND ANTENNAS. All mechanical equipment shall be enclosed or screened. Roof mounted equipment shall be integrated into the design of the structure, enclosed or screened to all reasonable extents possible. Antennas and satellite dishes required for communication and continuing education are allowed on the property. Size and placement of antennas shall require the prior written authorization of the BCRC.
- E. CONSTRUCTION. Construction shall commence within one year of plan approval or in accordance with a development agreement with the BCRC. No site plan approval by the BCRC shall be valid for more than 12 months from the date of such approval unless a building permit is obtained and development in accordance with such site plan is commenced within such period. The provisions of this section shall apply unless otherwise agreed to by the BCRC.
- F. MAINTENANCE. The exterior walls and roofing of buildings and all fencings and screenings shall be maintained in a clean, orderly, and attractive condition; free of cracks, dents, punctures, breakage, and other forms of visible marring. Materials that become excessively faded, chalked, cracked, chipped, damaged or otherwise deteriorated shall be replaced, refinished, repaired or repainted in accordance with the reasonable determination and order of the BCRC within sixty (60) days notice of such defect.
- G. NO RIGHT TO DIVIDE PROPERTY. After a site has been purchased, it shall not be further divided or subdivided without first obtaining from the BCRC and the Village of Hammond the necessary written approvals as required.

LANDSCAPE PLAN REQUIREMENT

- A. PROCEDURE. Four (4) copies of the proposed landscape plan shall be submitted with the site plan.

B. PLAN CONTENT: The proposed landscape plan shall contain the following information:

1. The location and dimensions of all proposed open space areas required to meet the minimum 25 percent of the total lot requirements contained herein.
2. The location of all proposed building, storage areas, parking areas, sidewalks, fire lanes, and trail corridors.
3. Identification of all proposed vegetation and quantities thereof.
4. Typical section, in detail, or berms, fences, retaining walls, planter boxes, etc., including a statement and description as to the materials intended to be used of purposes of construction of all berms, fences, retaining walls, planter boxes, etc.

C. MINIMUM SIZE OF PLANTINGS:

1. Deciduous trees: A minimum of 1.5 inch diameter as measured six inches above ground level.
2. Coniferous: A minimum of three (3) feet in height.
3. Evergreen Shrubs: A minimum of twenty-four (24) inches in height.

D. GROUND COVER:

All open space areas shall be, at a minimum, seeded with a variety of grasses suitable for this area. The following exceptions to the requirement may be granted by the BCRC during the review process:

1. The use of mulch material for shrubs and foundation planting;
2. The seeding of future expansion areas delineated on the site plan provided that the existing vegetation is not disturbed during construction;
3. Other landscape elements, such as decks, patios, stepping stones, or landscape stone may be incorporated therein.

E. IMPLEMENTATION/REPLACEMENT:

All approved landscaping is to be installed within one planting season of the landscape/site development plan approval. All landscaping shall be maintained in a healthy growing condition, neat and orderly in appearance, and free of refuse and debris. All plantings shall be arranged and maintained so as not to obscure the vision of traffic. Any vegetation which is shown on the approved landscape/site development plan that dies must be replaced within one planting season per approved landscape/site development plan.

F. MAINTENANCE:

It shall be the responsibility of the owner and/or lessee of the principal use, uses, or building to perform the necessary maintenance of all landscaping, including mowing, trimming, watering, and fertilization of all grass, ground cover shrubs or trees, and the removal of dead or waste material.

G. VISION CORNER RESTRICTION:

No plantings or vegetation exceeding thirty (30) inches in height shall be located within a twenty (20) foot radius of the lot corner nearest the intersection of two public roads or from the intersection of a private driveway or easement and a public road.

FENCES

A. CONSTRUCTION AND MAINTENANCE:

Every fence shall be constructed in a substantial, workmanlike manner and of material reasonably suited for the purpose for which the fence is proposed to be used. Every fence shall be maintained in a condition of reasonable repair and shall not be allowed to become and remain in a condition of disrepair, deterioration or danger or constitute a nuisance, public or private. Any such fence which or has become deteriorated as to structural integrity or finish, or dangerous to the public safety, health or welfare, is a public nuisance and shall be repaired. Link fences, wherever permitted, shall be constructed in such a manner that no barbed ends shall be at the top except for limited outdoor storage areas.

B. LOCATION/HEIGHT:

On corner lots in all districts, no fence or planting in excess of 30 inches above the street center line grade shall be permitted within a triangular area defined as follows: Beginning at the intersection of the projected curb lines of two intersecting streets; thence 30 feet along one property line; thence diagonally to a point 30 feet from the point of beginning on the other property line; thence to the point of beginning.

Fences in all districts shall not exceed ten (10) feet in height unless prior approval, in writing, is provided by the BCRC.

LIGHTING STANDARDS

The Hammond ~ St. Croix Business Center requires exterior lighting that provides the basic needs of safety and security. Appropriate lighting shall be provided in order to delineate roads, drives, parking areas, pedestrian ways, buildings, and other organizational points. Lighting shall be an integral part of the overall architectural design; therefore, proposed lighting, whether free-standing or building-mounted, shall complement the architectural character of the principal use.

A. LIGHTING REQUIREMENT:

1. All lighting potentially visible from an adjacent street, except for bollard lighting less than 42 inches high, shall be indirect or shall incorporate a full cut-off shield-type fixture. Lighting fixtures for parking areas, access drives, and internal vehicle circulation areas shall be a zero cut-off. Service area lighting shall be contained within the service area boundaries and enclosure walls.

REGULATION OF SIGNS

A. Purpose:

To promote compatible signage throughout the development, signage should be an integral part of the overall building concept.

B. General Requirements:

All signs shall be reviewed by the BCRC and are subject to approval prior to placement within the Business Center. Signage shall be limited to name, corporate logo, corporate address and a brief description of the company's services and/or product or slogan. No rooftop signs, florescent colors, flashing lights, or moving signs are permitted. A maximum area of 80 square feet is permitted with a maximum height of 8 feet.

Signs may be illuminated but shall not be moving, flashing, blinking or fluctuating. Colors utilized on signs should be consistent with those utilized on the Hammond ~ St. Croix Business Center signs, existing corporate logos, or business colors.

C. Exceptions:

On all lots a ground sign is allowed in the rear yard setback where fronting another street.

D. Information Sign:

Information signs are allowed on all lots as needed. Such signs shall not exceed six (6) square feet in size. Informational signs shall be constructed of a minimum one-eighth (1/8) inch metal plate with lettering of Helvetica type of exceeding six (6) inches.

E. Temporary Sign:

The following temporary signs are allowed subject to Village of Hammond ordinances:

TYPE	MAXIMUM SIZE	MAXIMUM TIME ALLOWED
Construction	100 square feet	Up to 60 days after construction is completed.
For sale or Lease	32 square feet	Up to 10 days after sale or lease has been officially recorded.
Special Events*	32 square feet	30 days per year.

* As allowed by the BCRC

F. Prohibited Signs:

The following signs are prohibited in the Business Center: Motion signs; roof signs; projecting signs (greater than 12 inches); flashing signs; obsolete signs; unsafe or dangerous signs; signs and/or posters attached to trees, fences, utility poles or other such permanent supports; signs painted on walls or fences; and banners, pennants, whirling devices, and balloons and/or other apparatus resembling the same.

OFF-STREET PARKING REQUIREMENTS

A. Location:

All parking spaces required to serve employees and visitors of buildings erected or established after the effective date of this plan shall be located on the same zoning lot as the building or use served.

B. Floor Area:

The term "floor area" for the purpose of calculating the number of off-street parking spaces required shall be determined on the basis of the exterior floor area dimensions of the building, structure or use times the number of floors, minus 10%, except as may hereinafter be provided or modified.

C. Nonconforming Structures:

Should a nonconforming structure or use be damaged or destroyed (defined as 50%) or more of the structure being damaged by accidental destruction, Acts of God, or otherwise, it may be re-established if elsewhere permitted in these regulations, except that in doing so, any off-street parking or loading space which existed before shall be retained and expanded as necessary to comply with the standards herein.

D. Change of Use or Occupancy of Buildings:

Any change of use or occupancy of any building or buildings, including additions thereto, requiring more parking shall not be permitted until there is furnished such additional parking spaces as required by these regulations.

E. Parking:

All driveway and parking areas shall be surfaced with asphalt or concrete paving within one year of completion of construction with the exception of truck or semi-trailer parking and circulation areas to be addressed and granted by the BCRC on a case by case basis. Paved parking areas shall have painted stalls and divider lines as needed for the protection and designation of vehicular traffic patterns. No on-street parking is permitted. Separate areas for automobile parking and loading/commercial/storage uses are recommended. Island plantings are recommended for parking areas accommodating more than 20 vehicles. Handicap parking requirements shall be the minimum requirements designated by the State of Wisconsin for such parking facilities from time to time.

F. Within Structure:

The off-street parking requirements may be furnished by providing spaces so designed within the principle building or structure attached thereto; however, unless provisions are made, no building permit shall be used to convert said parking structure into another activity until other adequate provisions are made to comply with the required off-street parking provisions of this ordinance.

OFF-STREET LOADING REQUIREMENTS

A. Location:

1. All required loading berths shall be off-street and located on the same lot as the building or use to be served.
2. Loading berths shall not occupy or be located upon the front yard without first obtaining the prior written consent of the BCRC. It is the intent, as much as is feasibly possible, to restrict loading berths from being located upon the front yard.
3. Loading berths located at the side of buildings on a corner lot shall observe the following requirements:
 - a. Loading berths shall not conflict with pedestrian movement.
 - b. Load berths shall not obstruct the view of the public right of way from off-street parking access.
 - c. Loading berths shall comply with all other requirements of this plan.
4. Each loading berth shall be located with appropriate means of vehicular access to a street in a manner, which will cause the least interference with traffic.

B. Size:

A required off-street loading berth shall be at least eighty (80) feet in length, exclusive of aisle and maneuvering space, and shall have a vertical clearance of at least fifteen (15) feet.

C. Surfacing:

All areas intended to be utilized for off-street loading shall be surfaced with bituminous asphalt or concrete unless agreed to the contrary, in writing, by the BCRC.

D. Change of Use:

Where a change of use in off-street loading facilities is made necessary due to damage, destruction, increased use, or any other change, such change shall be approved by the BCRC.

E. Maintenance:

It shall be the responsibility of the lessee and/or owner of the principal use, uses of building to maintain in a neat and adequate manner, the loading space, access ways, striping, landscaping, screening, and required fences.

Outdoor Storage:

Outdoor storage of any material other than motor vehicles in operable condition is regulated by the BCRC. Such consensual storage of materials other than motor vehicles in outdoor areas, if allowed, shall at all times be subject to the ongoing control of the BCRC and may be withdrawn at any time. In the absence of the BCRC providing written consent to outside storage as afore provided, all storage of materials, equipment, parts, inventory, etc. shall take place in completely enclosed structures that meet the General Building and Performance Requirements contained herein. For purposes of what constitutes "acceptable screenings" as referred to herein, such determinations shall, at all times, be at the sole and complete discretion of the BCRC.

For clarification purposes, it is the intent of this section that no materials, supplies or equipment be stored in any area on a lot except inside a closed building or behind a screening fence or planting approved by the BCRC on a case by case basis, in writing, all so as to screen such areas from the view of adjoining properties and public streets. Garbage and refuse containers shall be concealed from the view of adjoining properties and public streets. No loading or storage areas are permitted on building sides facing public streets without first obtaining the express and written consent and approval of the BCRC.

Greenbelt planting screens, if used, shall consist of evergreen trees and/or deciduous trees and plants and shall be of sufficient width and density to provide an effective visual screen to a minimum of 6 feet in height. Earth mounding or berms may be used to achieve up to 3 feet of the required screening height provided, however, said mounding or berming is pre-approved, in writing, by the BCRC. The planting plan and type of plantings shall require the written approval of the BCRC.

REGULATION OF USES

A. Permitted Uses.

Assembling, fabricating, processing, or otherwise manufacturing (except as prohibited below), research and development, experiments and testing laboratories, equipment maintenance facilities, warehouses, and distribution centers without open storage.

Conditional Uses

Commercial uses not incompatible with other Business Center tenants. Regional or national headquarters office buildings, factory retail outlets accessory to and incidental to a permitted on-site manufacturing use. Whether such commercial uses are compatible with other tenants shall be a determination made by the BCRC at its sole and complete discretion.

The Village of Hammond may grant a conditional use permit with or without conditions only if these Covenants are otherwise complied with and the proposed use will not have a negative impact on existing or potential permitted uses within the Business Center, and the proposed use will significantly contribute to the strengths, stability, and diversity of the area economy. All such conditional use permits, if given, shall be in written form signed by a duly authorized representative of the Village of Hammond.

B. Brohibited Uses.

Petroleum refining; mineral extraction; outdoor spraying of any kind; residential uses of any type, or commercial, retail, or service operations not permitted above.

C Condition of Property.

All properties shall be kept in a safe, clean and wholesome condition. Owners and tenants must comply at all times and at their own expense with all applicable governmental, health, fire and safety ordinances, regulations, requirements, and directives. Regular and frequent removal of any rubbish accumulating on each lot is required.

D Nuisance Conditions.

No operation, process, manufacturing, or building use in the Business Center shall produce or create noise, vibration, odor, heat, glare, air pollution, electromagnetic radiation, liquid waste, or solid waste which creates nuisance conditions or do not comply with standards contained within the Hammond Municipal Code.

E Refuse Collection Areas.

All outdoor refuse collection areas shall be completely enclosed and screened by a constructed wall of durable material not less than six (6) feet in height. All areas shall have concrete floors and shall be sufficient in size to contain all refuse generated on each lot. No refuse collection areas shall be permitted between a street and a front of a building.

F. Public Utilities.

No improvements, alterations, additions, or changes to public utilities may be made without Village consent. All utilities shall be installed underground.

DEVELOPMENT STANDARDS

A. Setbacks.

Front yard: 40 feet minimum
Side yard: 20 feet minimum
Rear yard: 20 feet minimum

Exceptions to setback requirements may include landscaping, sidewalks, steps, paving, planters, fences, utilities.

B. Building Heights.

45' maximum. Higher buildings may be permitted if setbacks greater than those required are specified, no harmful effect is created on neighboring properties, and if approved by the BCRC and the Village Board.

PROHIBITED USES

The following uses are specifically prohibited within the Hammond ~ St. Croix Business Center:

1. All residential uses, including manufactured mobile home parks.
2. Automobile or machinery wrecking, salvaging, rebuilding or repair.
3. Cement, lime, gypsum or plaster of Paris manufacturing.
4. Distillation of bones.
5. Explosives manufacture, processing or storage.
6. Excavating of building or construction materials other than in the normal course of building construction or site preparation.
7. Junkyards.
8. Rendering plants, slaughterhouses, meatpacking, gelatin, glue, soap or fertilizer plants.
9. Bulk sales, storage or display of lumber or other building and/or construction materials.

OTHER REQUIREMENTS

St. Croix Electric Cooperative, its successors and assigns shall be the exclusive and required electric energy supplier for all structures, devices, signs, equipment and businesses located in the Business Center.

Site and landscaping plan procedures, building and performance standards, fencing, lighting, off-street parking, off-street loading, and other applicable regulations as contained in these Hammond ~ St. Croix Business Center Covenants and Design Standards. Notwithstanding anything stated or indicated to the contrary herein, any and all matters, issues or requirements addressed within these Covenants, if set forth and described at numerous locations herein in terms which vary, it shall at all times be the more restrictive of such existing terms that apply, without exception.

SEPARABILITY

It is hereby declared to be the intention of the Business Center Review Committee that each of the covenants and restrictions contained herein shall be considered to be an independent and separate covenant and agreement. In the event any one or more of such covenants or restrictions shall be invalidated by judgement or Court Order, all remaining covenants and restrictions shall nevertheless remain in full force and effect.

Dated this day of , 2015.

, President

, Secretary

STATE OF WISCONSIN)

)SS:

ST. CROIX COUNTY)

On this day of , 1998, before me, the undersigned, a Notary Public in and for said County and State, personally appeared _____ and _____, to me known to be the identical persons named in and who executed the within and foregoing instrument, to which this is attached and acknowledged that they executed the same as their voluntary act and deed.

Notary Public in and for said
County and State