

STATE OF WISCONSIN

CIRCUIT COURT

WAUKESHA COUNTY

TOWN OF EAGLE,
A Wisconsin Municipality,
820 E. Main Street
P.O. Box 327
Eagle, WI 53119

Plaintiff,

-vs-

ANNALYSE V. VICTOR
W369 S10410 Shearer Rd
Eagle, WI 53119-1719,
Defendant.

FILED

SEP - 2 2016

CIRCUIT COURT
WAUKESHA COUNTY, WI

Case No. 2016CV001086
Case Code: 30704 - Other Injunction
or Restraining Order

CLERK OF CIRCUIT COURT
WAUKESHA COUNTY
2016 AUG - 9 PM 12:36

ORDER OF JUDGMENT

The above-captioned matter having come before the Court on the Summons and Complaint of the Plaintiff Town of Eagle, and no issue of law or fact having been joined, and the time for joining issue having expired;

On motion of Paul E. Alexy, Arenz, Molter, Macy, Riffle & Larson, S.C., attorneys for the Plaintiff Town of Eagle;

IT IS ORDERED AND ADJUDGED, that the Plaintiff Town of Eagle, having its principal offices located at 820 E. Main Street, Eagle WI 53119, shall have judgment against defendant, Annalyse V. Victor, in accordance with the relief requested in the Complaint:

- A. Defendant shall pay a monetary forfeiture to the Town of Eagle pursuant to Section 7.02(1) of the Town of Eagle Zoning Code of \$100.00 for each day beginning March 18, 2016 and continuing through August 2, 2016 for violation of the Town of Eagle Zoning Code A-3 Agricultural/Residential District use provisions by use of the subject property for commercial use as set forth in

Count 1 of the Complaint ~~and in default of the payment thereof, Defendant shall be committed to the County Jail of Waukesha County for a period not to exceed six (6) months or until such forfeiture and costs have been paid.~~ *MSK*

B. Defendant shall pay a monetary forfeiture to the Town of Eagle pursuant to Section 7.02(1) of the Town of Eagle Zoning Code of \$100.00 for each day beginning March 18, 2016 and continuing through August 2, 2016 for violation of the Town of Eagle Zoning Code regulations concerning parking of commercial vehicles on residential property within the Town of Eagle as set forth in Counts 2 and 3 of the Complaint ~~and, in default of the payment thereof, Defendant shall be committed to the County Jail of Waukesha County for a period not to exceed six (6) months or until such forfeiture and costs have been paid.~~ *MSK*

C. The Defendant shall pay a monetary forfeiture to the Town of Eagle pursuant to Section 3 of Town of Eagle Ordinance No. 98-05 of \$250.00 for each day from March 18, 2016 through August 2, 2016, together with statutory costs and assessments for violation of Town of Eagle Ordinance No. 98-05 as set forth in Count 4 of the Complaint ~~and, in default of the payment thereof, Defendant shall be committed to the County Jail of Waukesha County for a period not to exceed six (6) months or until such forfeiture and costs have been paid.~~ *MSK*

D. Defendant shall be, and hereby is, permanently enjoined from causing, suffering, or allowing any of the following on the property commonly referred to as W369 S10410 Shearer Road, in the Town of Eagle, County of Waukesha, State of Wisconsin (PIN EGLT 1862998007) (hereinafter referred to as the "Subject

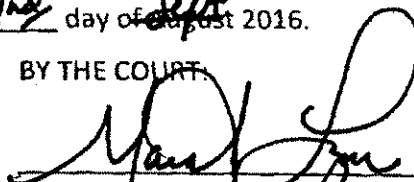
Property”):

- i. The establishment, maintenance, or operation of any commercial operation(s) on the Subject Property that are not expressly permitted within then-applicable residential zoning district regulations of the Town of Eagle Zoning Code, as amended from time-to-time including, but not limited to, the parking and/or maintenance of commercial trucks;
- ii. Parking of any commercial truck or trailer, job trailer, or other vehicular equipment of a business or manufacturing nature on the Subject Property in violation of the Town of Eagle Zoning Ordinance, and

- E. Defendant shall be, and hereby is, permanently enjoined from causing, suffering, or allowing unreasonable noise from the Subject Property to cause disturbance of the comfort, quiet or repose of persons therein or in the vicinity.
- F. In the event Defendant shall cause, suffer, or allow any violation of the injunctions granted hereunder, after August 2, 2016, the Plaintiff shall be entitled upon affidavit to additional relief in the amount of \$100/day for each day of such continued violation together with its actual costs and expenses, including but not limited to attorneys' fees, in enforcing the injunction(s) granted hereunder.
- G. Plaintiff shall be entitled to its statutory costs and expenses in this matter.

Dated at Waukesha, Wisconsin, this 2nd day of Sept 2016.

BY THE COURT



Maria S. Lazar, Circuit Judge

CLERK OF CIRCUIT COURT
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DIVISION