

EASEMENT AGREEMENT

Document Number

Document Title

DANE COUNTY
REGISTER OF DEEDS

3266066

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Pages 10

000109

Recording Area

Name and Return Address

Aubrey R. Fowler
Fowler & Wiederhoeft Law Ofcs
P.O. Box 5326
Madison WI 53705

11-0908-151-8001-7; 8501-2; 8706-1

~~See attached Parcel Numbers~~

Parcel Identification Number (PIN)

Please record attached Easement Agreement.

10/28

EASEMENT AGREEMENT

000110

THIS EASEMENT AGREEMENT is entered into this 2d day of November, 2000, by and between Douglas M. Statz and Victoria S. Statz, hereinafter called Grantors, and LeVerne M. Kirking and Jean B. Kirking, hereinafter called Grantees.

WHEREAS Grantors are the owners of Lot 1, Certified Survey Map No. 9841, recorded in Volume 57 of Certified Survey Maps, Pages 85, 86 and 87, as Document No. 3258039, in the Town of Dane, Dane County, Wisconsin. Said Certified Survey Map No. 9841 is attached hereto as Schedule A.

AND WHEREAS Grantees are the owners of real estate adjacent to said Schedule A.

AND WHEREAS the parties desire to formalize the terms and conditions of Grantees' access and use of Schedule A for agricultural and recreational purposes.

AND WHEREAS this Easement consists of separate Articles A and B.

NOW THEREFORE for valuable consideration, the sufficiency and receipt of which are hereby acknowledged, and upon mutual terms and conditions set forth hereafter, the parties agree as follows:

ARTICLE A

AGRICULTURAL USE ONLY

1. Grantors hereby grant a permanent non-exclusive Easement to Grantees, their successors, assigns, and farm

DMS
VSS
JBC
LMK

employees for vehicular and pedestrian ingress and egress over and across certain real estate for agricultural purposes. The aforementioned Easement is described in the attached Ingress and Egress Easement Diagram and identified as Schedule B.

2. This Easement shall run with the land and the rights granted herein shall forever be binding upon it and inure to the benefit of all the parties hereto, their respective heirs, successors, assigns, and personal representatives.

3. Because this is a non-exclusive Easement, it is understood that Grantors may grant others the right to use the Easement area but such use shall not interfere with the Easement rights granted pursuant to this Agreement.

4. This Easement may be used for vehicular agricultural purposes only when the ground is dry or frozen in order to prevent unreasonable damage or erosion of the property.

5. In the event that Grantors pave said Easement area, Grantors shall provide for five (5) Driveway Access Cuts to permit Grantees to make 360 degree turns with farm machinery or to cross said existing Driveway. Grantors shall apply sufficient crushed stone at said five (5) Driveway Access Cuts to protect said Driveway paving from breaking up at the edges thereof. The five (5) Driveway Access Cuts shall be located as follows:

- (a) At east end of said 1218.43 foot existing Driveway adjacent to STH 113.
- (b) At west end of said 1258.82 foot existing Driveway.

Dms
VSS
JRK
SMK

- (c) The remaining three (3) Driveway Access Cuts shall be located between the Driveway Access Cuts described in Sections (a) and (b) herein and as agreed upon by the Parties.

ARTICLE B

RECREATIONAL USE ONLY

1. Grantors hereby grant a non-exclusive Easement to Grantees, together with Grantees' guests and invitees, for vehicular and pedestrian ingress and egress over and across certain real estate for recreational purposes. Recreational use shall include hiking, picnics and hunting. It is the intention herein that said recreational use shall include all of said Certified Survey Map No. 9841 except the immediate area surrounding the buildings. The aforementioned Easement comprises all of Lot 1, Certified Survey Map No. 9841, recorded in Volume 57 of Certified Survey Maps, Pages 85, 86 and 87, as Document No. 3258039, in the Town of Dane, Dane County, Wisconsin.

2. This Article B Easement will terminate upon the death of the survivor of the two Grantees.

3. Because this is a non-exclusive Easement, it is understood that Grantors may grant others the right to use the Easement area but such use shall not interfere with the Easement rights granted pursuant to this Agreement.

4. This Easement may be used for vehicular

Oms

VSS
JBK

Lmk

recreational purposes only when the ground is dry or frozen in order to prevent unreasonable damage or erosion of the property.

ARTICLE C

PROVISIONS APPLICABLE TO

ARTICLES A AND B

1. The parties agree that any damage to said Easement area shall be repaired by whomever damaged said Easement area.

2. This Agreement shall constitute the entire agreement between the parties and any prior claims, rights, understanding or representation of any kind preceding the date of this Agreement shall not be binding upon either party, except to the extent incorporated herein.

3. The parties agree that in the event of any dispute under this Easement Agreement, that they will submit the matter in accordance with the Wisconsin Arbitration Act of the Wisconsin Statutes.

IN WITNESS WHEREOF the parties have executed the Agreement as of the date first above-written.

Dms
VSS
JBK
dmt

* Douglas M. Statz
DOUGLAS M. STATZ, Grantor

* Victoria S. Statz
VICTORIA S. STATZ, Grantor

* LeVerne M Kirking
LeVERNE M. KIRKING, Grantee

* Jean B. Kirking
JEAN B. KIRKING, Grantee

STATE OF WISCONSIN)
) ss.
COUNTY OF DANE)

Personally came before me this 2d day of November
2000, the above named Douglas M. Statz, Victoria S. Statz,
LeVerne M. Kirking and Jean B. Kirking, to me known to be the
persons who executed the foregoing instrument and acknowledged
the same.

Aubrey R. Fowler
AUBREY R. FOWLER, Notary Public
State of Wisconsin
My commission is permanent.

This Easement Agreement was drafted by
Aubrey R. Fowler of
Fowler & Wiederhoeft Law Offices



CERTIFIED SURVEY MAP

LIAMSON SURVEYING CO., INC.

MAIN STREET WAUNAKEE WISCONSIN 53597

NE 1/4, NE 1/4, SECTION 15, T 9 N, R 9 E,

SURVEY OF DANE COUNTY, WISCONSIN.

E 1/4 CORNER SECTION 15 T9N, R9E

NE CORNER SECTION 15 T9N, R9E

SOUTH

S.T.H. 113

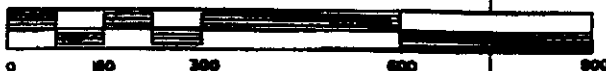
SOUTH

607.40

1979.90

BEARINGS REFERENCED TO THE EAST LINE OF THE NE 1/4 ASSUMED TO BEAR SOUTH.

SCALE 1" = 300'



L'INE	BEARING	DISTANCE
L1	S 07° 03' 44" W	118.17
L2	S 89° 45' 54" W	378.69
L3	S 00° 03' 30" W	57.37
L4	S 01° 12' 36" W	590.91
L5	SOUTH	66.00
L6	SOUTH	66.00

CAUTION - HIGHWAY SETBACK RESTRICTIONS PROHIBIT IMPROVEMENTS. SEE SHEET 2 OF 3.

NOTE: THIS PARCEL IS SUBJECT TO ANY AND ALL EASEMENTS AND AGREEMENTS, RECORDED AND UNRECORDED.

PREPARED FOR:
LEVERNE KIRKING
7501 HWY 113
LODI, VI., 53555

LEGEND

- FOUND 1 1/4" IRON PIPE
- ⊙ FOUND ALUM. MON.
- SET 3/4" X 24" REBAR, WITH A MIN. WT. OF 1.50 LBS PER FOOT

DOT 13-43-394-00C

N 1/4 COR. SECTION 15 T9N, R9E

CENTER OF SEC. 15 T9N, R9E

1026.77
N 0° 01' 14" W

N 00° 01' 14" W 826.01

LOT 1

28.47 AC. OR 1240171 SQ. FT.
INCL. RIGHT-OF-WAY

28.42 AC. OR 1237993 SQ. FT.
EXCL. RIGHT-OF-WAY

DOCUMENT NO. 3258039

CERTIFIED SURVEY MAP NO. 9841

VOLUME 57 PAGES 85, 86 & 87

Sheet 1 of 3

00M-216

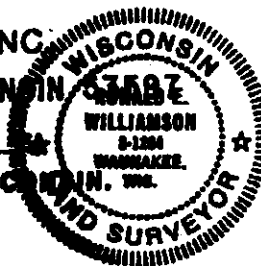
3/1

CERTIFIED SURVEY MAP

WILLIAMSON SURVEYING CO., INC.

104 A WEST MAIN STREET WAUNAKEE WISCONSIN

NE and NW 1/4, NE 1/4, SECTION 15, T 9 N, R 8 E
TOWN OF DANE, DANE COUNTY, WISCONSIN



SURVEYOR'S CERTIFICATE

I, Ronald E. Williamson, Registered Land Surveyor, hereby certify that in full compliance with the provisions of Chapter 236.34 Wisconsin Statutes, the subdivision regulations of Dane County and by the direction of the owners listed below I have surveyed, divided and mapped a portion of the NW 1/4 and NE 1/4 of the NE 1/4 of Section 15, T9N, R8E, Town of Dane, Dane County, Wisconsin, including all of Lot 1, Certified Survey Map No. 7707 to-wit:

Beginning at the North 1/4 corner of said Section 15; thence N 89° 34'17" E, 1444.92 feet; thence S 1°12'36" W, 590.91 feet; thence S 89°38'33" E, 1218.43 feet; thence South 66.00 feet; thence N 89° 38'33" W, 1258.82 feet; thence S 7°03'46" W, 118.17 feet; thence S 89°45'54" W, 378.69 feet; thence S 0°03'30" W, 57.37 feet; thence S 89°45'55" W, 998.46 feet; thence N 0°01'14" W, 826.01 feet to the point of beginning. This parcel is subject to a road right of way of 33.00 feet over the most easterly part thereof.

Williamson Surveying Co. Inc.
 by Ronald E. Williamson

Date October 11, 2000

Ronald E. Williamson
 Ronald E. Williamson S-1264
 President

"As owners we hereby restrict all lots and blocks so that no owner, possessor, user, licensee or other person may have any right of direct vehicular ingress from egress to any highway lying within the right of way of S.T.H. "113", as shown on the land division map; it is expressly intended that this restriction constitute a restriction for the benefit of the public as provided in s. 236.293, Stats., and shall be enforceable by the department or its assigns."

No improvements or structures are allowed between the right of way line and the highway setback line. Improvements and structures included, but are not limited to, signs, parking areas, driveways, wells, septic systems, drainage facilities, buildings, and retaining walls. It is expressly intended that this restriction is for the benefit of the public as provided in Section 236.293, Wisconsin Statutes, and shall be enforceable by the Wisconsin Department of Transportation or assigns. Contact the Wisconsin Department of Transportation for more information. The phone numbers may be obtained by contacting the County Highway Department.

CERTIFIED SURVEY MAP

WILLIAMSON SURVEYING CO., INC

104 A WEST MAIN STREET WAUNAKEE WISCONSIN

NW and NE 1/4, NE 1/4, SECTION 15, T 9 N, R 8

TOWN OF DANE, DANE COUNTY, WISCONSIN



OWNERS CERTIFICATE

As owners, we hereby certify that we caused the land described on this certified survey map to be surveyed, divided and mapped as represented on the certified survey map. We, also certify that this certified survey map is required by S. 75.17(1)(a) Dane County Code of Ordinances to be submitted to the Dane County Zoning and Natural Resources Committee for approval.

WITNESS the hand and seal of said owners this 25 day of September, 2000.

LeVerne M. Kisking
LeVerne M. Kisking

STATE OF WISCONSIN) SS
Dane COUNTY)

Jean B. Kisking
Jean B. Kisking

Personally came before me this 25 day of September, 2000 the above named LeVerne M. Kisking and Jean B. Kisking to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Londis R. Quam
Notary Public

Dane County, Wisconsin

Seal

My commission expires May 13, 2001

Refer to building site information contained in the Dane County Soil Survey.

Approved for recording per Dane County Zoning and Natural Resources Committee action of October 12, 2000

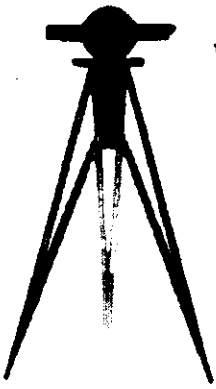
[Signature] #7310
Norbert Scilner, Representative

Received for recording this 12th day of October, 2000 at 12:50 o'clock P.M. and recorded in Volume 57 of Dane County Certified Surveys on pages 85, 86 and 87.

DOCUMENT NO. 3258039

Jane Licht by Ann M. Ford, deputy
Jane Licht
Register of Deeds

CERTIFIED SURVEY MAP NO. 9841



WILLIAMSON SURVEYING CO., INC.

104A WEST MAIN STREET, WAUNAKEE, WI 53597

RONALD E. WILLIAMSON

REGISTERED LAND SURVEYOR

PHONE 1-808-255-5705

000118

• LAND SURVEYING


DESCRIPTION FOR INGRESS AND EGRESS

Ingress and egress easement located in the SE ¼ of the NE ¼ and also part of the W ¼ of the NE ¼ all in Section 15, T9N, R8E, Town of Dane, Dane County, Wisconsin, being part of Lot 1, Certified Survey Map no. 9841 more particularly described as follows:

Commencing at the Northeast corner of said Section 15; thence South 607.40 feet to the point of beginning. Thence continue South 66.00 feet; thence N 89° 38' 33" W, 1219.83 feet; thence N 1° 12' 36" E, 66.01 feet; thence S 89° 38' 33" E, 1218.43 feet to the point of beginning.

Williamson Surveying Co. Inc.
by Ronald E. Williamson

Date December 2, 2000


Ronald E. Williamson S-1264
President

