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Tx:8838893

**KRISTI CHLEBOWSKI  
DANE COUNTY  
REGISTER OF DEEDS**

**DOCUMENT #  
5312366**

**03/16/2017 4:00 PM**

**Trans. Fee:**

**Exempt #:**

**Rec. Fee: 30.00**

**Pages: 3**

**DEED RESTRICTIONS**  
PETITION NO. 11039

*Recording area*

Name and return address:

Richard A. Eberle  
6354 County Highway DM  
Dane, WI 53529

**WHEREAS,**

Richard A. Eberle

is owner of the following described real estate in the Town of Dane, Dane County, Wisconsin further described as follows:

**Parent Parcel Number(s):**

- 0908-124-8101-0
- 0908-124-8501-0
- 0908-124-9000-9
- 0908-124-9600-0

**LEGAL DESCRIPTION:**

Located in all 1/4's of the Southeast 1/4 of Section 12, T9N, R8E, Town of Dane, Dane County, Wisconsin, being further described as follows:

Beginning at the South 1/4 corner of said Section 12; thence N00°28'42"W 2247.92 feet along the west line of the SE 1/4 of said Section 12 to the southwest corner of Lot 1, Certified Survey Map No. 14073; thence N89°52'13"E, 80.00 feet along said Lot 1; thence S00°28'42"E, 120.31 feet along said Lot 1; thence S64°45'17"E, 866.03 feet along said Lot 1; thence N3°58'34"E, 271.60 feet along said Lot 1; thence N70°30'03"E, 260.08 feet along said Lot 1; thence N89°52'13"E, 574.25 feet along said Lot 1, to the west line of Lot 1, Certified Survey Map No. 10284; thence S00°44'52"E, 624.95 feet along said west line; thence N40°21'17"W, 230.22 feet; thence S63°12'45"W, 273.54 feet; thence S64°45'16"E, 363.29 feet; thence S00°44'52"E, 1025.53 feet to the centerline of Highway "DM"; thence S33°37'10"W, 250.08 feet along said centerline: thence continue along said centerline, 192.52 feet along the arc of a curve concaved northwesterly, having a radius of 1720.89 feet and a long chord bearing S36°49'27"W, 192.42 feet to the south line of said Southeast 1/4 of said Section 12; thence S89°55'08"W, 1386.97 feet along said south line to the point of beginning. Contains 75.23 acres (3,276,932 sq. ft.) and is subject to county highway right of way over the most southeasterly 33.00 feet thereof.

**WHEREAS**, said owners desire to place certain restrictions and notice on the above-described real estate, to bind the owner(s) and those who may acquire title hereafter.

**WHEREAS**, the restrictions provided herein shall be enforceable at law or equity against any party who has or acquires any interest in the land subject to this restriction by the following who are named as Grantees and beneficiaries with enforcement rights:

- The County Government of Dane County, Wisconsin provided that the land is under the jurisdiction of said County at the time the enforcement action is commenced, and;
- The Town Government of the Town of Dane, Dane County, provided that the land is within the jurisdiction of said Town at the time the enforcement is commenced, and;
- The owner(s) of record of any lands that are located within 300 feet of the subject property.

**THEREFORE**, the following restrictions are hereby imposed:

1. Further division of the property and further residential development on the proposed RH-4 zoned parcel are each prohibited.

The restrictions set forth herein may be amended or terminated in the following manner:

1. The owner(s) of the subject property may submit a written petition calling for the amendment or termination of the restrictions. Such petition must be submitted to the Dane County Clerk who shall refer the petition to the Dane County Zoning and Land Regulation Committee (or successor committee), which shall then schedule and hold a public hearing on the petition.

The petition shall then be referred to the Town Government of the Town in which the subject property is located. The Zoning and Land Regulation Committee shall issue a written report on the petition to the County Board of Supervisors. The County Board shall, by majority vote, approve or reject the petition. Amendment or termination of the restrictions shall also require the approval of the Town Board.

2. Upon approval of the petition calling for an amendment or termination of the restrictions, the owner(s) of the subject property shall draft the amendatory covenant instrument. The owner(s) shall then execute and record the amendatory covenant with the Dane County Register of Deeds.
3. A rezoning of the subject property to a different zoning district shall also act to terminate the restrictions set forth herein.

Date

2-16-17

Date

Signature of Grantor (owner)

Signature of Grantor (owner)

\*Name printed

\*Name printed

This document was drafted by:  
(print or type name below)

Dane County Planning &  
Development

STATE OF WISCONSIN, County of Dane

Subscribed and sworn to before me on 3-16-17 by the above named person(s).

Signature of notary or other person  
authorized to administer an oath  
(as per s. 706.06, 706.07)

Kath Krull

Print or type name: Katherine Krull

Title Real Estate Specialist Date commission expires: 11-4-2017

\*Names of persons signing in any  
capacity must be typed or printed  
below their signature.  
P&D form 2/20/2001