

Document Number

Document Title



9 0 0 1 2 0 9

Tx:8765329

**KRISTI CHLEBOWSKI
DANE COUNTY
REGISTER OF DEEDS**

DOCUMENT #

5238477

06/01/2016 2:54 PM

Trans. Fee:

Exempt #:

Rec. Fee: 30.00

Pages: 11

RE: AGREEMENT OF EASEMENT RELOCATION, EASEMENT VACATION AND
DRIVEWAY CONSTRUCTION AND MAINTENANCE.

Name and Return Address

Alan Kaplan
309 W. Johnson, Apt. 533
Madison, WI 53703

Parcel Identification Number (PIN)

0606-044-9000-6

0606-044-9030-0

0606-044-9500-1

0606-091-8000-1

0606-091-8500-6

0606-091-8570-2

0606-091-8190-2

0606-091-8690-7

This information must be completed by submitter: document title, name & return address, and PIN (if required). Other information such as the granting clause, legal description, etc., may be placed on this first page of the document or may be placed on additional pages of the document. Note: Use of this cover page adds one page to your document and \$2.00 to the recording fee. Wisconsin Statutes, 59.43(2m).
WRDA HB Rev. 1/8/2004



**Agreement of Easement Relocation, Easement Vacation and
Driveway Construction and Maintenance**

WHEREAS, Michael E. Jaskaniec and Marlene H. Jaskaniec,
hereinafter **JASKANIEC** are the owners of real estate described as follows:

JASKANIEC PROPERTY:

The South 1/2 of the Southeast 1/4 of Section 4, Town 6
North, Range 6 East, the North 1/2 of the NW 1/4 of the
NE 1/4 and the North 1/2 at the NE 1/4 of the NE 1/4 of
Section 9, Town 6 North, Range 6 East, all the above in
the Township of Blue Mounds, Dane County, Wisconsin.

WHEREAS, Ferron K. Havens and Barbara J. Havens, hereinafter
HAVENS, are the owners of real estate adjoining the **JASKANIEC**
property and described as follows:

HAVENS PROPERTY:

The South 1/2 of the NW 1/4 of the NE 1/4 and the South
1/2 of the NE 1/4 of the NE 1/4 of Section 9, Town 6
North, Range 6 East, all in the Township of Blue Mounds,
Dane County, Wisconsin.

WHEREAS, the **JASKANIEC** property has an access easement and
right of way over and across the **HAVENS** property, said easement being
described in a document recorded at the Dane County Register of Deeds
Office in Volume 3049 of Records, Pages 68, 69 and 70, as Document No.

1717433 and the right of way described in Volume 99 of Deeds, Page 160. A map marked Exhibit "A" attached hereto and incorporated herein shows the approximate location of the easement and right of way.

WHEREAS, the parties wish to relocate a portion of the existing 66-foot easement westerly to accommodate a sole use agriculture driveway for the HAVENS parcel and a sole use residential driveway for the JASKANIEC parcel.

WHEREAS, the parties wish to formalize by this document their understanding and agreement regarding the relocation of the existing 66-foot easement and construction and maintenance of any driveway/access road to serve JASKANIEC property.

NOW THEREFORE, it is hereby agreed by the parties hereto as follows:

ONE: The following described 66-foot wide Ingress and Egress Easement, also shown on a map marked Easement Exhibit "B" attached hereto and incorporated herein, relocates a portion of the existing access easement 45 feet westerly to facilitate the construction and use of a new residential driveway.

Description of the 66-foot wide Ingress & Egress Easement, being a part of the South 1/2 of the North 1/2 of the Northeast 1/4, Section 9, Town 6 North, Range 6 East, Town of Blue Mounds, Dane County, Wisconsin, and being more particularly described as follows:

Commencing at the Southeast corner of the Northeast 1/4, said Section 9; thence North 89° 58' 16" West along the South line of the Northeast 1/4, said Section 9, 1323.59 feet to the Southwest corner of the East 1/2 of the Northeast 1/4, said Section 9; thence North 00° 01' 32" West along the West line of the East 1/2 of the Northeast 1/4, said Section 9, 1325.03 feet to the point of beginning; thence North 89° 54' 06" West along the South line of the North 1/2 of the Northeast 1/4, said Section 9, 33.00 feet; thence North 44° 58' 28" West, 63.64 feet; thence North 00° 01' 32" East along a line that is 78.00 feet West of and parallel with the West line of the East 1/2 of the Northeast 1/4, said Section 9, 105.06 feet; thence North 05° 02' 38" East, 514.45 feet to the Northwest corner of 66-foot wide Access Easement as recorded in Volume 3049, Pages 68-70, Dane County Register of Deeds Office as Document No. 1717433, said point being on the North line of the Northeast 1/4, said Section 9; thence South 89° 52' 00" East along the North line of the Northeast 1/4, said Section 9, 66.00 feet to the Northeast corner of a 66 foot wide Access Easement as recorded in Volume 3049, Pages 68-70, Dane County Register of Deeds Office as Document No. 1717433; thence South 00° 01' 32" West along a line that is 33.00 feet East of and parallel with the West line of the East 1/2 of the Northeast 1/4, said Section 9, 2.77 feet; thence South 05° 02' 38" West, 514.45 feet; thence South 00° 01' 32" West along a line that is 12.00 feet West of and parallel with the West line of the East 1/2 of the Northeast 1/4, said Section 9, 74.83 feet; thence South 44° 58' 28" East, 63.64 feet to a point on the West line of the East 1/2 of the Northeast 1/4, said Section 9; thence South 00° 01' 32" West along the West line of the East 1/2 of the Northeast 1/4, said Section

9, 27.42 feet to the Southeast corner of a 66-foot wide Access Easement as recorded in Volume 3049, Pages 68-70, Dane County Register of Deeds Office as Document No. 1717433; thence North 89° 54' 06" West along the South line of the North 1/2 of the Northeast 1/4, said Section 9, 33.00 feet to the point of beginning.

This easement benefits the **JASKANIEC** property and burdens the **HAVENS** property.

HAVENS hereby grants to **JASKANIEC** an easement for ingress and egress over that the part of the above-described property which was not included in the original easement.

TWO: **HAVENS** and **JASKANIEC** hereby vacate and terminate that part of the original 66-foot easement which is east of the east boundary of the new relocated easement described above in Paragraph **ONE**.

THREE: **JASKANIEC** or their heirs, successors or assigns, may, at a time determined by them, construct or reconstruct a driveway/access road within the boundaries of the referenced easement and right of way thereby providing access from the **JASKANIEC** property to North Erbe Road.

FOUR: The construction and maintenance of any driveway so built shall be the responsibility of the owners of the **JASKANIEC** property, excepting any willful or negligent damage by others or damage caused by non-conforming use.

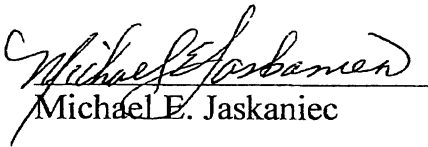
FIVE: Any driveway constructed for residential use shall conform to the Town of Blue Mounds and Dane County ordinances and standards regarding driveways. Construction to required standards may necessitate placing of earth fill, grading, culverts, drainage and temporary erosion control on or adjacent to the 66-foot easement. Any permanent earthwork or structures outside the 66-foot easement must have written approval of the Havens, their heirs, successors or assigns.

SIX: No party shall in any way impede or block the open and free use of the driveway. If existing structures or fencing interferes with construction of a driveway within the easement, then the cost to temporarily or permanently remove those existing structures or fencing is the responsibility of the owner of the structure or fencing.

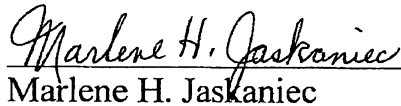
SEVEN: The terms of this Agreement may be amended by written consent of all the parties hereto or their successors and assigns.

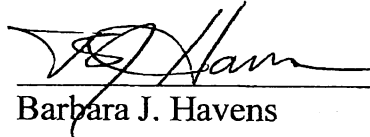
EIGHT: This Agreement is binding on the parties hereto, their heirs, personal representatives, successors or assigns.

Dated this 24 day of May, 2016.

 (SEAL)
Michael E. Jaskaniec

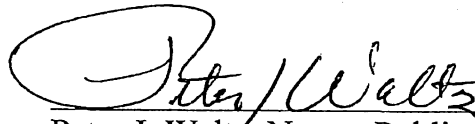
 (SEAL)
Ferron K. Havens

 (SEAL)
Marlene H. Jaskaniec

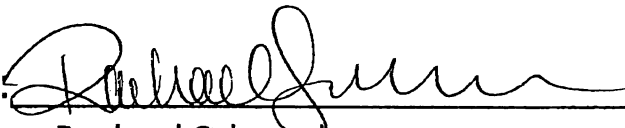
 (SEAL)
Barbara J. Havens

STATE OF WISCONSIN)
(ss
DANE COUNTY)

Personally came before me, this 24th day of May, 2016, the above named Michael E. Jaskaniec and Marlene H. Jaskaniec, to me known to be the persons who executed the foregoing instrument and acknowledge the same.

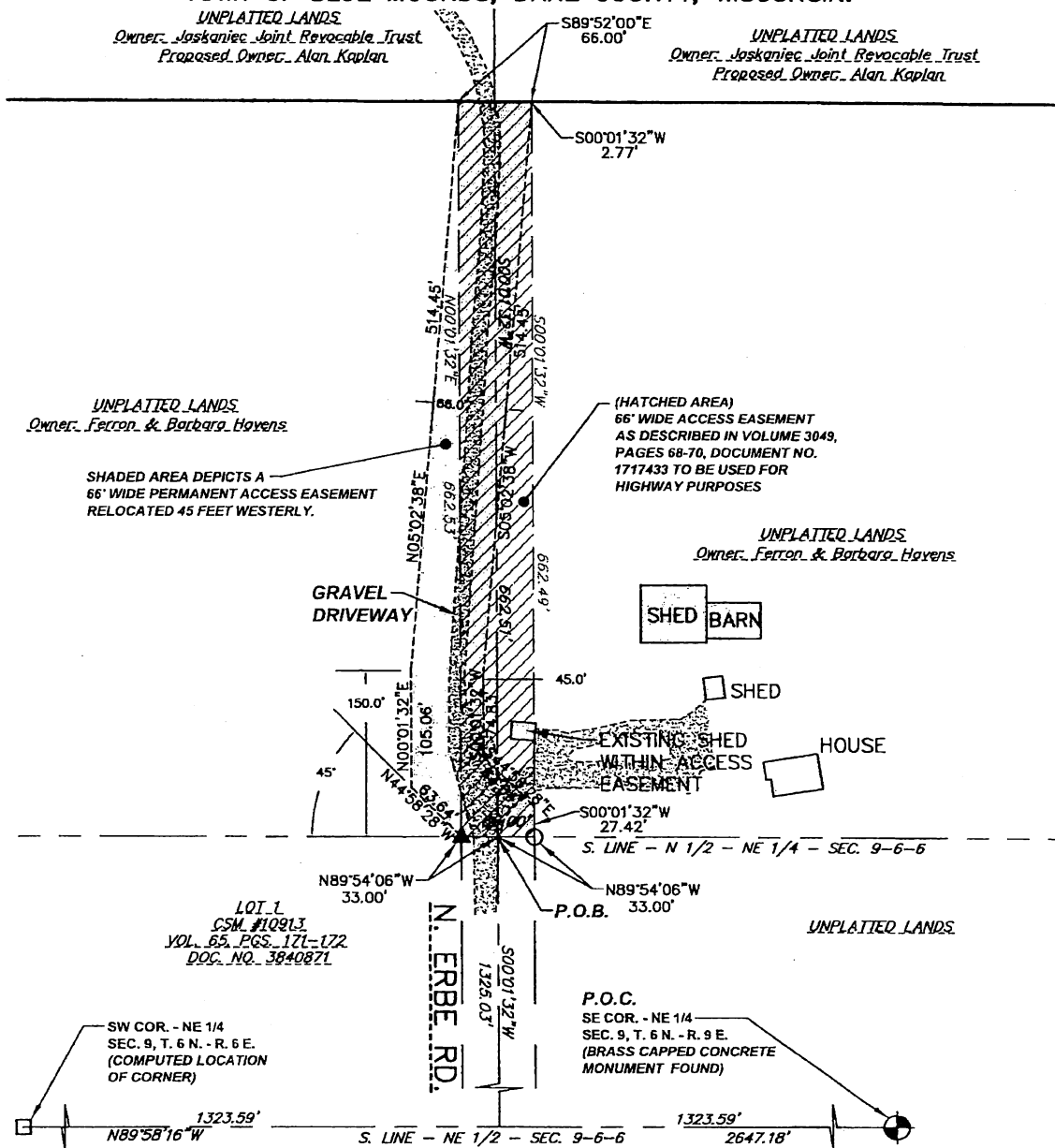

Peter J. Waltz, Notary Public
My Commission is Permanent

Viewers are advised to ignore the illegible text, drawings,
and maps on the following pages of this document. They
are presented to show spatial relationships only.

Authorized by: 
Rachael Schroeder, agent

EASEMENT EXHIBIT "B"

A PART OF THE NE 1/4 OF THE NE 1/4 AND A PART OF THE NW 1/4 OF THE NE 1/4, SECTION 9, T. 6 N.-R. 6 E., TOWN OF BLUE MOUNDS, DANE COUNTY, WISCONSIN.



UNPLATTED LANDS
Owner: Jaskaniec Joint Revocable Trust
Proposed Owner: Alan Kaplan

UNPLATTED LANDS
Owner: Jaskaniec Joint Revocable Trust
Proposed Owner: Alan Kaplan

UNPLATTED LANDS
Owner: Ferron & Barbara Havens

SHADED AREA DEPICTS A 66' WIDE PERMANENT ACCESS EASEMENT RELOCATED 45 FEET WESTERLY.

(HATCHED AREA)
66' WIDE ACCESS EASEMENT AS DESCRIBED IN VOLUME 3049, PAGES 68-70, DOCUMENT NO. 1717433 TO BE USED FOR HIGHWAY PURPOSES

UNPLATTED LANDS
Owner: Ferron & Barbara Havens

LOT 1
CSM. #10913
VOL. 85, PGS. 171-172
DOC. NO. 3840871

P.O.C.
SE COR. - NE 1/4
SEC. 9, T. 6 N. - R. 6 E.
(BRASS CAPPED CONCRETE MONUMENT FOUND)

SW COR. - NE 1/4
SEC. 9, T. 6 N. - R. 6 E.
(COMPUTED LOCATION OF CORNER)

NORTH POINT REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, DANE COUNTY. THE SOUTH LINE OF THE NORTHEAST 1/4, SECTION 9, T. 6 N.-R. 6 E., HAS A BEARING OF N89°-58'-16"W.



611 Kingswood Avenue | Fond du Lac, WI 54935

