



DocId:10229782

Tx:9436748

**DEED RESTRICTION**  
11838

Use black ink & print legibly

KRISTI CHLEBOWSKI  
DANE COUNTY  
REGISTER OF DEEDS

DOCUMENT #  
5870099  
10/25/2022 02:27 PM  
Trans Fee:  
Exempt #:  
Rec. Fee: 30.00  
Pages: 3

WHEREAS,

Duane P. & Candace J Swalheim  
Revocable Trust

Is/~~are~~ owner(s) of the following described real estate in the Town of Cottage Grove, Dane County, Wisconsin further described as follows:

Name and return address:

Duane Swalheim  
436 Connie St  
Cottage Grove WI  
53527

Parent Parcel Numbers  
0711-273-9000-6

**LEGAL DESCRIPTION:**

Lots 1-4 of Certified Survey Map No. 16140, Section 27, Town 07 North, Range 11 East, Town of Dunn, Dane County, Wisconsin.

**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 Cottage Grove, 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. Uses of the GC zoned property are limited exclusively to the following:
  - a. Contractor, landscaping or building trade operations
  - b. Undeveloped natural resource and open space areas
  - c. Governmental, institutional, religious or nonprofit community uses
  - d. Light industrial
  - e. Office uses
  - f. Indoor sales
  - g. Indoor storage and repair
  - h. Personal or professional service
  - i. Transportation, utility, communication or other use required by law
  - j. Utility services associated with a permitted use
  - k. Veterinary clinics
  - l. Agriculture and accessory uses (livestock not permitted)
2. Residential use or related use of the property is prohibited.
3. Evidence of compliance with Dane County stormwater management regulations shall be required prior to development, including arrangements for ongoing maintenance of the regional stormwater facilities.

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.
2. 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.
3. 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.
4. A rezoning of the subject property to a different zoning district shall also act to terminate the restrictions set forth herein.

8/8/2022  
 Date  
*[Signature]*  
 Signature of Grantor (owner)  
Duane P Swalheim  
 \*Name printed

8/8/2022  
 Date  
*[Signature]*  
 Signature of Grantor (owner)  
Candace J Swalheim  
 \*Name printed

STATE OF WISCONSIN, County of Dane

Subscribed and sworn to before me on 8-8-2022 by the above named person(s).

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

Print or type name: Michael L Baker

Title Sr Relationship Baker Date commission expires: 06/09/2025

This document was drafted by:

**Dane County  
 Planning and Development Department**



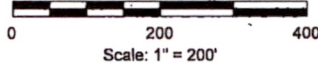


**BIRRENKOTT SURVEYING**

P.O. Box 237  
1677 N. Bristol Street  
Sun Prairie, WI 53590  
Phone (608) 837-7463

# CERTIFIED SURVEY MAP

Part of the Southwest 1/4 of the Southwest 1/4, Section 27, T7N, R11E, Town of Cottage Grove, Dane County, Wisconsin



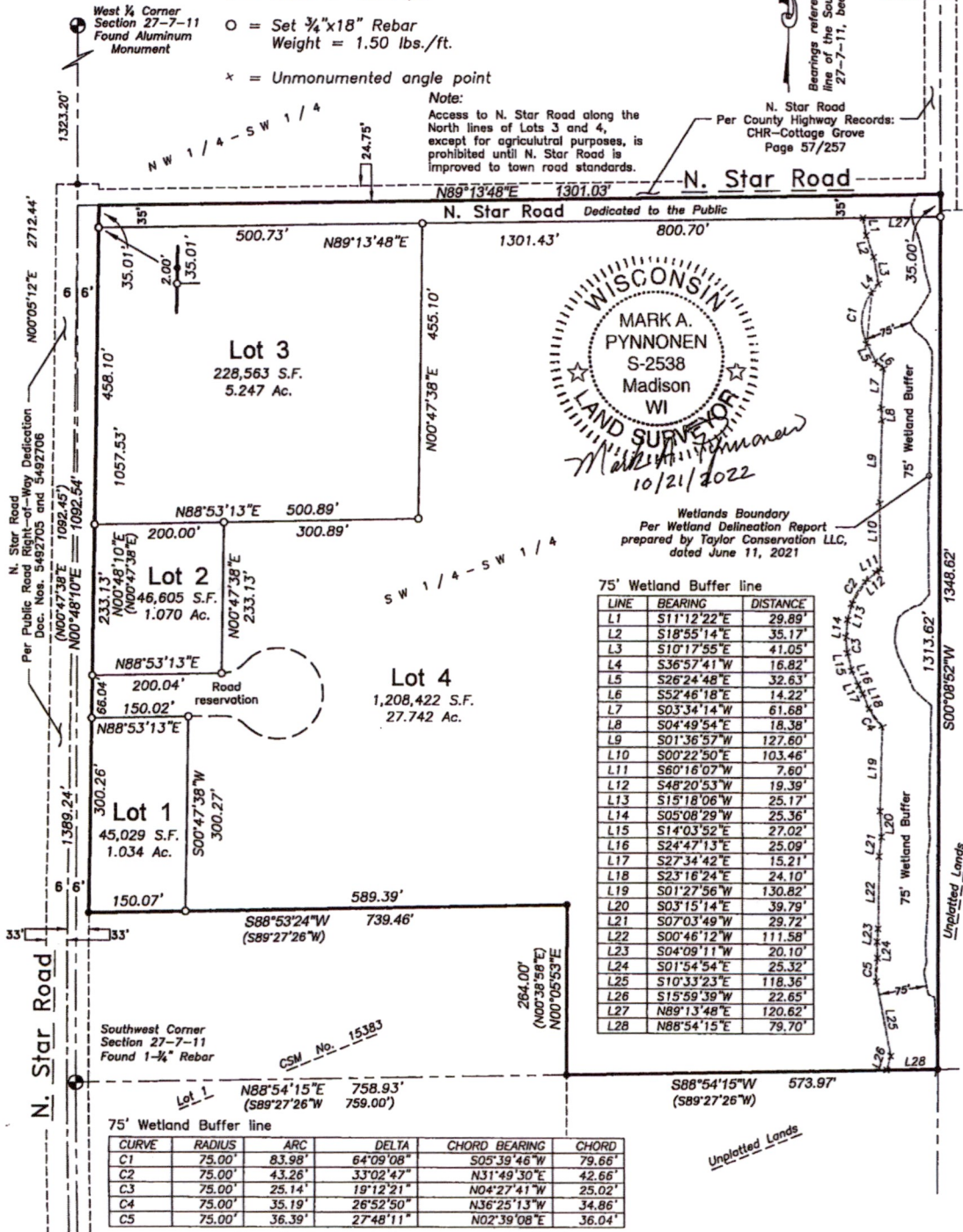
**Legend:**

- = Found 1" Iron Pipe
- = Set 3/4"x18" Rebar  
Weight = 1.50 lbs./ft.
- x = Unmonumented angle point

**Note:**  
Access to N. Star Road along the North lines of Lots 3 and 4, except for agricultural purposes, is prohibited until N. Star Road is improved to town road standards.

Bearings referenced to the West line of the Southwest 1/4, Section 27-7-11, bearing N00°05'12"E

N. Star Road  
Per County Highway Records:  
CHR-Cottage Grove  
Page 57/257



WISCONSIN  
MARK A. PYNNONEN  
S-2538  
Madison  
WI  
LAND SURVEYOR  
*Mark A. Pynnonen*  
10/21/2022

Wetlands Boundary  
Per Wetland Delineation Report  
prepared by Taylor Conservation LLC,  
dated June 11, 2021