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DEED RESTRICTION

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RETURN TO:

MARGE JACOBS  
2000 RANGE TRAIL  
VERONA, WI 53593

004442

Pet. No.: #8470

PIN: 0608-263-8501-3  
0608-263-9000-7

RESTRICTIONS

I. WHEREAS, DAVID & MARGARET JACOBS /are the owner/s of the following described land in the Town of VERONA Dane County, Wisconsin, to-wit:

LEGAL DESCRIPTION:

A PART OF THE SW1/4 OF SECTION 26, INCL. PART OF CSM NO. 5328, ALL IN T6N, R8E, TOWN OF VERONA, DANE COUNTY, WI, DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST 1/4 CORNER; THENCE N89°20'55"E 200.00 FEET ALONG THE E-W 1/4 LINE TO THE POINT OF BEGINNING; THENCE N89°20'55"E 1093.16 FEET TO A FOUND IRON STAKE AT THE NORTHEAST CORNER OF THE NW1/4 OF THE SW1/4; THENCE S0°13'03"W 1288.10 FEET TO A FOUND IRON STAKE AT NW COR. OF CSM NO. 5328; THENCE S89°46'35"E 16.68 FEET TO A FOUND IRON STAKE; THENCE S0°13'03"W 250.14 FEET; THENCE N84°32'13"W ALONG A MONUMENTED PROPERTY LINE 1295.05 FEET (PREV. REC'D AS S87°23'E 1298.3') TO THE CENTERLINE OF RANGE TRAIL; THENCE N1°55'E 30.31 FEET; THENCE ALONG A CURVE TO THE RIGHT OF RADIUS 640.59 FEET AND LONG CHORD OF N11°31'E 213.66 FEET TO THE SW COR. OF CSM NO. 8143; THENCE N78°16'06"E 397.81 FEET; THENCE N12°29'37"E 483.03 FEET; THENCE N89°13'48"W 357.00 FEET TO THE CENTERLINE OF RANGE TRAIL; THENCE N0°18'40"E 131.93 FEET TO THE SW COR. OF CSM NO. 4980; THENCE S88°53'11"E ALONG SAID CSM 351.92 FEET (EAST 351') TO A FOUND IRON STAKE; THENCE N1°51'55"W 289.88 FEET (N2°58'30"W 290') TO A FOUND IRON STAKE; THENCE N88°46'30"W 340.32 FEET (N89°56'21"W 340.08'); THENCE N0°18'40"E 183.57 FEET TO THE POINT OF BEGINNING. SUBJECT TO RANGE TRAIL OVER WESTERLY 33 FEET THEREOF.

II. WHEREAS said owner desires to place certain restrictions thereon, to bind the owner and those who may acquire title hereafter.

III. NOW, THEREFORE, in consideration of the mutual benefits passing to and from the owner and those who may hereafter purchase said land and the parties named as beneficiaries of these restrictions, the following restrictions are hereby imposed:

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1. That lots 1, 2, 3 be deed restricted specifying that no further subdivision will be allowed without a plat showing driveway access on to Range Trail

These restrictions shall constitute covenants running with the land and shall be binding upon all parties now owning any part of said land, their successors, heirs and assigns, and all parties

holding under them unless, pursuant to paragraphs V or VI of this instrument, said restrictions are amended or terminated.

**IV.** The restrictions provided for herein shall be enforceable at law or equity against any party who has or acquires an interest in the land subject to the restriction by the following parties who are named as grantees, promisees and beneficiaries with enforcement rights:

(a) The County Government of Dane County, Wisconsin provided that the lands are under the jurisdiction of zoning ordinance of said County at the time the enforcement action is commenced; and

(b) The Town Government of the Town OF VERONA Dane County, Wisconsin provided that the lands are within the governmental jurisdiction of said Town at the time the enforcement action is commenced.

(c) The owner(s) of record of any land/s which are located within 300 feet of the subject site.

**V.** The restrictions set forth in paragraph 3 above may be amended in the following manner:

(a) A written petition calling for the amendment of the restrictions may be made by the persons who are, at the time of the petition, owner/s of the lands subject to the restriction. Such petition shall be submitted to the Dane County Clerk who shall refer the petition to the Dane County Zoning & Natural Resources Committee (or successor committee) which committee shall schedule and hold a public hearing on the petition in the same manner as public hearings for zoning amendment petitions are noticed and scheduled.

Following such hearing, the committee shall issue a written report on the petition to the County Board of Supervisors which shall, by majority vote, approve or reject the petition. If approved, the petitioner/s shall draft the amendatory covenant instrument, have same executed by the owner/s of the lands subject to the restrictions and record same.

(b) Such amendment shall also require approval of the Town Board.

VI. The restrictions set forth in Paragraph 3 above may be terminated in the following manner:

(a) Termination may be accomplished through County Board approval of a petition for termination of the restrictions. The procedures for introducing and processing the petition shall be as provided in Paragraph V(a) hereof, except that the petition shall call for termination rather than amendment of the restrictions and the instrument which is recorded shall be an instrument of termination. Such termination shall also require approval of the Town Board.

(b) A rezone of the property to a different zoning district shall also act to repeal the covenant controls.

**IN WITNESS WHEREOF**, the said grantor/s have hereunder set their seal/s this 18TH day of OCTOBER 2002

