

Plat Restrictions

1. No business, trade, farming endeavors, commercial storage, or manufacture of any description shall be conducted upon the property hereby conveyed. Said property shall be used only for single family residential purposes. Home occupations are permitted in accordance with the terms and conditions of the Town of Beaver Dam Zoning Ordinance.
2. No advertising signs shall be erected upon the premises except "FOR SALE" or "FOR RENT" signs.
3. No lot shall be subdivided to create an additional buildable parcel. Under no circumstances shall the total number of single family residences in The Preserve at Crystal Farms exceed 21 lots.
4. No building shall be erected on any lot except a single family dwelling and garage. The garage shall be limited to a private garage for no more than four cars and reasonable storage. A maximum of one outbuilding may be erected for uses incidental to private recreational purposes, including swimming pools, and for the maintenance of the grounds. The exterior of any outbuilding or garage shall match the exterior of the home on the lot.
5. No building shall be erected within fifteen (15) feet of any lot line.
6. No residence shall be erected on the property hereby conveyed which contains less than 1,700 square feet of living space. Basement and garage space shall not be included in the square footage. House construction must be finished within one year of commencement. No residence shall be occupied until completed.
7. No "mobile home" or structure commonly known as a "double wide" mobile home shall be placed on any lot.
8. No building previously erected and used elsewhere shall be moved onto any parcel. This prohibition does not prevent the building of prefabricated or other prebuilt homes or structures so long as they were not placed and used in a different location prior to their placement within this subdivision.
9. The owner of each lot agrees to maintain his premises and keep the grass and weeds cut.
10. No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats and normal household pets may be kept so long as not kept, bred or maintained for any commercial purpose nor shall more than three (3) dogs and/or cats be kept on one lot.
11. All dog kennels shall be screened by opaque fencing, dividers or similar screening that will effectively block any view of the kennel interior from any other lot. No kennel shall be located closer than 30 feet from any lot line.

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12. No burning barrels shall be used on any lot at any time.
13. Street lighting. Each lot owner shall install, operate and maintain a post mounted yard lamp similar in style to Westinghouse W66235, Sea Gull 8255-12 or Kichler 9901BK. The yard lamp shall be installed on a private property no farther than 3 feet off the front property line and 10 feet from the edge of the driveway. Power to the yard lamp shall be controlled only by its circuit breaker and by a dusk to dawn photocell. Minimum illumination shall be 800 lumens. The minimum distance from the bottom of the lamp fixture to the ground shall be 7 feet.

14. Restrictions for Lot 3

The owner of Lot 3 shall not do any of the following within the retention easement area located on said lot;

- a. Fill, develop, improve or erect any structure.
- b. Obstruct surface water runoff to the retention area from the adjoining lots or from the adjoining roadway.
- c. Take any action that would prevent drainage to the pond.
- d. Modify the outlet structure in any manner without the approval of the Town of Beaver Dam as expressed in a resolution passed by the Town Board.
- e. Apply fertilizers, herbicides, pesticides or other chemicals.

The owner of Lot 3 shall do all of the following within the retention easement area located on said lot;

- a. Inspect the storm water drainage ways and swales, storm water basin banks, infiltration areas, and storm water basin inlet and outlet structures at least semiannually in early Spring and early Autumn, and make repairs whenever the performance of a storm water control structure is compromised.
- b. Minimize mowing in buffer areas, pond banks and drainage ways in order to maximize filtration of runoff. If occasional mowing is necessary, the mowing height will be no shorter than 6 inches.
- c. Restore the bottom of the retention area to its design elevation of 852 feet above mean sea level (NGVD-29) when so directed by the Town of Beaver Dam
- d. Restore the area between the above defined bottom periphery and the top of the retention area to a uniform slope from elevation 852 to 856 when so directed by the Town of Beaver Dam.

Routine maintenance of the retention easement area, as determined by the

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Town of Beaver Dam shall be the responsibility of the owner of Lot 3. This owner shall be solely responsible for any costs incurred for necessary maintenance of said retention easement area as to the depth, volume and surface area. The retention easement is part of Lot 3 and ownership of it shall be unseverable from said lot. The provisions of the easement specifically prohibit any encroachment into the easement area such as, buildings, plantings, fences, well/septic, utilities or anything else that may hinder the entry of construction equipment.

The purpose of these restrictions is to preserve and protect the ability of this retention easement area to accept excess surface waters from time to time. These restrictions shall not be construed so as to prevent development or building upon that portion of Lot 3 outside of the retention easement.

In the event the owner of Lot 3 violates any of the provisions above, the Town of Beaver Dam shall have the authority to enter, inspect and maintain all components of the storm water system. In such an event, all associated costs will be assessed back as a special charge against the property pursuant to Sec. 66.0627 Wis. Stats. Said charge shall be a lien on the property and shall be collected with the real estate taxes.

15. Where required, all driveway culverts shall be 18" dia. Minimum and shall be installed to conform to the indicated ditch/culvert grades shown on the plat.
16. No driveway access shall be allowed onto CTH "W" or onto Thompson Road.
17. These covenants are to run with the land in this subdivision and shall be binding on all owners, their heirs, successors and assigns, unless an instrument signed by the then owners of a majority of the lots has been recorded agreeing to change these covenants in whole or in part.
18. Enforcement shall be by proceedings at law or in equity against any persons violating or attempting to violate any of these covenants, either to restrain violation or to recover damages. Invalidation of any one of these covenants by judgment or court order shall in no way affect any of the other provisions which shall remain in full force and effect. This property is located within an agricultural area. You may be subject to inconvenience or discomforts arising from such operations including, but not limited to noise, odors, insects, fumes, dust, smoke, the operations of machinery of any kind during any 24 hour period, (including aircraft), the storage and disposal of manure, and the application by spraying or otherwise of chemical fertilizers, herbicides and pesticides. Inconveniences or normal farming practices and comply with local, state and federal laws, shall not be a nuisance.
19. All lots are prohibited from altering the existing drainage patterns I the public right-of-way and drainage easements.