

H. Gordon Bergquist

COOL HILL PARK ADDITION NO. 2

to

Covenants and Restrictions

The Public

KNOW ALL MEN BY THESE PRESENTS, That the Undersigned, H. Gordon Bergquist of 535 North Michigan Avenue, Apt. 2907, Chicago, Illinois, 60611, being first duly sworn, on oath states that he is the owner of all of the lots in Cool Hill Park Addition No. 2, a Subdivision located in Walworth County, Wisconsin, according to the recorded plat thereof, and he hereby declares that all of said lots are hereby subject to the following restrictions, covenants and conditions:

1. All lots shall be used for single family residences, and the construction of each residence shall be completed before the same may be used as living quarters.
2. Area of residence, exclusive of porches and garages, shall have a ground floor area of at least 960 square feet.
3. Only new construction is to be permitted, and the exterior of any building shall be completed in all respects prior to the expiration of nine (9) months from the start of construction. No old structure of any kind may be moved onto any lot.
4. There shall be a Building Committee composed of three persons who shall be lot owners or a spouse of a lot owner in said Subdivision. The Building Committee members shall be elected by the lot owners. The owner or owners of each lot shall be entitled to one vote. The three persons receiving the highest number of votes shall comprise the Building Committee and they shall so act until their successors are elected after ten (10) days written notice of such election to all lot owners addressed to their tax bill addresses.
5. No building, fence, wall or other structure shall be erected, maintained or altered within the said Subdivision without the prior written approval of the Building Committee of Cool Hill Park Addition No. 2. Complete plans and specifications therefor showing the design, dimensions, materials, grading, location on the lot and approximate cost of such structure shall first be submitted to and approved in writing by the Building Committee, which shall have the right to refuse to approve any such structure, plans, or specifications, or any portion thereof, which are not suitable in its sole opinion to maintain general harmony with the surroundings and the view or the outlook from the adjacent or neighboring property in the Subdivision. Within 30 days after the submission of said plans and specifications, said Committee shall approve or disapprove the same, with a two-thirds vote of the entire Committee being required for approval. Failure of the Committee to either approve or disapprove said plans or specifications within 30 days after submission of the same to the Committee shall constitute an approval thereof, except that such failure to approve said plan and specifications shall in no way abrogate or waive compliance with the terms and conditions of these covenants and restrictions.
6. No structure of a temporary character, trailer, house trailer, camper, mobile home, basement, tent, shack, garage, barn or other out-building shall be used on any lot at any time as a residence or stored thereon either temporarily or permanently.

7. No more than one truck shall be kept at or on any lot in said Subdivision. A garage must be provided for any such truck, which must be kept in its garage when not in use.

8. There shall be no outdoor privies constructed or used in the said Subdivision.

9. No For Sale or For Rent signs shall be larger than 12 inches by 12 inches in size.

10. The restrictions, covenants and conditions herein shall run with the land, are established for and in consideration of the protection and benefit of the present and future owners of lots in Cool Hill Park Addition No. 2, and shall be binding on them, their heirs, executors, administrators, successors and assigns. If any of said premises is used so as to violate said restrictions, covenants or conditions in any way on or before January 1, 1980, the title to such premises shall immediately revert to and revest in and become the property of H. Gordon Bergquist, his heirs, executors, administrators, successors and assigns, without any declaration of forfeiture, act of re-entry or any other act, and without any right to reclamation or compensation for moneys paid or improvements made on such premises. After January 1, 1980, enforcement of said restrictions, covenants and conditions shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any provision, either to restrain or to recover damages.

11. Outlot 2 in Block 7, as shown on the Plat of Cool Hill Park Addition No. 1, a subdivision located in Sections 34 and 35 of Town 4 North, Range 16 East, and in Sections 2 and 3 of Town 3 North, Range 16 East, shall be maintained by and shall be for the exclusive use in common for the owners of the following described parcels of land, or any parcels or lots sold out of such following parcels of land, to wit:

- A) All of the lots in Block 11, 12, 13 and 14 of Cool Hill Park Addition No. 2, located in Section 3 of Town 3 North, Range 16 East and Section 34 of Town 4 North, Range 16 East.
- B) Lot 12, Block 8 of Cool Hill Park Addition No. 1.
- C) A parcel of land located in the Southeast $\frac{1}{4}$ of Section 34, Town 4 North, Range 16 East, Walworth County, Wisconsin, described as follows: Commence at the Southeast corner of said Section 34; thence S1°16'W, 25.24 feet; thence S81°45'W, 101.39 feet; thence N1°16'E, 1300.57 feet; thence N71°57'W, 83.63 feet; thence N89°54'36"W, 413.00 feet to the place of beginning; thence continue N89°54'36"W, 721.22 feet; thence S1°24'03"W, 775.28 feet; thence N75°03'17"E, 138.63 feet; thence S64°46'E, 327.99 feet; thence N45°08'E, 9.47 feet; thence N35°59'E, 41.82 feet; thence N64°46'W, 330.19 feet; thence N51°35'02"E, 261.19 feet; thence N65°34'13"E, 166.66 feet; thence N51°06'29"E, 145.54 feet; thence N72°32'40"E, 135.56 feet; thence N3°47'18"W, 334.43 feet to the place of beginning. Parcel contains 9.723 acres of land more or less.

D) A parcel of land located in the Southeast $\frac{1}{4}$ of Section 34, Town 4 North, Range 16 East, and the Northeast $\frac{1}{4}$ of Section 3, Town 3 North, Range 16 East, Walworth County, Wisconsin, described as follows: Commence at the Southeast corner of said Section 34; thence South $1^{\circ}16'$ West, 25.24 feet; thence South $81^{\circ}45'$ West, 101.39 feet; thence North $1^{\circ}16'$ East, 243.45 feet to the point of beginning; thence continue North $1^{\circ}16'$ East, 441.71 feet; thence South $51^{\circ}25'33''$ West, 136.78 feet; thence South $54^{\circ}54'50''$ West, 267.21 feet; thence North $73^{\circ}39'21''$ West, 70.63 feet; thence South $40^{\circ}58'03''$ West, 132.11 feet; thence South $33^{\circ}05'35''$ West, 107.55 feet; thence South $45^{\circ}41'52''$ West, 161.75 feet; thence South $58^{\circ}23'42''$ West, 101.37 feet to a point on a curve; thence along a curve to the right, with a radius of 133.00 feet and the chord of said curve bears South $50^{\circ}10'15''$ East, 65.16 feet, 65.83 feet; thence South $35^{\circ}59'30''$ East, 103.25 feet; thence North $56^{\circ}40'30''$ East, 189.00 feet; thence South $81^{\circ}00'58''$ East, 190.29 feet; thence North $56^{\circ}06'37''$ East, 330.79 feet to the point of beginning, parcel contains 5.381 acres more or less, all in Walworth County, Wisconsin.

All in Walworth County, Wisconsin.

Dated this 6th day of October, 1972, at Elkhorn, Wisconsin.

H. Gordon Bergquist

STATE OF WISCONSIN)
) ss.
WALWORTH COUNTY)

Personally came before me, this 6 day of October, 1972, the above named H. Gordon Bergquist to me known to be the person who executed the foregoing instrument and acknowledged the same.


Robert W. Arnold
Notary Public, Walworth County,
Wisconsin.

My Commission is Permanent.

This instrument was drafted by

Robert W. Arnold, Attorney, Elkhorn, Wis.

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