DECLARATION OF RESTRICTIONS
FOR
THE SNYDER FARM

KNOW ALL PERSONS BY THESE PRESENTS; that F&M SNYDER FAMILY, LLC a limited liability company duly organized and existing under and by virtue of the laws of the State of Wisconsin, located at Waukesha, Wisconsin (the "Developer", which term shall also include the duly authorized agent of the Developer). Developer is the owner of THE SNYDER FARM subdivision, being a part of the NE 1/4 of Section 26, Town 8 North, Range 17 East, Town of Oconomowoc, Waukesha County Wisconsin, (herein referred to as "The Snyder Farm"). Developer intends to establish a general plan for the use, occupancy and enjoyment of The Snyder Farm, and in furtherance of the general purpose set forth in Section A, below, does hereby declare for the mutual benefit of present and future owners of lands in The Snyder Farm (herein referred to individually as "owner" and collectively as "Owners"), that The Snyder Farm shall be subject to the following restrictions and covenants.

A. GENERAL PURPOSE

1. The general purpose of this Declaration of Restrictions and Covenants for The Snyder Farm Subdivision (herein referred to as the "Declaration") is (1) to promote the harmonious development of The Snyder Farm into a residential community of high quality while protecting the natural beauty and quality of the environment; (2) to help insure that it will become and remain an attractive community; (3) to preserve the open space within; (4) to guard The Snyder Farm against the erection of poorly designed or proportioned structures; (5) to require harmonious use of materials; (6) to promote the highest and best residential development of The Snyder Farm; (7) to require the erection of attractive homes in appropriate locations on building sites;(8) to require proper setbacks from streets and adequate free spaces between structures; and (9) in general, by such actions to maintain and enhance the value of investments made by purchasers of properties in The Snyder Farm.

B. BUILDING AND USE RESTRICTIONS

1. All lots in The Snyder Farm are restricted to the erection of a one story, story and one-half, or two-story single-family residence building with a minimum square footage of living space (without regard for basement level areas) as specified in Paragraphs B.2 through B.5, below, and with an attached garage which will accommodate at least two cars and with a minimum of 2 baths.

2. The minimum size of a one-story residence shall be 2000 square feet on the first floor.

3. A story and one-half residence shall have a minimum of 2400 square feet in total on both floors and the first floor must have a minimum of 1200 square feet.

4. A two-story residence shall have a minimum of 2400 square feet in total on both floors and a minimum of 1500 square feet on the first floor.

5. A tri-level residence shall have a minimum of 2400 square feet in total on all three floors with a minimum of 1500 square feet on the main floor.

6. The garage must be attached to the residence directly or by breezeway or built into the basement of the residence and must be constructed with the residence. The maximum size of the garage shall conform to Town of Oconomowoc (hereinafter referred to as the "Town") ordinances and Waukesha County. Garage entrances must be on the side of the building. Canted garages at an angle to the dwelling of not more than 135 degrees shall be permitted.

7. The exterior walls of the residences and attached garage must be constructed of brick, stone, stucco, solid wood siding, Hardiplank/ L.P. Smartside siding, or its equivalents. Certain artificial stone products may be allowed if specifically approved by Developer. Siding materials such as aluminum, vinyl, steel, pressed board, masonite or plywood will not be permitted. Fascia may only be made of the siding materials permitted above for exterior walls (not aluminum or vinyl). Any exposed basement or foundation wall must be covered with masonry veneer, Stucco or its equivalent or the siding materials used on the exterior walls above such exposed wall. The exterior portion of all chimneys shall be of masonry construction or shall have masonry of brick or stone. All roof areas having an appropriate pitch as set forth below shall be covered with wood shakes, or a minimum 30-year dimensional fiberglass shingle. All exterior material exchanges must be on an inside corner of the building. A minimum of 35% of the front facade of each residence must have brick or stone coverage. Front facade defined as the front door of the residence toward the street. All sides of the building must have a window, door, chimney or architectural element at least every 20 feet on each wall.

8. All two story and story and one-half residence roofs shall have a minimum pitch of eight feet in height for each twelve feet in length (8/12), except for porch roof or rear dormers on a story and one-half residence. All one-story residence roofs shall have a minimum pitch of ten feet in height for each twelve feet in length (10/12). A lower minimum roof pitch may be allowed for the sake of overall design compatibility if approved in writing by Developer.

9. The residence with attached garage, a sodded or established seeded lawn and a concrete driveway must be completed within one year of occupancy.

10. Only one residence may be erected on a lot. Home business operations must be approved by the Committee and Lot Owner must have all required approvals from the Town of Oconomowoc or Waukesha County in order to operate a home business as provided in the applicable zoning code.

11. There shall be no operation of motorcycles, snowmobiles, off road vehicles or race-tracks and landing strips allowed on a lot.

12. The minimum setback from any abutting street right-of-way is 35 feet. The minimum side yard setback is 20 feet. The minimum rear yard setback is 35 feet unless otherwise stated on the final plat.

13. Driveway: The owner of each Lot shall within one year of occupancy install a hard surfaced concrete driveway. No driveway shall be less than 18 ft in width or exceed 22 ft in width at the outer or street edge unless special permission is obtained from the town board. Interference with intersections is prohibited. At street intersections, a driveway shall not provide direct ingress or egress from the street intersection area and shall not occupy areas of the roadway deemed necessary by the Town Board for effective traffic control or for highway signs or signals. No driveway apron shall extend out into the street further than the edge of the paved road. All driveway entrances and approaches shall be so constructed that they shall not interfere with the drainage of streets, side ditches, roadside areas or with existing structures on the right-of-way. When required by the Highway Superintendent to Town Board to provide adequate surface water drainage along the street, the property owner shall provide any necessary culvert pipe at his/her own expense. The installation of such culvert pipe shall be the expense of the property owner and shall be according to the requirements of the permit. Such culverts shall be the length and diameter specified by the Highway Superintendent, and in no case shall a culvert pipe have a diameter of less than 15 inches. No more than one driveway entrance and approach shall be constructed for any lot or premises, except where deemed necessary and feasible without undue impairment of safety, convenience and utility of the street by the Highway Superintendent. Any two approaches shall be at least 10ft apart. The permittee shall assume all responsibility for any injury or damage to persons resulting directly or indirectly during construction or repair of the driveway approaches

or entrances. If a driveway is installed as a concrete driveway, the following requirement will apply. Where concrete driveways were installed and extended to the traveled portion of the roadway and the roadway is reconstructed (milled and resurfaced), up to 6(six) feet of the concrete driveway may be removed by the Town, and that portion of the apron removed shall be replaced by the Town with bituminous concrete.

14. There shall be no outside storage of boats, trailers, buses, commercial trucks, recreational vehicles or other vehicles or items deemed to be unsightly by the Developer or The Snyder Farm Homeowners Association, Association created pursuant to Section C, below. Items parked/stored more than 7 days will be in violation of this provision. All county ordinances shall also be followed.

15. All building plans and the exterior design of each building to be constructed (B1 thru B9), all yard grades, stakeout surveys, must be approved by Developer in writing prior to application for a building permit. Owners are to submit 2 scalable copies of the building plans and survey including landscaping as well as 1 digital copy in the form of an Adobe PDF. All landscape plans can be submitted at a later date, but must be submitted and approved prior to the start of any landscaping. In addition, landscape plans and basic site features such as fences (shall be of a decorative style for decks and pools; in no event will chain link or privacy fences be allowed). Swimming pools must be in- ground and located in the backyard. All pool related equipment (pump, heater, and filter) must be concealed in an enclosure to minimize noise and visibility. Retaining walls shall be constructed of natural stone or wood timbers only, additions, play sets, manmade yard art and other temporary or permanent structures or elements are subject to the prior written approval of Developer. Developer's approval shall be based upon the building and use restrictions contained in this Section B for The Snyder Farm Subdivision which Owner shall obtain from Developer prior to submitting plans to Developer for approval. Developer may withhold exterior design approval if the design is deemed to be too similar in appearance to others. Following such time that a principal residence has been constructed upon each lot in, The Snyder Farm Developer may, but shall not be obligated to, delegate to the Association the approval authority contained in this Paragraph 14, to be effective. Notice of such delegation shall be effective when provided to each owner and recorded in the office of the Register of Deeds for Waukesha County, Wisconsin

16. At the time of construction of a residence the Owner shall install at a location designated by Developer, one electric post lamp with a unswitched photo-electric control. The design of the post lamp shall be uniform throughout. The Snyder Farm post lamp shall be maintained by the Owner in a proper operating manner. If the post lamp is not so maintained, maintenance shall be performed by the Association, and the cost of such maintenance shall be an assessment against the Owner, payable within 10 days after the date of the assessment.

17. The design and size of each mailbox/newspaper box shall be uniform throughout The Snyder Farm and placement shall be subject to approval of the Developer and the USPS.

18. There shall be no satellite dish antennas having a diameter in excess of 30 inches. No antenna or satellite dish shall be mounted or installed on any roof visible from the street side of the residence. Any antenna or satellite dish shall be placed and screened so as to minimize its visibility from roadways and neighboring lots.

19. Accessory buildings are allowed and cannot be larger than 600 square feet. Accessory buildings must be constructed of materials and architecture similar to what is used on the residence. Accessory buildings cannot be located more than 40 feet from the rear of the residence, and no closer than 10 ft from the residence and must be located no closer to the road than the main residence, with a minimum of 20 feet from the side lot line. Restriction is for each lot. Owner cannot combine lots to meet restriction 1%.

20. The Town of Oconomowoc shall have the right and authority to permit variances from application thereof. The Developer shall have the right and authority to modify the

Building Restrictions if in its opinion, the modification or variance is consistent and compatible with the overall scheme of development of The Snyder Farm. No such modification shall be in violation of local ordinances or have the effect of revoking an approval previously granted in writing hereunder. Notwithstanding the foregoing, any such modifications or variances shall be at the sole and absolute discretion, aesthetic interpretation and business judgment of the Developer, and this paragraph and any modifications or variances granted hereunder shall not in any way be interpreted (i) as preventing the Developer from requiring at any time, and from time to time, strict compliance with the Building Restrictions, or (ii) as entitling any person to a modification or variance not approved and granted in writing by the Developer.

21. Building Pad and Grading on Lots. All final grading and turf planting of each lot must be completed within 12 months of taking occupancy and the lot shall have established turf on it in its entirety with the exception of landscape areas. The owner or permittee shall be responsible, including cost of review for submitting a site grading plan to be approved by the Town of Oconomowoc Engineer and be filed in the office of the Town of Oconomowoc Clerk.

22. In order to obtain this approval, it shall first be necessary for the Lot owner, at his or her expense, to have prepared a grading plan which shows in detail the area to be re-graded, the existing and proposed topography, analyzes the effects on site and area drainage, and is a plan which does not unreasonably affect an adjacent Lot owner with regards to drainage or their viewing of unreasonable slope treatment.

    Each Lot owner must strictly adhere to and finish grade their Lot in accordance with the Lot Grading Plan or any amendment thereto approved by the Town of Oconomowoc Engineer on file in the office of the Town of Oconomowoc Clerk. The Developer, until developer no longer exercises authority or The Snyder Farm Homeowner's Association, and/or the Town of Oconomowoc and/or their agents, employees or independent contractors shall have the right to enter upon any Lot, at any time, for the purpose of inspection, maintenance, or correction of any drainage condition, and the Lot owner is responsible for cost of the same.

    Subdivision grading has been performed with the intention that home construction on each lot takes place within a building pad area consisting of a strip of land extending from the minimum front yard setback line to a line parallel to and 50 feet back from said front yard setback line, with a width of 80 feet. Construction of the home and/or other improvements beyond the limits of such building pad area may result in an increased risk of encountering adverse subsoil conditions.

23. Trees. The Town of Oconomowoc has required the Developer to plant certain trees as indicated in the landscape planting plan approved with the final plat of the subdivision (a type approved by the Town of Oconomowoc). Tree planting on each individual lot is allowed and will be reviewed when the developer is presented a landscape plan (see B-14) for said lot. Trees shall not be allowed to be planted closer than five (5) feet from the side yard lot line and 20 feet from the front lot line. The minimum size of such trees at planting shall be two and one-half to three-inch (2 1/2-3) calipers or larger at a height four (4) feet above ground. Each Lot owner shall be responsible for protecting and maintaining, including watering and fertilizing as necessary, any trees located on their Lot. The Lot owner shall replace any trees that die for any reason at Lot owner's expense and shall continue to maintain and protect said trees. No trees can be removed in the Outlot areas by lot owners. Each lot owners is required to plant a minimum of 2 street side trees.

    No existing live tree with a diameter of eight (8) inches or more at a height four (4) feet above ground shall, without approval of the Developer, may be cut down, destroyed, mutilated, moved or disfigured. All existing trees shall be protected during construction and preserved by wells or islands and proper grading in such a manner as may be required by the Developer. Existing live trees with a diameter of eight (8) inches or more