

DECLARATION OF RESTRICTIONS

4828073

REGISTER OF DEEDS
WAUKESHA COUNTY, WI
RECORDED ON

July 21, 2025 03:54 PM
James R Behrend
Register of Deeds

4 PGS
TOTAL FEE:\$30.00
TRANS FEE:\$0.00

Book Page -



Recording Area

Document Number

Document Title

Name and Return Address:

John Burton
S69 W39606 County Road N
Eagle, WI 531119

Parcel Identification Number (PIN):

EGLT 1751.996

WHEREAS, the Town of Eagle has reviewed and approved a conveyance, granting the undersigned permission to transfer 12.779 gross acres of land, which are described below and attached as Exhibit A, to an adjacent property owner, conditioned upon certain conditions being agreed to by the undersigned, and

WHEREAS, the 12.779 acres to be transferred are part of the "John A. Burton & Nancy L. Burton Joint Irrevocable Trust Farm Tracking Unit", which included a total of 102.2 acres, that are planned as "Farmland Preservation" on the Comprehensive Development Plan for Waukesha County, providing for a maximum density of one dwelling unit per 35-acres, and

WHEREAS, the "John A. Burton & Nancy L. Burton Joint Irrevocable Trust Farm Tracking Unit" was permitted up to two (2) development rights in accordance with the Comprehensive Development Plan for Waukesha County, both of which have been utilized and therefore no development rights remain, and

WHEREAS the undersigned are agreeable to these conditions, and

WHEREAS these conditions are to go with the land and are to transfer to all heirs and assigns.

NOW, THEREFORE, the undersigned hereby executes this Declaration of Restrictions imposing the following conditions on the following described property:

LEGAL DESCRIPTION OF ACRES TO BE TRANSFERED:

.Description: Being a part of the SE 1/4 of the SW 1/4 of Section 6, T5N, R17E, Town of Eagle, Waukesha County, Wisconsin, bounded and described as follows:

BEGINNING at the Concrete Monument with Brass Cap that marks the Southeast corner of the SW 1/4 of said Section 6; Thence N89°29'50"W, along the South line of said SW 1/4, a distance of 824.89 feet, to the Easterly line of Lot 2 of Certified Survey Map No. 10087 recorded in the Waukesha Register of Deeds Office in Volume 94 of Certified Survey Maps, on Page 305 as Document No. 3318489 and to a Set 3/4"x18" Iron Rebar (1.502 lbs/lin ft); Thence N00°40'28"W, along said Easterly line, a distance of 678.23 feet, to the Center Line of County Road "N"; Thence S88°58'56"E, along said Center Line, a distance of 826.18 feet, to the East line of said SW 1/4; Thence S00°34'49"E, along said East line, a distance of 670.78 feet, to the POINT OF BEGINNING, containing 556,659 square feet or 12.779 Acres of land, more or less.

These lands are a portion of Tax Key No EGLT 1751.996, south of C.T.H. N.

CONDITIONS IMPOSED:

1. The John A. Burton & Nancy L. Burton Joint Irrevocable Trust Farm Tracking Unit contains 102.2 acres which are subject to a 35-acre density factor when determining available development rights. One development right was utilized on the original farmhouse on lands north of C.T.H. N and the other development right was utilized in 2005 on the lands south of C.T.H. N. (current tax key EGLT 1754.992.002). Therefore, no remaining development rights exist for the John A. Burton & Nancy L. Burton & Joint Irrevocable Trust Farm Tracking Unit.
2. The 12.779 acres being transferred, which is referenced in the legal description above, shall not be included in the total acreage of any future Farm Tract when evaluating future development rights so long as the

Signed:

John A. Burton
John A. Burton

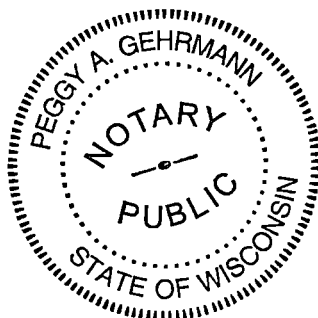
Representative of the John A. Burton & Nancy L. Burton Joint Irrevocable Trust

STATE OF WISCONSIN)

)ss.

COUNTY OF WAUKESHA)

Personally came before me this 30th day of June, 2025, the above named owner(s) of lands described above, John A. Burton to be known to be the person(s) who executed the foregoing instrument and acknowledged the same.



NOTARY PUBLIC

Peggy A. Gehrmann

My Commission Expires: 11-10-2026

Exhibit A: Lands to be transferred

This instrument was drafted by the Town of Eagle Planner (Rebekah Leto)

N:\PRK\DLU\PLANNING AND ZONING\COMMUNITY ASSISTANCE\T EAGLE\STAFF REPORTS AND PROJECTS\2025\BURTON FLP LAND TRANSFER\BURTON FLP TRANSFER_EAGLE.DOCX

Plat of Survey

EXHIBIT A

Survey For: John & Nancy Burton

Location: County Road "N", Town of Eagle, Waukesha County, Wisconsin.

Description: Being a part of the SE 1/4 of the SW 1/4 of Section 6, T5N, R17E, Town of Eagle, Waukesha County, Wisconsin, bounded and described as follows:

BEGINNING at the Concrete Monument with Brass Cap that marks the Southeast corner of the SW 1/4 of said Section 6; Thence N89°29'50"W, along the South line of said SW 1/4, a distance of 824.89 feet, to the Easterly line of Lot 2 of Certified Survey Map No. 10087 recorded in the Waukesha Register of Deeds Office in Volume 94 of Certified Survey Maps, on Page 305 as Document No. 3318489 and to a Set 3/4"x18" Iron Rebar (1.502 lbs/lin ft); Thence N00°40'28"W, along said Easterly line, a distance of 678.23 feet, to the Center Line of County Road "N"; Thence S88°58'56"E, along said Center Line, a distance of 826.18 feet, to the East line of said SW 1/4; Thence S00°34'49"E, along said East line, a distance of 670.78 feet, to the POINT OF BEGINNING, containing 556,659 square feet or 12.779 Acres of land, more or less.

Subject to all rights, reservations, restrictive covenants, and easements recorded or unrecorded.

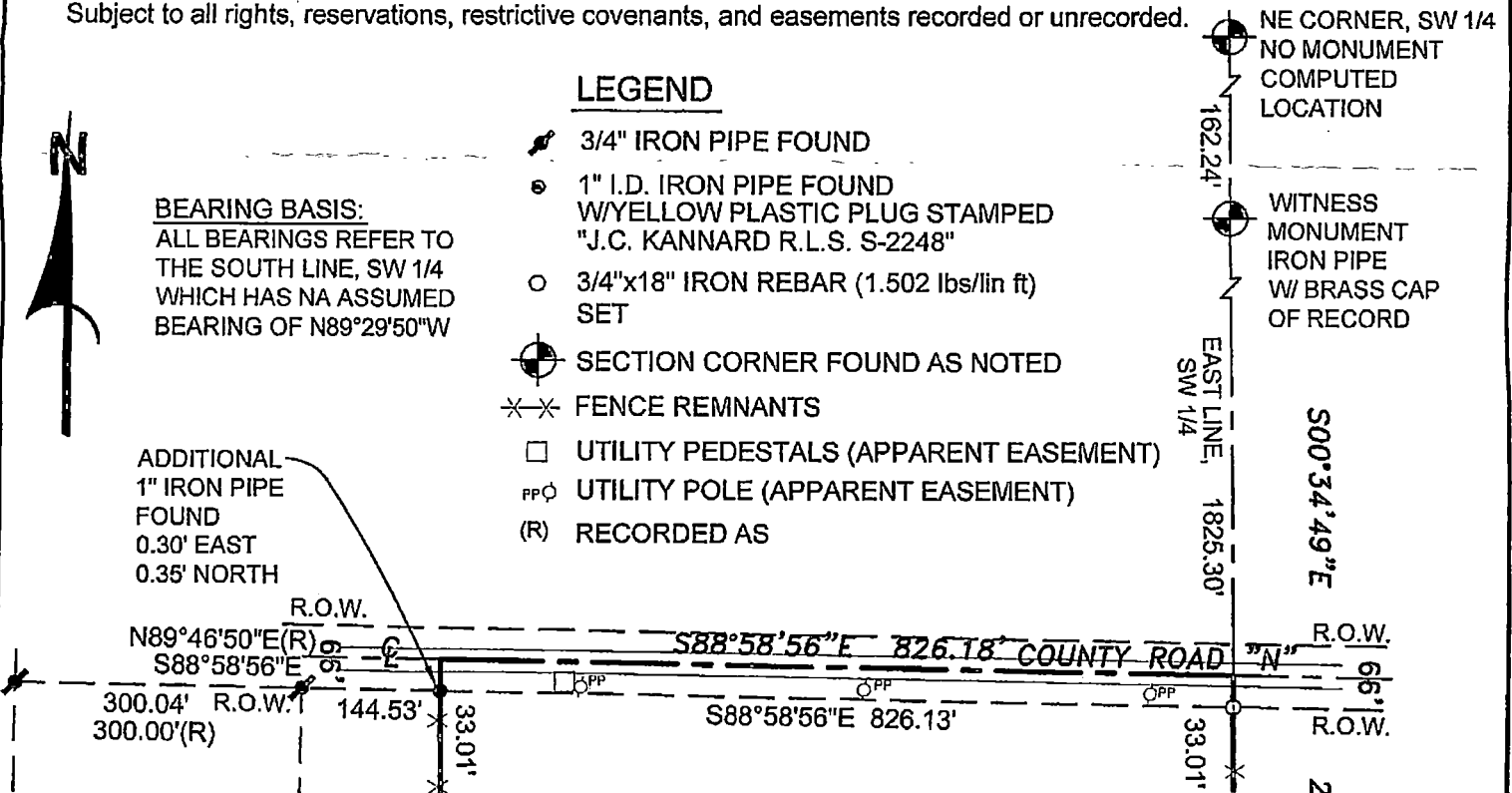
LEGEND

-  3/4" IRON PIPE FOUND
-  1" I.D. IRON PIPE FOUND
W/YELLOW PLASTIC PLUG STAMPED
"J.C. KANNARD R.L.S. S-2248"
-  3/4"x18" IRON REBAR (1.502 lbs/lin ft)
SET
-  SECTION CORNER FOUND AS NOTED
-  FENCE REMNANTS
-  UTILITY PEDESTALS (APPARENT EASEMENT)
-  UTILITY POLE (APPARENT EASEMENT)
- (R) RECORDED AS

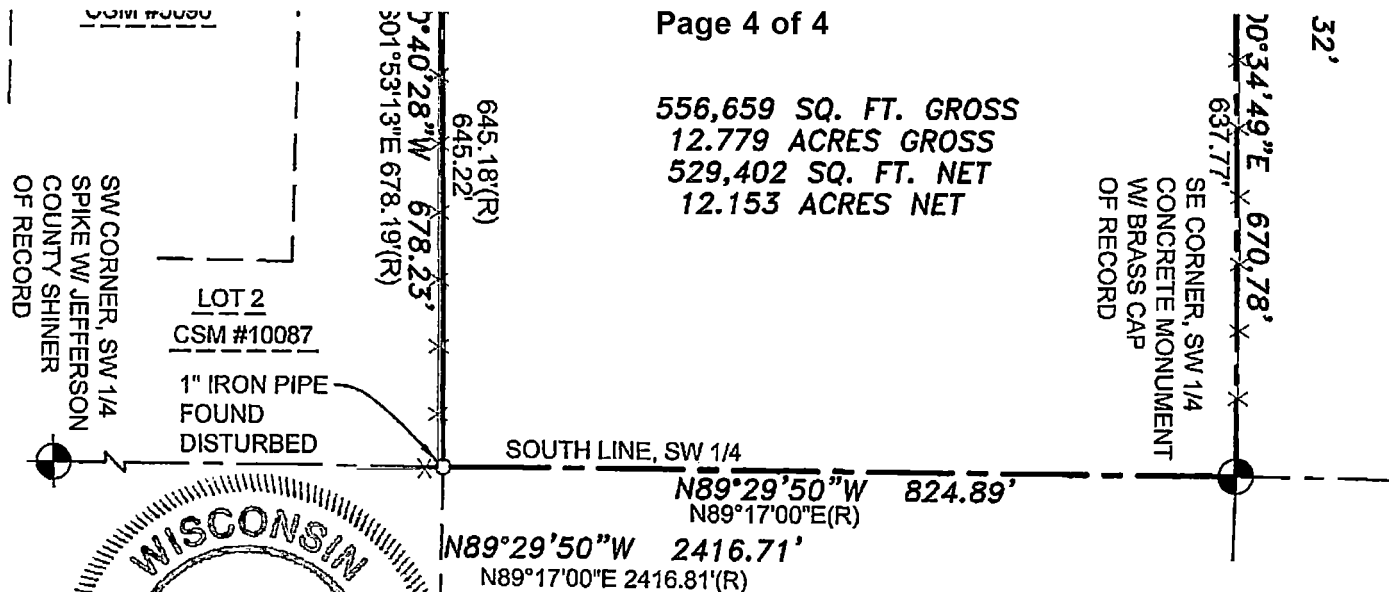
BEARING BASIS:

ALL BEARINGS REFER TO
THE SOUTH LINE, SW 1/4
WHICH HAS NA ASSUMED
BEARING OF N89°29'50"W

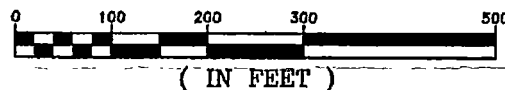
ADDITIONAL
1" IRON PIPE
FOUND
0.30' EAST
0.35' NORTH



556,659 SQ. FT. GROSS
12.779 ACRES GROSS
529,402 SQ. FT. NET
12.153 ACRES NET



GRAPHIC SCALE



SOUTHWEST

SURVEYING & ASSOCIATES, Inc.

W1065 COUNTY ROAD CI, HELENVILLE, WI. 53137
262-495-4910
920-674-4884

State of Wisconsin)
Jefferson County) ss I certify that I have surveyed the above described (property) and the above map is a true
representation thereof and shows the size and location of the Property, its exterior boundaries, the location and
dimensions of all visible structures thereon, fences, apparent easements and roadways and visible encroachments,
if any, this survey complies with Chapter A-E 7, to the best of my knowledge and belief.

THIS IS A JOHN C. KANNARD AUTHORIZED
PRINT ONLY IF SIGNATURE APPEARS IN
RED INK ON BLACK LINE PRINT.

JOHN C. KANNARD, Professional Land Surveyor

SHEET 1 OF 1
DATE: MARCH 13, 2025
JOB NO: B-224168