

DECLARATION OF RESTRICTIONS TO THE PLAT OF
BOSSHARD ADDITION TO THE TOWN OF SHELBY

William Bosshard, Sabina Bosshard, Kurt Bosshard and John Bosshard III, the Developers of all property within the boundaries of the plat of Bosshard Addition to the Town of Shelby, La Crosse County, Wisconsin, hereby make the following declaration as to limitations, restrictions, and uses of the land for the benefit of the present owner and all future owners of lots in the Bosshard Addition.

The declarations herein shall be covenants running with the land, as provided by law, and shall be binding on all parties and all persons claiming under them; these declarations of restrictions are designed for the purpose of keeping Lots in Bosshard Addition, an area which is desirable, uniform and suitable in architectural design and use as specified herein:

I. LAND USE AND BUILDING TYPE

All lots shall be used for Single-Family residence purposes as provided in the R-1 Zoning District (Single Family Residential District). No building shall be erected, altered, placed or permitted to remain on any of said lots other than a one family residential dwelling with one attached garage for a minimum of two cars and a maximum of four cars with a maximum three car width.

II. ARCHITECTURAL AND ENVIRONMENTAL CONTROL

No building shall be erected, placed or altered on a lot until the construction plans and specifications and a plan showing the location of the structure have been approved by the Architectural and Environmental Control Committee as to the quality of workmanship and materials, harmony of external design with existing structures, and as to location with respect to topography finish grade elevations and exterior property lines. The exterior color shall be one which will compliment the environment of the area.

III. DWELLING SIZE AND QUALITY

No dwellings shall be permitted on any parcel of land which do not meet the following minimum requirements: The ground floor area of the main structure, exclusive of one-story open porches and garages, shall not be less than one thousand four hundred (1400) square feet for a one-story, nor less than one thousand (1000) square feet for a dwelling of more than one-story above ground level. Split entry or split foyer homes shall have a

minimum of one thousand (1000) square feet on the main floor. All state and city building codes must be complied with and all dwellings shall be stick built on the job site.

IV. MINIMUM VALUE OF DWELLINGS

Any dwelling constructed on lots 1-3 in this plat shall have a minimum value of \$140,000.00 and lots 9-15 and all others shall have a minimum value of \$150,000.00 at the time of construction based upon existing construction costs as of September 1, 1991. The valuation shall include the complete lot, landscaping, dwelling, garage, heating, plumbing and electrical system, but shall not include appliances and furnishings. It is understood that said minimum amount is intended to fluctuate with the rise and fall of construction costs.

V. RENTALS OR LEASES

No Single-Family dwelling may be rented or leased for the production of income without the written approval of the Architectural and Environmental Control Committee of which will not be unreasonably withheld.

VI. EASEMENTS

All lots shall be served with telephone and electricity and other utilities easements which are established on the plat or cited in the deed and all easements shall provide for the installation and maintenance by the particular utility company.

Easements are hereby expressly reserved for the creation, construction and maintenance of water drainage ditches or channels. Such water drainage easements shall be confined to the rear six (6) feet of every lot and six (6) feet along each side of every lot. No property owner shall alter in any way, by fill or cut, any natural or preconstructed drainage ditch or channel or block water drainage within six (6) feet of the lot lines without the written consent of the Architectural and Environmental Control Committee nor shall any substantial cut or alteration of natural terrain other than the excavation of basements be made without the written approval of the Architectural and Environmental Control Committee.

VII. SIGNS

No sign of any kind shall be displayed to the public view on any parcel of land except one professional sign of not more than two (2) foot square, one sign not more than three (3) feet square advertising the property for sale, signs used by a builder to

advertise the property during the construction and sales period, or a sign used by the developer to advertise the lots in the Bosshard Addition.

VIII. GARBAGE AND REFUSE DISPOSAL

No parcel of land shall be used or maintained as a dumping ground for rubbish, trash, garbage or other waste. Rubbish, trash, garbage and other waste shall be kept in clean and sanitary containers. No incinerators shall be allowed. Garbage cans shall be made of rubber type material to reduce unnecessary noise.

IX. NOXIOUS PRACTICES

No noxious or offensive trade, activity or practice shall be carried on, nor shall any trade become an annoyance or a nuisance to other residents.

X. PREVIOUSLY ERECTED BUILDINGS

No building previously built elsewhere shall be moved into this subdivision, no basement homes or log homes are permitted. It is the sole discretion of the Architectural Control Committee to accept or reject any home plan that may in the view of the committee detract from the appearance of the Bosshard Addition.

XI. OUTBUILDINGS

Outbuildings must be approved by the Architectural and Environmental Control Committee, approval of which will not be unreasonably withheld.

XII. CONSTRUCTION PERIOD

Any building erected on any parcel of land shall be completed within six months from the date of commencement and no building shall be allowed to remain with tarpaper or building paper sheathing for a period of longer than three months. The construction site shall be picked up and reasonably free of debris at all times.

XIII. STORAGE OF VEHICLES AND BOATS

Motor homes, camping trailers, boat trailers, boats, buses and trucks over a one ton, shall not be stored or parked on any

public street within the Bosshard Addition for more than 48 hours except that said items may be stored or parked within a garage attached to any dwelling in said Addition. No semi-tractors and trailers shall be stored or parked on said lots in the Bosshard Addition at any time except for the purpose of making deliveries or moving persons into or out of residences located in said Addition.

XIV. TEMPORARY RESIDENCES

No trailer, basement, tent, shack, garage, barn or other out buildings erected on this property shall be used as temporary or permanent residence.

XV. OUTDOOR LIGHTING TELEVISION DISCS AND TOWERS

Exterior lighting attached to a separate structure such as a post or pole that exceeds 8 feet in height shall not be allowed. Television satellite discs are prohibited on any lot in this Addition. Radio, television, or any other tower or antenna is prohibited anywhere on the exteriors.

XVI. LANDSCAPING

The entire lot shall be completely sodded and landscaped within two months after the occupancy of the dwelling. Additional time to complete the landscaping may be granted by the Architectural and Environmental Control Committee if weather conditions prevent completion within the prescribed time. All property owners shall be required to control weeds and grasses in the areas affronting their property to include the city street right-of-way.

XVII. FENCING

Any fences which are constructed on any parcel of land must be built with wooden fencing material or such other material as approved by the Architectural and Environmental Control Committee.

XVIII. SWIMMING POOLS

Swimming pools shall be limited to the standard type. All pools must be enclosed by a fence with a minimum height of six feet and have a gate that must be secured. No above ground pools shall be allowed.

XIX. ARCHITECTURAL AND ENVIRONMENTAL CONTROL COMMITTEE

Membership: As long as William Bosshard, Sabina Bosshard, Kurt Bosshard and John Bosshard III retain ownership of land parcels in the subject area, the Architectural and Environmental Control Committee shall consist of three members, William Bosshard and two others appointed by him. A majority of the Committee may designate a representative to act for them. In the event of the death or resignation of any member of the Committee, the remaining members shall have full authority to designate a successor. Neither the members of the Committee nor its designated representative shall be entitled to compensation for services performed pursuant to this covenant. When the Bosshards cease to own any of the subject land parcels, a majority of the then record owners of the land parcels shall have the power through a duly recorded written instrument to change the membership of the Committee or restore to it any of its power and duties.

Procedure: The Committee's approval or disapproval as required in these covenants shall be in writing. In the event the Committee or its designated representative fails to approve or disapprove within 30 days after plans and specifications have been submitted to it, or in any event, completion thereof, approval will not be required and the related covenants shall be deemed to have been fully complied with.

This Article shall not be amended without the written approval of the Bosshards while said individuals retain ownership of land parcels in the subject area.

XX. TERM

These covenants are to run with the parcels of land designated as the Bosshard Addition to the City of Shelby, WI and shall be binding on all parties. Any restriction may be changed or amended with a meeting having at least 30 days notice, a quorum being present and a 75% majority vote.

XXI. SEVERABILITY

Invalidation of any one of these covenants and restrictions by judgment or court order shall in no way affect any of the other provisions which shall remain in full force and effect.

XXII. VIOLATION OF RESTRICTIONS

These restrictions and covenants are to run with the land and they are put into effect for the mutual benefit of all the

landowners and, if any landowner in this area shall violate any of the restrictions or covenants heretofore enumerated, it shall be lawful for any person or persons owning any real estate in this area to prosecute any proceeding at law or in equity against any person or persons who are violating or attempting to violate the restrictions and covenants. The persons enforcing these restrictions and covenants shall be allowed to recover monetary damages and/or injunctive relief or both.

XXIII. AMENDMENT

These restrictions and covenants may be amended by a 75% majority vote of the owners of the designated land parcels of the Bosshard Addition to the City of Shelby, Wisconsin, except that any amendment to Article XIX also requires the written approval of William Bosshard, Sabina Bosshard, Kurt Bosshard and John Bosshard III, while said individuals retain ownership of land parcels in the subject area.

Dated this 16 day of October, 1991.

William Bosshard
William Bosshard

Sabina Bosshard
Sabina Bosshard

Kurt Bosshard
Kurt Bosshard

John Bosshard III
John Bosshard III

Subscribed to and sworn before me
this 16 day of Oct, 1991.

[Signature]
Notary Public
La Crosse County, Wisconsin
My commission expires: Permanant

shelby