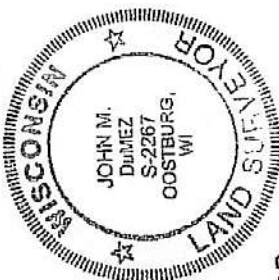


Part of Blocks 3 and 6 and part of adjacent vacated roads, located in the plat of Lake Ellen Heights, Town of Lyndon, Sheboygan Co., WI

Subject to easements of record.

Subject to Sheb. Co. Shoreland Zoning.



Scale 1" = 40'

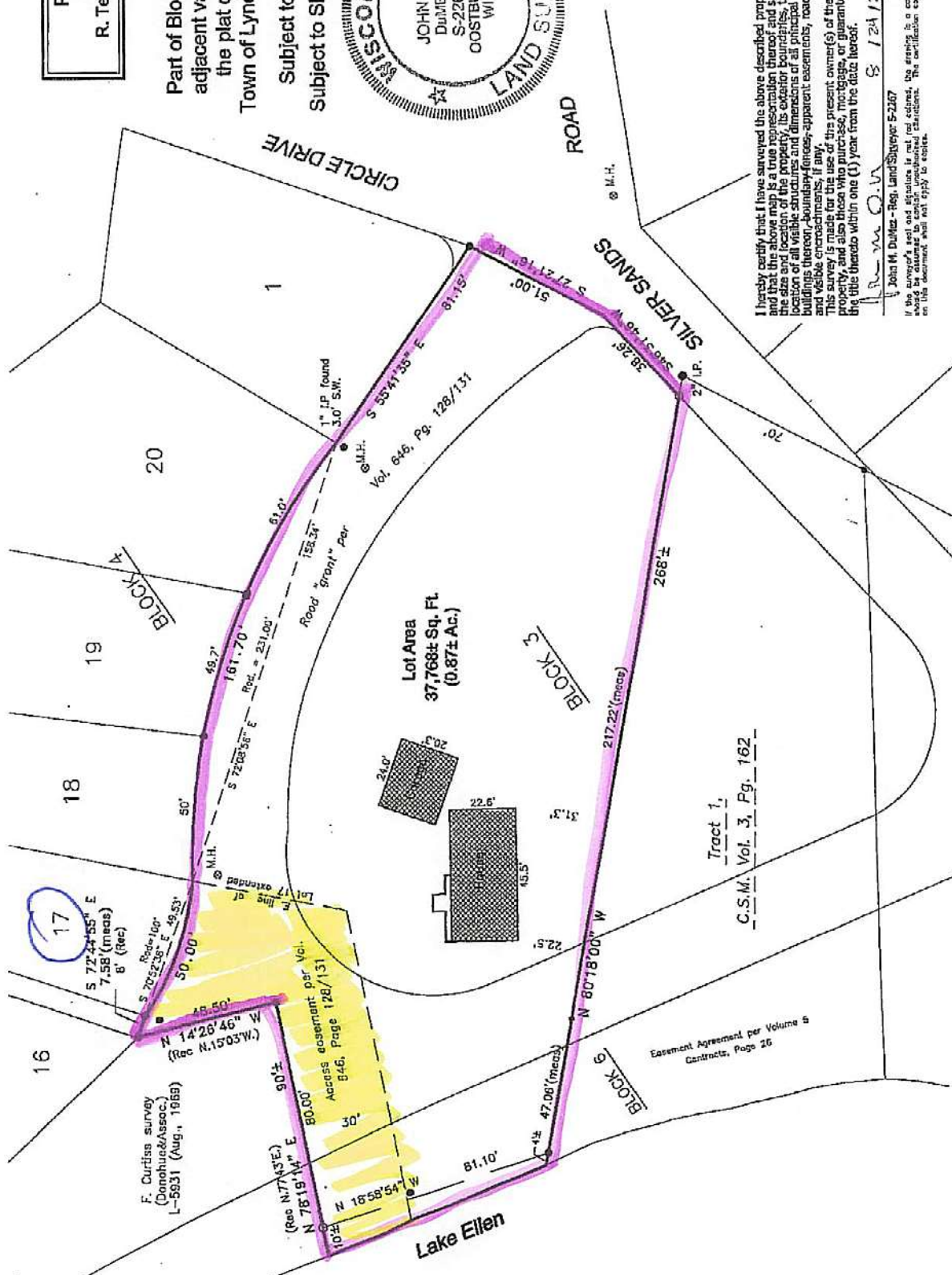


TAX KEY No. 5801030910
ADDRESS: W6255 Silver Sands Road
FILE: c:\dwg\shevon\shevon.dwg
DRAWN BY: jdm
PROJECT: 2490

I hereby certify that I have surveyed the above described property and that the above map is a true representation thereof and shows the size and location of the property, its exterior boundaries, the location of all visible structures and dimensions of all physical buildings thereon. Boundaries, fences, apparent easements, roadways and visible encroachments, if any.

This survey is made for the use of this present owner(s) of the property, and also those who purchase, mortgage, or guarantee this tract within one (1) year from the date hereof.

John M. DuVez - Reg. Land Surveyor 5-2367
 The survey's seal and signature is not red colored, the drawing is a copy, not
 the original. The certification enclosed
 should be assumed to contain unpermitted alterations.
 This document shall not apply to copies.



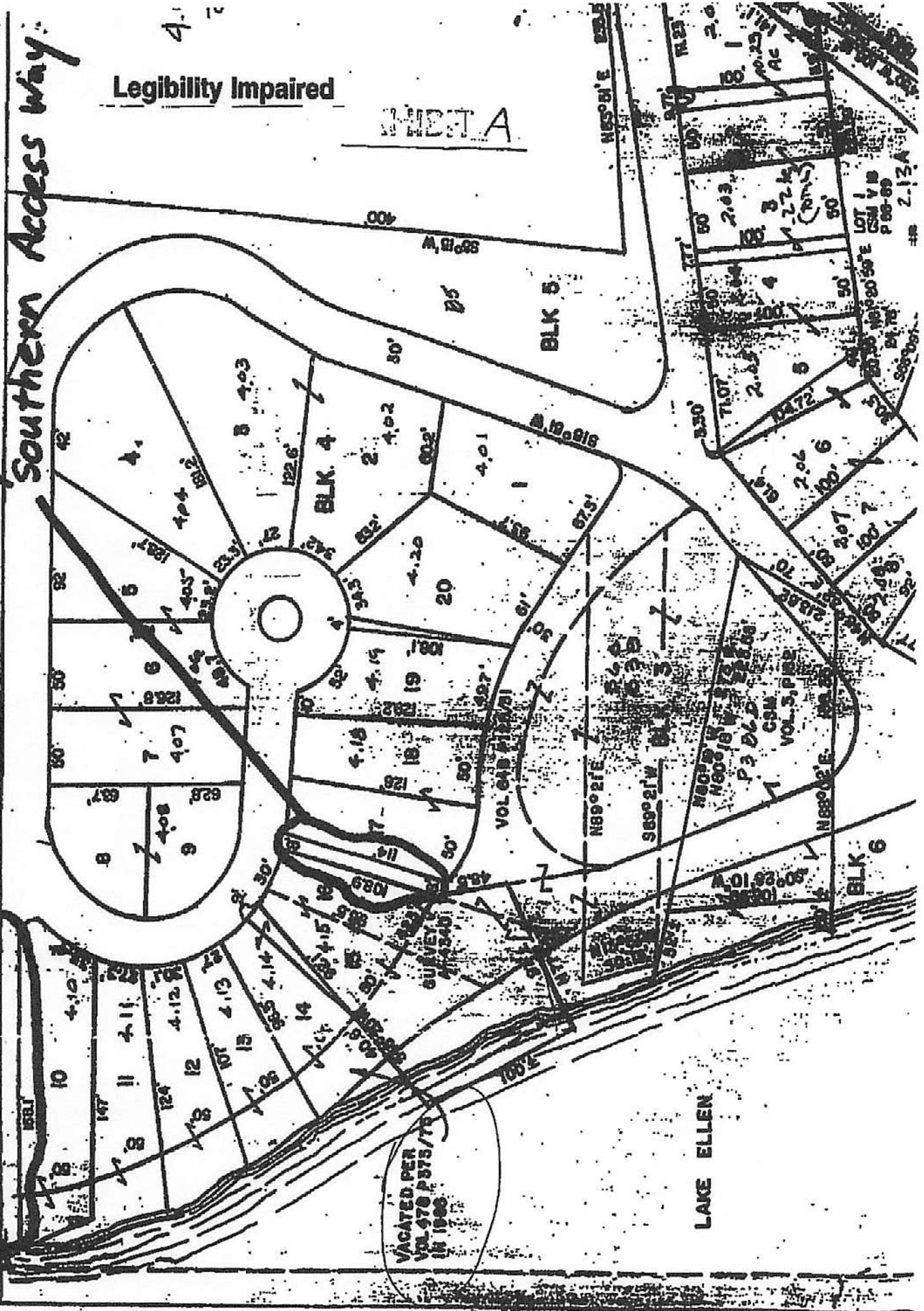
SW 1/4, SE 1/4, SECTION 29

Northern Access Way

Southern Access Way

Legibility Impaired

MEET A



VACATED PER
VOL 978 P 373/75
IN 1986

LAKE ELLEN

BLK 5

BLK 6

BLK 4

N89°21'E 7.00'

S89°21'W 7.00'

N89°21'E 7.00'

S89°21'W 7.00'

N89°21'E 7.00'

S89°21'W 7.00'

N89°21'E 7.00'

S89°21'W 7.00'

N89°21'E 7.00'

S89°21'W 7.00'

N89°21'E 7.00'

S89°21'W 7.00'

N89°21'E 7.00'

S89°21'W 7.00'

Document No.

Document Title

Stipulation and Order for Dismissal
Wesolowski, et al. v. Shovan, et al.
Sheboygan County Circuit Court Case No. 08CV556

1886309

SHEBOYGAN COUNTY, WI

RECORDED ON
08/31/2009 02:18PM

ELLEN R. SCHLEICHER
REGISTER OF DEEDS

RECORDING FEE: 23.00
TRANSFER FEE:
EXEMPTION #

STAFF ID 5
TRANS # 138299
OF PAGES: 7

Recording Area

NAME AND RETURN ADDRESS

Jesse A. Wesolowski, Esq.
11402 West Church Street
Franklin, Wisconsin 53132

③ Jesse & Sandra Wesolowski → 59010130710; 59010130720; Wesolowski ②
⑤ Tom & Tanya Becker → 59010130730; 59010130740; Matt & Sara ④
⑦ Ronald & Darlene Navis → 59010130750; 59010130760; Becker ⑥
⑩ 59010130770; 59010130780; Knack ⑧ & ⑨
⑫ 59010130860; 59010130870; Arneson ⑩
⑬ 59010130880; 59010130910; Shovan Property
Parcel Identification Number (PIN)

⑬ & ⑭ are now 1 taxkey
59010130860
Ronald & Darlene
Navis

⑧ & ⑨ are 1 taxkey

This information must be completed by submitter: document title, name, return address and pin (if required). Other information such as the granting clauses, legal description, etc. may be placed on this first page of the document or may be placed on additional pages of the document. Note: Use of this cover page adds one page to your document and \$2.00 to the recording fee per Wisconsin Statutes, 59.43 (2m)

JESSE A. & SANDRA L. WESOLOWSKI,

Plaintiffs,

and

JEFFREY S. & DEBRA A. FELD,
LINDA M. STRAUSS,
ROGER J. & MARLENE A. LENSIRE,
WILLIAM G. & NANCY A. KNAACK,
BRUCE P. WARNECKE,
TYRONE E., SR. & DONNA R. ARNESON,
RONALD J. & DARLENE J. NAVIS,
PORT WASHINGTON STATE BANK,
ASSOCIATED BANK, NA,
a/k/a ASSOCIATED LOAN SERVICE
and/or ASSOCIATED BANC-CORP,
KOHLEH CREDIT UNION,
MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., and
NORWEST MORTGAGE, INC.,
n/k/a WELLS FARGO & COMPANY,
a/k/a WELLS FARGO HOME MORTGAGE
and/or WELLS FARGO BANK, NA,

Involuntary Plaintiffs,

v.

JUDITH A. SHOVAN,
WALDO STATE BANK and
ASSOCIATED MORTGAGE, LLC,

Defendants.

Case No. 08-CV-556

Case Type: Intentional Tort
Other Real Estate
Unclassified
Other Injunction
or Restraining Order

Case Codes: 30106
30405
30703
30704

CLERK OF COURT
2008 JUN 20 P 4:18
SHEBOYGAN
WISCONSIN

STIPULATION AND ORDER FOR DISMISSAL

This document is a full and true copy of the original on file in the Office of the Clerk of Court for Sheboygan County, State of Wisconsin.

By

Deputy Clerk

Date

It is hereby stipulated and agreed, between and among counsel for the plaintiffs and the non-corporate/mortgagee individual involuntary plaintiffs, and defendant, Judith A. Shovan, that the above-entitled matter be dismissed, upon the following agreed terms and conditions:

1. That the "Easement and Grant" dated September 14, 1971, recorded in the Office of the Register of Deeds of Sheboygan County in Volume 646, pages 128-131, as Document No. 939368, is "intended to be for the benefit of the present Owners of Lots 1 through 9 and Lots 17 through 20, all in Block 4 of Lake Ellen Heights, their heirs, successors and assigns", and is "to be for the purpose of access to Lake Ellen", which purpose includes the rights of the lot Owners and their families and friends to enjoy the recreational facilities of Lake Ellen made available to them by the Easement by way of in part and collectively, sitting on the beach, sitting on the Easement area adjoining the beach, swimming, picnicking¹, fishing, boating, installing a pier, sitting on the pier, fishing from the pier, tying boats to the pier, ice-fishing, and the placement of objects (e.g., lawn chairs, blankets, towels, coolers, beach toys, swimming articles, diving gear, floatation devices, water skis, fishing equipment), incidental to such use. No grills or fires are permitted. No motorized vehicles are permitted. No pets are permitted. Any pier installed shall not exceed or be enlarged beyond 4 feet in width and sixty-four feet in length, with an "L" shaped end cap extending 4 feet perpendicular to the length of the pier. These enumerated enjoyment uses of the Easement area shall not extend inland beyond that point within the width of the Easement area which is 25 feet from the ordinary high water mark of Lake Ellen. An unintentional inadvertent such use beyond that point shall not be a violation of this term.

¹ Merriam-Webster Unabridged defines "picnic" as follows: 1 a : a social entertainment at which each person contributes food to a common table b : an excursion or outing with food usually provided by members of the group and eaten in the open
2 a : a pleasant or amusing experience : a time free of ordinary cares and responsibilities <I don't expect being married to be a picnic like you seem to -- Josephine Pinckney> b : an easy task or feat <as the fight started ... any thoughts ... that this was to be a picnic for him were dissipated -- Ring>
3 a : a standard size of container for canned food b : a standard size of cheddar cheese
4 or picnic ham or picnic shoulder : a shoulder of pork with much of the butt removed commonly smoked and often boned -- see PORK illustration.

2. That the "Easement and Grant" grants the Owners of Lots 1 through 9 and Lots 17 through 20, in Block 4 of Lake Ellen Heights, the obligation and right to maintain the Easement area and the right to be free from any interference with and any encroachment, obstruction, alteration or change of condition to the Easement area by the servient property owner(s), including any placement, storage or stockpiling of anything upon the Easement area by the servient property owner(s) and including the placement of any portion of any pier (except for no more than 4 feet of an "L" shaped end cap to a pier as such an end cap presently exists) or boat or other structure by the servient property owner(s) within the area of Lake Ellen within the 30 foot width of the Easement extended. Notwithstanding the foregoing, the servient property owner(s) may mow the grass within the Easement area, rake seaweed from the beach, and maintain a flower bed within the existing installed flower bed berm along the north line of the Easement, which 8 foot wide by 31 foot long flower bed berm shall not be enlarged or extended.

3. That the servient property owner shall remove the installed telephone poles at the shore of the Easement area and recondition the shore area to provide a gradual slope to the bank and a reasonably aesthetic beach and shore area, including sand and such smooth stones or other appropriate materials as may be necessary for erosion control, in compliance with all Town of Lyndon, Sheboygan County and Wisconsin Department of Natural Resources shoreland laws, ordinances and regulations, by October 31, 2009.

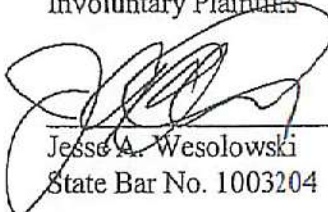
4. That the defendant Judith A. Shovan is the fee simple owner of property underlying the "Easement and Grant". The purpose of this Stipulation and Order is not to transfer or further limit the defendant's fee simple estate rights and interests, but to clarify the uses permitted pursuant to the "Easement and Grant". The parties to this action are to be bound by the terms of this Stipulation and Order and the "Easement and Grant".

5. That annexed hereto and incorporated herein as Exhibit A is a description of the properties being the dominant and servient estates under the "Easement and Grant", the terms and provisions of which Easement and Grant remain in full force and effect, as further defined and applied by the terms and provisions of this Stipulation and Order, all of which run with the lands and are binding upon the heirs, successors and assigns of the parties to this action.

6. That a copy of this Stipulation and Order, in recordable form, shall be recorded with the Office of the Register of Deeds for Sheboygan County.

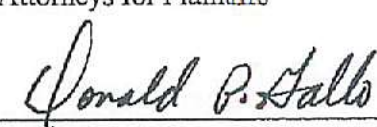
7. That all claims and counterclaims in the above-entitled matter shall be dismissed, with prejudice as to all prior acts of any party, and without costs to any of the parties.

WESOLOWSKI, REIDENBACH & SAJDAK, S.C.
Attorneys for Plaintiffs and non-corporate/mortgagee
Involuntary Plaintiffs


Jesse A. Wesolowski
State Bar No. 1003204

8/12/09
Dated

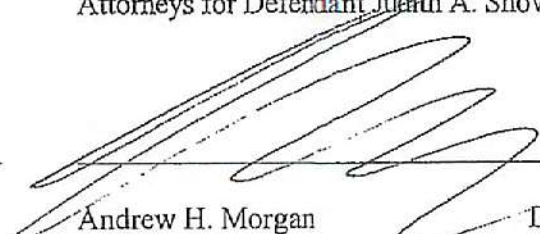
Reinhart Boerner Van Deuren s.c.
Attorneys for Plaintiffs


Donald P. Gallo
State Bar No. 1001278

8-10-09
Dated

Charlton & Morgan Ltd.

Attorneys for Defendant Judith A. Shovan


Andrew H. Morgan
Dated

8-5-09

State Bar No. 1001491


Judith A. Shovan, Defendant
Aug 05-09

ORDER

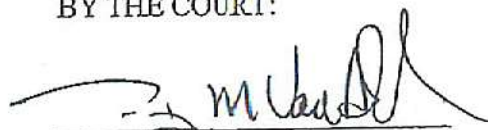
NOW, THEREFORE, IT IS HEREBY ORDERED, upon all of the filings and proceedings in the above-entitled matter, and specifically upon the above stipulation, which is incorporated herein in its entirety, that the above stipulation be and the same is hereby approved and is binding upon all parties to this action, such parties being all necessary parties to this action.

IT IS FURTHER HEREBY ORDERED, that a copy of this Stipulation and Order, in recordable form, shall be recorded with the Office of the Register of Deeds for Sheboygan County.

IT IS FINALLY HEREBY ORDERED, that all claims and counterclaims in the above-entitled matter shall be dismissed, with prejudice as to all prior acts of any party, and without costs to any of the parties.

Dated at Sheboygan, Wisconsin, this 24th day of August, 2009.

BY THE COURT:



Timothy M. Van Akkeren
Circuit Court Judge, Branch #2

Drafted by:
Jesse A. Wesolowski, Esq.
State Bar No. 1003204
Andrew H. Morgan
State Bar No. 1001491

Exhibit A

Dominant Estates

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 17, 18, 19 and 20 in Block Four (4), Lake Ellen Heights, Section 29, Township 14 North, Range 21 East, Sheboygan County, Wisconsin, and the road-ways and easements to the waters-edge as they in the past existed, and as they were platted, and laid out by virtue of the recorded plat of Lake Ellen Heights.

Servient Estate

- W6256 Silver Sands Rd

Part of Block 3 and Block 6, Lake Ellen Heights, lying North of a line commencing at the Southwest Corner of Lot 14, 1, thence N. 1° 24' W. 119.44 feet, thence N. 28° 05' E. 213.62 feet, thence N. 80° 19' W. 273 feet more or less to waters edge of Lake Ellen and lying South of a line commencing at the Southwest Corner of Lot 14, Block 4 thence S. 48° 20' W. 40.6 feet to waters edge of Lake Ellen, and part of roadway as described in Volume 483 of Deeds, p. 302.3 except part conveyed in Volume 809 of Records, P66-67 and including part of roadway as described in Volume 1055 of Records, p. 814/5.

- This does not include
include Lots 10-16
OR Don handle

939368

EASEMENT AND GRANT

WHEREAS, Ray Ten Haken owns part of Block 6, Lake Ellen Heights, Sheboygan County, Wisconsin, which property is adjacent to Lake Ellen and in addition has an interest in a lot in Block 4 of Lake Ellen Heights; and

WHEREAS, Godfrey Sessler and Ann Sessler, his wife, Edward F. Siech and Florence J. Siech, his wife, Willis Jensen and Dorothy Jensen, his wife, Marion Yurmanovich, Richard Seich and MARY, his wife,

~~JAMES P. SPRESSER AND CONNIE L. SPRESSER~~
Sylvester A. Wabschall and Alma A. Wabschall, his wife,
Alwin G. Veldboom and Anna H. Veldboom, his wife, and
Clayton W. Waite, Jr. and Helen Ruth Waite, his wife,
AND JAMES P. SPRESSER AND CONNIE L. SPRESSER, HIS WIFE,
have interests in lots in Block 4 of Lake Ellen Heights; and

WHEREAS, heretofore there has been a controversy between certain owners of lots in Block 4 of Lake Ellen Heights and Ray Ten Haken with regard to access to Lake Ellen; and

WHEREAS, lots and certain parts of lots in the plat of Lake Ellen Heights have been vacated; and

WHEREAS, Ray Ten Haken desires to give the owners of certain lots in Block 4 of Lake Ellen Heights access to Lake Ellen, and in consideration therefor certain owners desire to grant any interest they may have in certain roads in Lake Ellen Heights to Ray Ten Haken,

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) paid by the owners of certain lots in Block 4 of Lake Ellen Heights, hereinafter collectively referred to as "Owners" to Ray Ten Haken, hereinafter referred to as "Ten Haken", receipt of which is hereby

acknowledged, and for other good and valuable consideration, Ten Haken hereby grants to the above named Owners an easement over the following described premises situated in Sheboygan County, Wisconsin, to-wit:

Beginning at the Southeasterly corner of Lot 16, Block 4, Lake Ellen Heights; thence S. 15°-03' E., 48.5 feet; thence S. 77°-43' W., 97 feet more or less to the waters edge of Lake Ellen; thence Southeasterly along the waters edge 30 feet or more to a line parallel to and 30 feet Southeasterly (measured at right angles) of the aforesaid course bearing S. 77°-43' W.; thence N. 77°-43' E., along said parallel line 115 feet more or less to the extended Easterly line of Lot 17, Block 4; thence Northerly along said extend line to the Southeast corner of said Lot 17; thence Northwesterly along the Southerly line of Block 4 to the Southeasterly corner of Lot 16, Block 4 and the point of beginning,

said easement to be for the purpose of access to Lake Ellen, provided, however, that the above described property at all times be kept free and clear of any objects which would interfere with access to Lake Ellen and shall not be used as a place for storage of any items, provided further, that the care and maintenance of the above described premises shall be the obligation of the Owners of the above described lots in Block 4 of Lake Ellen Heights.

The Owners hereby grant to Ray Ten Haken any interest that they have in the platted roads between Blocks 3 and 4 of Lake Ellen Heights and Blocks 4 and 5 of Lake Ellen Heights except the right to the use of the 4 foot paths around Lake Ellen.

This easement is intended to be for the benefit of the present Owners of Lots 1 through 9 and Lots 17 through 20, all in Block 4 of Lake Ellen Heights, their heirs, successors and assigns.

- 3 -

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 14 day of SEPTEMBER 1971.

James P. Spreser
James P. Spreser

Connie L. Spreser
Connie L. Spreser

Willis C. Jensen, Sr.
Willis C. Jensen, Sr.

Dorothy A. Jensen
Dorothy A. Jensen

Edward F. Siech
Edward Siech

Florence Siech
Florence Siech

Sylvester Wabschall
Sylvester Wabschall

Alma Wabschall
Alma Wabschall

Richard M. Seich
Richard M. Seich

Mary H. Siech
Mary H. Siech

Clayton W. Waite, Jr.
Clayton W. Waite, Jr.

Helen Ruth Waite
Helen Ruth Waite

Godfrey Sessler
Godfrey Sessler

Ann Sessler
Ann Sessler

Alwin G. Veldboom
Alwin G. Veldboom

Anna H. Veldboom
Anna H. Veldboom

Ray Ten Haken
Ray Ten Haken

Marion Yurmanovich
Marion Yurmanovich

Signed in the Presence of:

J. R. Hughes
J. R. Hughes
Betty Hodge
Betty Hodge

STATE OF WISCONSIN)
SHEBOYGAN COUNTY) SS.

Personally came before me this 14 day of SEPTEMBER 1971 the above named Ray Ten Haken, Godfrey Sessler and Ann Sessler, his wife, Edward F. Siech and Florence J. Siech, his wife, Willis Jensen and Dorothy Jensen, his wife, Marion Yurmanovich, Richard Seich and MARY, his wife, JAMES, his wife, CONNIE, his wife, WILLIS, his wife, ALMA, his wife, ALVIN, his wife, ANNA, his wife, RAY, his wife, and signed the above instrument and acknowledged the same, and JAMES P. SPRESSER & CONNIE L. SPRESSER, HIS WIFE

J. R. Hughes

Notary Public, Sheboygan Co., Wis.
My Commission is Permanent

This instrument was drafted by
PAUL L. AXEL.

939368

REGISTER'S OFFICE
SHEBOYGAN COUNTY, WISCONSIN

Received for Record the 23rd day of
Sept. A. D. 1971 at 9:39
o'clock A. and Recorded in Vol. 646
of Nebraska on page 128/31

Robert J. Barber Register

By.....Deputy

Ray Don Harker
Deputy