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WISCONSIN REALTORS® ASSOCIATION
4801 Forest Run Road
Madison, Wisconsin 53704

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P.O. Box 942, Brookfield, WI 53008-0942
262/827-4200

REAL ESTATE CONDITION REPORT

DISCLAIMER

THIS CONDITION REPORT CONCERNS THE REAL PROPERTY LOCATED AT _____
7629 Northwest Hwy (STREET ADDRESS) IN THE Town ~~(CITY) (VILLAGE)~~ (TOWN)
OF Waterford, COUNTY OF Racine, STATE OF WISCONSIN.

THIS REPORT IS A DISCLOSURE OF THE CONDITION OF THAT PROPERTY IN COMPLIANCE WITH SECTION 709.02 OF THE WISCONSIN STATUTES AS OF October (MONTH), 13 (DAY), 2026 (YEAR). IT IS NOT A WARRANTY OF ANY KIND BY THE OWNER OR ANY AGENTS REPRESENTING ANY PARTY IN THIS TRANSACTION AND IS NOT A SUBSTITUTE FOR ANY INSPECTIONS OR WARRANTIES THAT THE PARTIES MAY WISH TO OBTAIN.

A buyer who does not receive a fully completed copy of this report within 10 days after the acceptance of the contract of sale or option contract for the above-described real property has the right to rescind that contract (Wis. Stat. s. 709.02), provided the owner is required to provide this report under Wisconsin Statutes chapter 709.

NOTICE TO PARTIES REGARDING ADVICE OR INSPECTIONS

Real estate licensees may not provide advice or opinions concerning whether or not an item is a defect for the purposes of this report or concerning the legal rights or obligations of parties to a transaction. The parties may wish to obtain professional advice or inspections of the property and to include appropriate provisions in a contract between them with respect to any advice, inspections, defects, or warranties.

A. OWNER'S INFORMATION

A1. In this form, "aware" means the "owner(s)" have notice or knowledge.

A2. In this form, "defect" means a condition that would have a significant adverse effect on the value of the property; that would significantly impair the health or safety of future occupants of the property; or that if not repaired, removed, or replaced would significantly shorten or adversely affect the expected normal life of the premises.

A3. In this form, "owner" means the person or persons, entity, or organization that owns the above-described real property. An "owner" who transfers real estate containing one to four dwelling units, including a condominium unit and time-share property, by sale, exchange, or land contract is required to complete this report.

Exceptions: An "owner" who is a personal representative, trustee, conservator, or fiduciary appointed by or subject to supervision by a court, and who has never occupied the property transferred is not required to complete this report. An "owner" who transfers property that has not been inhabited or who transfers property in a manner that is exempt from the real estate transfer fee is not required to complete this report. (Wis. Stat. s. 709.01)

A4. The owner represents that to the best of the owner's knowledge, the responses to the following questions have been accurately checked as "yes," "no," or "not applicable (N/A)" to the property being sold. *Note that only statements D1,D3,D5,D7 and D9 can be marked as "not applicable." All other statements must be accurately noted as "yes" or "no".* If the owner responds to any question with "yes," the owner shall provide, in the additional information area of this form, an explanation of the reason why the response to the question is "yes."

A5. If the transfer is of a condominium unit, the property to which this form applies is the condominium unit, the common elements of the condominium, and any limited common elements that may be used only by the owner of the condominium unit being transferred.

A6. The owner discloses the following information with the knowledge that, even though this is not a warranty, prospective buyers may rely on this information in deciding whether and on what terms to purchase the property. The owner hereby authorizes the owner's agents and the agents of any prospective buyer to provide a copy of this report, and to disclose any information in the report, to any person in connection with any actual or anticipated sale of the property.

CAUTION: The lists of defects following each question below are examples only and are not the only defects that may properly be disclosed in response to each respective question.

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B. STRUCTURAL AND MECHANICAL

		YES	NO	N/A
B.	*I am providing a limited home warranty plan to buyer at closing.*	☐	☑	
B1.	Are you aware of defects in the roof? Roof defects may include items such as leakage or significant problems with gutters or eaves.	☐	☑	
B2.	Are you aware of defects in the electrical system? Electrical defects may include items such as *defects in solar panels and systems*, electrical wiring not in compliance with applicable code, knob and tube wiring, 60 amp service, or aluminum-branch circuit wiring.	☐	☑	
B3.	Are you aware of defects in part of the plumbing system (including the water heater, water softener, and swimming pool)? Other plumbing system defects may include items such as leaks or defects in pipes, toilets, interior or exterior faucets, bathtubs, showers, or any sprinkler system.	☐	☑	
B4.	Are you aware of defects in the heating and air conditioning system (including the air filters and humidifiers)? Heating and air conditioning defects may include items such as defects in the heating ventilation and air conditioning (HVAC) equipment, supplemental heaters, ventilating fans or fixtures, or solar collectors.	☐	☑	
B5.	Are you aware of defects in a woodburning stove or fireplace or of other defects caused by a fire in a stove or fireplace or elsewhere on the property? Such defects may include items such as defects in the chimney, fireplace flue, inserts, or other installed fireplace equipment; or woodburning stoves not installed pursuant to applicable code.	☐	☑	
B6.	Are you aware of defects related to smoke detectors or carbon monoxide detectors or a violation of applicable state or local smoke detector or carbon monoxide detector laws? NOTE: State law requires operating smoke detectors on all levels of all residential properties and operating carbon monoxide detectors on all levels of most residential properties (see Wis. Stat. ch. 101).	☐	☑	
B7.	Are you aware of defects in the basement or foundation (including cracks, seepage, and bulges)? Other basement defects may include items such as flooding, defects in drain tiling or sump pumps, or movement, shifting, or deterioration in the foundation.	☐	☑	
B8.	Are you aware of defects in any structure on the property? Structural defects with respect to the residence or other improvements may include items such as movement, shifting, or deterioration in walls; major cracks or flaws in interior or exterior walls, partitions, or the foundation; wood rot; and significant problems with driveways, sidewalks, patios, decks, fences, waterfront piers or walls, windows, doors, floors, ceilings, stairways, or insulation.	☐	☑	
B9.	Are you aware of defects in mechanical equipment included in the sale either as fixtures or personal property? Mechanical equipment defects may include items such as defects in any appliance, central vacuum, garage door opener, in-ground sprinkler, or in-ground pet containment system that is included in the sale.	☐	☑	
B10.	Are you aware of rented items located on the property such as a water softener or other or water conditioner system *or water treatment system* or other items affixed to or closely associated with the property? *Such items may include reverse osmosis systems, iron fillers, or other filters.*	☐	☑	
B11.	Are you aware *of current or previous* basement, window, or plumbing leaks, overflow from sinks, bathtubs, or sewers, or other ongoing water or moisture intrusions or conditions?	☐	☑	

B12. Explanation of "yes" responses _____

C. ENVIRONMENTAL

		YES	NO	N/A
C1.	Are you aware of the presence of unsafe levels of mold?	☐	☑	
C2.	Are you aware of a defect caused by unsafe concentrations of, or unsafe conditions relating to, radon, radium in water supplies, high voltage electric (100 KV or greater) or steel natural gas transmission lines located on but not directly serving the property, lead in paint, lead in soil, or other potentially hazardous or toxic substances on the property? NOTE: Specific federal lead paint disclosure requirements must be complied with in the sale of most residential properties built before 1978.	☐	☑	

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		YES	NO	N/A
C3.	Are you aware of the presence of asbestos or asbestos-containing materials on the property?	☐	☑	
C4.	Are you aware of the presence of or a defect caused by unsafe concentrations of, unsafe conditions relating to, or the storage of hazardous or toxic substances on neighboring properties?	☐	☑	
C5.	Are you aware of current or previous termite, powder post beetle, carpenter ant infestations or defects caused by animal, reptile, or insect infestations, *including infestations impacting trees*?	☐	☑	
C6.	Are you aware of water quality issues caused by unsafe concentrations of or unsafe conditions relating to lead?	☐	☑	
C7.	Are you aware of the manufacture of methamphetamine or other hazardous or toxic substances on the property?	☐	☑	

C8. Explanation of "yes" responses

D. WELLS, SEPTIC SYSTEMS, STORAGE TANKS

		YES	NO	N/A
D1.	Are you aware of defects in a well on the property or in a well that serves the property, including unsafe well water? Well defects may include items such as an unused well not properly closed in conformance with state regulations, a well that was not constructed pursuant to state standards or local code, or a well that requires modifications to bring it into compliance with current code specifications. Well water defects might include, but are not limited to, unsafe levels of bacteria (total Coliform and E. coli), nitrate, arsenic, or other substances affecting human consumption safety.	☑	☐	☐
D2.	Are you aware of a joint well serving the property?	☐	☑	
D3.	Are you aware of a defect related to a joint well serving the property?	☐	☐	☑
D4.	Are you aware that a septic system or other private sanitary disposal system serves the property?	☑	☐	
D5.	Are you aware of defects in the septic system or other private sanitary disposal system on the property or any out-of-service septic system that serves the property and that is not closed or abandoned according to applicable regulations? Septic system defects may include items such as backups in toilets or in the basement; exterior ponding, overflows, or backups; or defective or missing baffles.	☐	☑	☐
D6.	Are you aware of underground or aboveground fuel storage tanks on or previously located on the property? (If "yes," the owner, by law, may have to register the tanks with the Wisconsin Department of Agriculture, Trade and Consumer Protection at P.O. Box 8911, Madison, Wisconsin, 53708, whether the tanks are in use or not. Regulations of the Wisconsin Department of Agriculture, Trade and Consumer Protection may require the closure or removal of unused tanks.)	☐	☑	
D7.	Are you aware of defects in the underground or aboveground fuel storage tanks on or previously located on the property? Defects in underground or aboveground fuel storage tanks may include items such as abandoned tanks not closed in conformance with applicable local, state, and federal law; leaking; corrosion; or failure to meet operating standards.	☐	☐	☑
D8.	Are you aware of an "LP" tank on the property? (If "yes," specify in the additional information space whether the owner of the property either owns or leases the tank.)	☐	☑	
D9.	Are you aware of defects in an "LP" tank on the property?	☐	☐	☑

D10. Explanation of "yes" responses Well tested just high on Nitrates, advised would go down with use.

Mound system

E. TAXES, SPECIAL ASSESSMENTS, PERMITS, ETC.

		YES	NO	N/A
E1.	Have you received notice of property tax increases, other than normal annual increases, or are you aware of a pending property reassessment?	☐	☑	
E2.	Are you aware that remodeling was done that may increase the property's assessed value?	☐	☑	

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		YES	NO	N/A
E3.	Are you aware of pending special assessments?	☐	☑	
E4.	Are you aware that the property is located within a special purpose district, such as a drainage district, that has the authority to impose assessments against the real property located within the district?	☐	☑	
E5.	Are you aware of any proposed construction of a public project that may affect the use of the property?	☐	☑	
E6.	Are you aware of any remodeling, replacements, or repairs affecting the property's structure or mechanical systems that were done or additions to this property that were made during your period of ownership without the required permits?	☐	☑	
E7.	Are you aware of any land division involving the property for which a required state or local permit was not obtained?	☐	☑	

E8. Explanation of "yes" responses _____

F. LAND USE

		YES	NO	N/A
F1.	Are you aware of the property being part of or subject to a subdivision homeowners' association, *or other homeowners' association*?	☐	☑	
F2.	If the property is not a condominium unit, are you aware of common areas associated with the property that are co-owned with others?	☐	☑	
F3.	Are you aware of any zoning code violations with respect to the property?	☐	☑	
F4.	Are you aware of the property or any portion of the property being located in a floodplain, wetland, or shoreland zoning area?	☐	☑	
F5.	Are you aware of nonconforming uses of the property? A nonconforming use is a use of land, a dwelling, or a building that existed lawfully before the current zoning ordinance was enacted or amended, but that does not conform to the use restrictions in the current ordinance.	☐	☑	
F6.	Are you aware of conservation easements on the property? A conservation easement is a legal agreement in which a property owner conveys some of the rights associated with ownership of his or her property to an easement holder such as a governmental unit or a qualified nonprofit organization to protect the natural habitat of fish, wildlife, or plants or a similar ecosystem, preserve areas for outdoor recreation or education, or for similar purposes.	☐	☑	
F7.	Are you aware of restrictive covenants or deed restrictions on the property? A restrictive covenant or deed restriction may include a provision that imposes resale price limits, occupancy requirements, or other restrictions for a specific period of time (e.g. a development that received Infrastructure Access or Vacancy-to-Vitality funds from the Wisconsin Housing and Economic Development Authority (WHEDA). For more information, visit https://www.wheda.com.).	☐	☑	
F8.	Other than public rights of ways, are you aware of nonowners having rights to use part of the property, including, but not limited to, rights-of-way and easements other than recorded utility easements?	☐	☑	
F8a.	*Are you aware of any private road agreements or shared driveway agreements relating to the property?*	☑	☐	
F9.	Are you aware of the property being subject to a mitigation plan required under administrative rules of the Wisconsin Department of Natural Resources related to county shoreland zoning ordinances, which obligates the owner of the property to establish or maintain certain measures related to shoreland conditions and which is enforceable by the county?	☐	☑	
F10.	The use value assessment system values agricultural land based on the income that would be generated from its rental for agricultural use rather than its fair market value. When a person converts agricultural land to a non agricultural use (e.g., residential or commercial development), that person may owe a conversion charge. For more information visit https://www.revenue.wi.gov/Pages/FAQS/slf-useassmt.aspx or *call* (608)266-2486.			
	a. Are you aware of all or part of the property having been assessed as agricultural land under Wis. Stat. s. 70.32 (2r) (use value assessment)?	☑	☐	
	b. Are you aware of the property having been assessed a use-value assessment conversion charge relating to this property? (Wis. Stat. s. 74.485 (2))	☐	☑	
	c. Are you aware of the payment of a use-value assessment conversion charge having been deferred relating to this property? (Wis. Stat. s. 74.485 (4))	☐	☑	

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		YES	NO	N/A
F11.	Is all or part of the property subject to or in violation of a farmland preservation agreement? Early termination of a farmland preservation agreement or removal of land from such an agreement can trigger payment of a conversion fee equal to 3 times the class 1 "use value" of the land. Visit https://datcp.wi.gov/Pages/Programs_Services/FarmlandPreservation.aspx for more information.	☐	☑	
F12.	Is all or part of the property subject to, enrolled in, or in violation of the Forest Crop Law, Managed Forest Law, the Conservation Reserve Program, or a comparable program?	☐	☑	
F13.	Are you aware of a dam that is totally or partially located on the property or that an ownership in a dam that is not located on the property will be transferred with the property because it is owned collectively by members of a homeowners' association, lake district, or similar group? (If "yes," contact the Wisconsin Department of Natural Resources to find out if dam transfer requirements or agency orders apply.)	☐	☑	
F14.	Are you aware of boundary or lot line disputes, encroachments, or encumbrances (including a joint driveway) affecting the property? Encroachments often involve some type of physical object belonging to one person but partially located on or overlapping on land belonging to another; such as, without limitation, fences, houses, garages, driveways, gardens, and landscaping. Encumbrances include, without limitation, a right or claim of another to a portion of the property or to the use of the property such as a joint driveway, liens, and licenses.	☐	☑	
F15.	Are you aware there is not legal access to the property?	☐	☑	
F16.	Are you aware of federal, state, or local regulations requiring repairs, alterations, or corrections of an existing condition? This may include items such as orders to correct building code violations.	☐	☑	
F17.	Are you aware of a pier attached to the property that is not in compliance with state or local pier regulations? See http://dnr.wi.gov/topic/waterways for more information.	☐	☑	
F18.	Are you aware of a written agreement affecting riparian rights related to the property?	☐	☑	
F19.	Are you aware that the property abuts the bed of a navigable waterway that is owned by a hydroelectric operator? Under Wis. Stat. s. 30.132, the owner of a property abutting the bed of a navigable waterway that is owned by a hydroelectric operator, as defined in s. 30.132 (1) (b), may be required to ask the permission of the hydroelectric operator to place a structure on the bed of the waterway.	☐	☑	
F20.	Are you aware of one or more burial sites on the property? (For information regarding the presence, preservation, and potential disturbance of burial sites, contact the Wisconsin Historical Society at 800-342-7834 or www.wihist.org/burial-information).	☐	☑	

F21. Explanation of "yes" responses

See shared driveway agreement. County allowed one entrance on to 83.
See Ag tax document.

G. ADDITIONAL INFORMATION

		YES	NO	N/A
G1.	Have you filed any insurance claims relating to damage to this property or premises, within the last five years?	☐	☑	
G2.	Are you aware of a structure on the property that is designated as a historic building or that all or any part of the property is in a historic district?	☐	☑	
G2a.	*Does the property currently have internet service?* *If so, who is your provider?* Spectrum wired internet	☑	☐	
G2b.	*Does the property have an electric vehicle charging system and station or installed wiring for a future system or station?*	☐	☑	
	Is the system or station affixed to the property?	☐	☑	
G2c.	*Does the property have accessibility features? If so, attach an Accessibility Features Report (see https://www.wra.org/Disabilities/)*	☐	☑	
G3.	Are you aware of any agreements that bind subsequent owners of the property, such as a lease agreement or an extension of credit from an electric cooperative?	☐	☑	
G3a.	*Are you aware of any right of first refusal, recorded or not, on all or any portion of the property?*	☐	☑	

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G4. Is the owner a foreign person, as defined in 26 USC 1445 (f)? (E.g. a nonresident alien individual, foreign corporation, foreign partnership, foreign trust, or foreign estate.) Section 1445 of the Internal Revenue Code (26 USC 1445), also known as the Foreign Investment In Real Property Tax Act or FIRPTA, provides that a transferee (buyer) of a U.S. real property interest must be notified in writing and must withhold tax if the transferor (seller) is a foreign person, unless an exception under FIRPTA applies to the transfer. ☐ ☑

G5. Are you aware of other defects affecting the property? ☑ ☐
Other defects might include items such as drainage easement or grading problems; excessive sliding, settling, earth movements, or upheavals; or any other defect or material condition.

G6. The owner has owned the property for 1 years.

G7. The owner has lived in the property for 1 years.

G8. Explanation of "yes" responses

Basement lookout window has crack

Notice: You may obtain information about the sex offender registry and persons registered with the registry by contacting the Wisconsin Department of Corrections at http:www.doc.wi.gov or by phone at 608-240-5830

OWNER'S CERTIFICATION

NOTE: Wisconsin Statute section 709.035 requires owners who, prior to acceptance of a purchase contract or an option to purchase, obtain information that would change a response on this report to submit a complete amended report or an amendment to the previously completed report to the prospective buyer within 10 days of acceptance.

The owner certifies that the information in this report is true and correct to the best of the owner's knowledge as of the date on which the owner signs this report.

Owner Tyler D Stankevich Date 10/13/2026

Owner Elizabeth M Stankevich Date 10/13/2026

Owner _____ Date _____

Owner _____ Date _____

Owner _____ Date _____

CERTIFICATION BY PERSON SUPPLYING INFORMATION

A person other than the owner certifies that the person supplied information on which the owner relied for this report and that the information is true and correct to the best of the person's knowledge as of the date on which the person signs this report.

Person _____ Items _____ Date _____

Person _____ Items _____ Date _____

Person _____ Items _____ Date _____

BUYER'S ACKNOWLEDGEMENT

The prospective buyer acknowledges that technical knowledge such as that acquired by professional inspectors may be required to detect certain defects such as the presence of asbestos, building code violations, and floodplain status.

I acknowledge receipt of a copy of this statement.

Prospective buyer _____ Date _____

Prospective buyer _____ Date _____

Prospective buyer _____ Date _____

Prospective buyer _____ Date _____

Prospective buyer _____ Date _____

Information appearing in italics is supplemental in nature and is not required pursuant to Section 709.03 of the Wisconsin Statutes.

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No representation is made as to the legal validity of any provision or the adequacy of any provision in any specific transaction.

Agricultural Land Conversion Charge

Property owner

Stankevich

Parcel information

Parcel no. 07-004-100
Address 7629 NW Hwy
Legal description CSM-3408
Date issued 6-12-25

Classification change

The enclosed Notice shows your land's classification changed from agricultural use to residential, commercial, manufacturing or exempt.

Year of change: 2024	**Conversion charge:** Applies to agricultural land when its use changes

Conversion charge

After the Board of Review is complete, the County Treasurer issues conversion charges. The owner of the land when it changed use, is responsible for these charges. If you were not the landowner at the time of conversion, contact your local assessor.

Number of acres determines the conversion charge:

Acres potentially subject to conversion charge	
Converted Acres	**Charge per acre**
More than 30	$
10 to 30	$
Less than 10 — 5.84 Acres	$ 1,098.00 = $6,412.32

Note: No conversion charge is issued if the amount of the conversion charge determined represents less than $25 for each acre of converted land.

Questions?

- If you feel the land reclassification is incorrect, contact your assessor
- For more conversion charge information, review these Wisconsin Department of Revenue resources:
  - » Agricultural Assessment Guide for Wisconsin Property Owners: revenue.wi.gov/pubs/slf/pb061.pdf
  - » Use-Value Conversion Charge Common Questions (CQs): revenue.wi.gov/faqs/slf/usevalue.html
  - » Use-Value Assessment CQs: revenue.wi.gov/faqs/slf/useassmt.html

Racine County
WISCONSIN

Racine County Treasurer
730 Wisconsin Avenue
Racine, WI 53403
262-636-3239
fax: 262-636-3279
RCTreasurer@racinecounty.com

July 2, 2025

Conversion Charge Assessment Date: 6-27-25

TYLER & ELIZABETH STANKEVICH
7629 NORTHWEST HWY
MUKWONAGO WI 53149

S72W16300 JANESVILLE RD
MUSKEGO WI 53150

Agricultural Land Conversion Charge

The Municipal Assessor informed our office that the acre(s) listed below are no longer devoted to primarily agricultural use, under state law (sec. 70.32(2)(c)1, Wis. Stats.). As owner at the time of the use change, you must pay a conversion charge based on the total number of acres converted.

Conversion Charge Assessment Information

Change reflected on Assessment Roll effective	**January 1, 2025**
Town/Village/City	**WATERFORD**
County	**RACINE**
Parcel number(s)	**016-041907004100**
Number of converted acres	**5.84**
Conversion charge	**$ 6,412.32**

Conversion charge notice

The *Agricultural Land Conversion Charge* form (PR-298), notifies property owners of a potential land conversion charge. Your local assessor should have sent you Form PR-298 with the *Notice of Changed Assessment* (PR-301) for land formerly classified as agricultural and converted to another use. If you did **not** receive these documents prior to receiving this letter, contact your municipal assessor.

Conversion charge due date

The Conversion Charge is **due no later than 30 days** from the date of this notice. If you pay after the due date, you are charged interest at 1% per month (or fraction thereof), calculated from the date of this notice. If you fail to pay, the amount is collected as a special charge on the property tax bill.
Payment Information – make your check payable to **Racine County Treasurer.**

Questions?

Please contact your Municipal Assessor.

For more conversion charge information, review these Wisconsin Department of Revenue resources:
- Agricultural Assessment Guide for Wisconsin Property Owners: revenue.wi.gov/pubs/slf/pb061.pdf
- Use-Value Conversion Charge Common Questions (CQs): revenue.wi.gov/faqs/slf/usevalue.html
- Use-Value Assessment CQs: revenue.wi.gov/faqs/slf/useassmt.html

Sincerely,

Racine County Treasurer
cc. Municipal Assessor

TS ES

DECLARATION OF RESTRICTIVE COVENANTS FOR ROADWAY MAINTENANCE AND GRANT OF EASEMENTS

Document # **2566386**
RACINE COUNTY REGISTER OF DEEDS
October 01, 2020 2:36 PM

Connie C. Madsen

CONNIE COBB MADSEN
RACINE COUNTY
REGISTER OF DEEDS
Fee Amount: $30.00

The above recording information verifies this document has been electronically recorded
Returned to Fidelity Title Inc.
Pages: 10

NAME AND RETURN ADDRESS:
Wanasek, Scholze, Ludwig, Ekes & Gorn, S.C.
133 S. Pine Street
P.O. Box 717
Burlington, WI 53105-0717

016-04-19-07-004-100
016-04-19-07-004-200
016-04-19-07-004-300
016-04-19-07-004-400

Parcel Identification Number (PIN)

Legal description: Lots 1, 2, 3 and 4 of Certified Survey Map 3408, Document No. 2558695, recorded in the office of the Racine County Register of Deeds and being more fully described as follows: Being part of the Southwest ¼ of the Northeast ¼ of Section 7, Town 4 North, Range 19 East, Town of Waterford, Racine County, Wisconsin.

THIS INSTRUMENT DRAFTED BY:
Brian R. Wanasek
Attorney at Law

DocuSign Envelope ID: 828F76EC-F024-409C-AF2D-19A7151C3E78

Wanasek, Scholze, Ludwig, Ekes & Gorn S.C.
133 South Pine Street
Post Office Box 717
Burlington, WI 53105-0717

TS ES

DECLARATION OF RESTRICTIVE COVENANTS FOR ROADWAY MAINTENANCE AND GRANT OF EASEMENTS

WHEREAS Copper Creek Pass, LLC a Wisconsin limited liability company ("Copper Creek" or "Declarant") has created four residential lots located within the Town of Waterford, Racine County, Wisconsin, more particularly described as Lots 1, 2, 3 and 4 of Certified Survey Map No. 3408 as recorded in the office of the Register of Deeds of Racine County, Wisconsin being part of the Southwest ¼ of the Northeast ¼ of Section 7 Town 4 North Range 19 East, Town of Waterford, Racine County Wisconsin, the "Lots".

WHEREAS, the Lots are all provided access to State Highway 83 by a single access point which is located within the roadway easement area (the "Easement Area") more particularly described as set forth in Exhibit A and as delineated on the certified survey map, attached as Exhibit B, and

WHEREAS, Declarants desires to subject the lots to certain restrictions, covenants and easements.

NOW, THEREFORE, in consideration of the foregoing and for the purpose of maintaining and preserving the value of lots and to insure the lots have safe and adequate access to a public road, Declarant hereby declares and provides that the lots shall be subject to the following conditions, restrictions, covenants and easements.

1. **Private Easement Area Maintenance.** The owner of each lot (the "Lot Owners") will share equally in the costs incurred to maintain the Easement Area as set forth below.

   a) The Lot Owners agree to share the Maintenance Costs of the Easement Area. Maintenance costs shall include snow removal, placement and leveling of gravel, repair or replacement of paved surfaces , including seal coating, application of salt or sand on ice or snow covered areas costs, and such other maintenance as is necessary for the reasonable use of the Easement Area by the Lot Owners for ingress and egress purposes and to maintain a smooth, level, flat driving surface without speed bumps. Each party shall pay one-quarter (1/4) of the Maintenance Cost as defined below. Maintenance Costs shall include:

      i) Those costs approved by the owners of the Lots,

      ii) snow plowing costs,

      iii) costs less than $400,

      iv) the term maintenance costs does not include repairs or maintenance costs arising from any damage, other than normal wear and tear, to the Easement Area caused by a Lot Owner or its guests, employees,

agents, invitees, successors and assigns. Such costs shall be the sole responsibility of the Lot Owner who caused the damage.

b) In the event that any Lot Owner to this agreement fails to make payment of their share of Maintenance Cost for the easement within fifteen (15) days of receiving a written statement therefor, the other Lot Owner shall have the right to pay the entire balance due for the Maintenance and shall then have the right of contribution against the nonpaying Lot Owner for the amount of that owner's share of the Maintenance Costs, together with the actual cost of collection, including actual attorney's fees and interest on the unpaid balance at the rate of twelve (12) percent per year. This right of contribution may be enforced by the individual Lot Owners.

c) The term "Lot Owner or Owners" includes the current owners of the properties described on Exhibit A and their successors in title.

2. **Grant of Road Access Easement.** The Declarant hereby grants to each Lot Owner and its guests, employees, agents, invitees, successors and assigns (the "Easement Beneficiaries") a perpetual, non-exclusive, rent-free easement over and upon the Easement Area for the purpose of allowing vehicular and pedestrian ingress and egress from and to each Lot Owner's Property (the "Road Easement Purpose"). The use of the Easement Area for the Road Easement Purpose shall be limited to customary and reasonable vehicular and pedestrian access and for the purpose of maintenance repair of the Easement Area or the Easement Area. The Property Owners shall have the absolute right to improve the Easement Area for use as a private road. Any obstructions or impediments to the use of the Easement Area may be removed, without notice, by Declarant or the Property Owners, and the cost of such removal shall be borne by the Party causing or responsible for such obstruction.

3. **Easement for Utilities**. The Declarant hereby grants to each Property Owner a permanent, non-exclusive, rent-free easement over and upon the Easement Area for the purposes of installing, maintaining, constructing and repairing pipes, lines and related equipment for the provision of utilities to their property, including but not limited to sewer, water, electric, cable, phone and natural gas service, and to excavate and refill trenches, provided:

a) all such utilities shall be underground and shall be placed outside the roadway in Easement Area.

b) The Property Owner benefitting from the utility being installed shall, at the expense of the Property Owner, return the Easement Area to substantially the same condition it was in immediately prior to said construction or repair, excepting the removal of trees, bushes and other obstructions interfering with the utility facilities.

4. **Covenants Run with Land and Termination of Easement**. All of the terms and conditions in this Declaration, including the benefits and burdens, shall run with the land and shall be binding upon, inure to the benefit of, and be enforceable by the Lot Owners and their respective successors and assigns. The terms and conditions of this Agreement are an easement appurtenant to each Lot Owner and may not be transferred separately from, or severed from, title to the Lot Owner's Property. The Lot Owner and each of their respective successors and assigns as fee simple owners of the Lot Owner's Property, respectively, or any portion of the Lot Owner's Property, shall cease to have further liability under this

Agreement with respect to facts or circumstances first arising after such Lot Owner has transferred its fee simple interest in the Lot Owner's Property, respectively, except, however, for obligations that accrued during the Lot Owner's period of ownership of title.

5. The written covenants and restrictions may be modified and amended only upon the recording of an instrument to said effect duly signed by a majority of the then Lot Owners with the approval thereof by the Town Board of the Town of Waterford, Racine County, Wisconsin, as evidenced by a resolution duly adopted by the Town Board.

6. The enforcement of the restrictions and covenants contained in this Declaration of Restrictions, shall be by proceedings at law or inequity against any person or person violating or attempting to violate any covenants, either to restrain violation or to recover damages, or both. Such proceedings may be commenced by a Lot Owner or by any Lot Owner's Association formed by the Lot Owner.

7. The Lot Owners may form an unincorporated Lot Owners Association which shall be known as the Copper Creek Property Owners Association which, during its existence, shall have the authority to control all private road maintenance and maintenance of the Easement Area, including Storm Water drainage facilities.

Dated this 1 day of October, 2020.

Developer:

by _____
Garrett G. Foat, member

STATE OF WISCONSIN
RACINE COUNTY

Personally came before me this 1 day of October, 2020, the above named Garrett G. Foat, to me known to be the person who executed the foregoing instrument and acknowledged the same.

_____ Richard Scholze, Notary Public
Racine County, WI
My Commission: is permanent

This document was drafted by:
Attorney Brian R. Wanasek
Burlington, Wisconsin

RICHARD SCHOLZE NOTARY PUBLIC STATE OF WISCONSIN

Exhibit "A"

SEE ATTACHED

DocuSign Envelope ID: 828F76EC-F024-409C-AF2D-19A7151C3E78 1a

TS ES

RACINE COUNTY CERTIFIED SURVEY MAP NO. 3408

BEING PART OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 7, TOWN 4 NORTH, RANGE 19 EAST, TOWN OF WATERFORD, RACINE COUNTY, WISCONSIN.

Document # 2558695
RACINE COUNTY REGISTER OF DEEDS
July 24, 2020 10:59 AM

Connie C. Madsen

CONNIE COBB MADSEN
RACINE COUNTY
REGISTER OF DEEDS
Fee Amount: $30.00

Pages: 4

OWNER/SUBDIVIDER
COPPER CREEK PASS, LLC
510 B, N. SIXTH ST.
WATERFORD, WI 53185

30-4

SURVEYOR'S CERTIFICATE:

I, GARY B. FOAT, WISCONSIN PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED, DIVIDED AND MAPPED PART OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 7, TOWN 4 NORTH, RANGE 19 EAST, TOWN OF WATERFORD, RACINE COUNTY, WISCONSIN AND DESCRIBED AS FOLLOWS:
COMMENCE AT THE EAST 1/4 CORNER OF SAID SECTION 7; THENCE S 87°19'12" W ALONG THE SOUTH LINE OF SAID 1/4 SECTION, 1334.86 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S 87°19'12" W ALONG SAID SOUTH LINE, 93.61 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF S.T.H. "83"; THENCE 520.19 FEET ALONG SAID EASTERLY LINE ON AN ARC OF A CURVE TO THE RIGHT, THE CHORD BEARING N 55°11'42" W, 519.58 FEET AND THE RADIUS BEING 3090.22 FEET; THENCE S 39°28'30" W ALONG SAID EASTERLY LINE, 2.00 FEET; THENCE 793.49 FEET ALONG SAID EASTERLY LINE ON AN ARC OF A CURVE TO THE RIGHT, THE CHORD BEARING N 43°01'17" W, 791.31 FEET AND THE RADIUS BEING 3092.22 FEET; THENCE N 56°15'25" E ALONG SAID EASTERLY LINE, 7.00 FEET; THENCE 104.02 FEET ALONG SAID EASTERLY LINE AND AN ARC OF A CURVE TO THE RIGHT, THE CHORD BEARING N 34°42'31" W, 104.02 FEET AND THE RADIUS BEING 3085.22 FEET; THENCE N 33°44'34" W ALONG SAID EASTERLY LINE, 368.68 FEET; THENCE N 87°15'10" E ALONG THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID 1/4 SECTION, 1313.02 FEET; THENCE S 00°20'40" E ALONG THE EAST LINE OF THE SOUTHWEST 1/4 OF SAID 1/4 SECTION, 1328.10 FEET TO THE POINT OF BEGINNING. CONTAINING 1,071,540 SQUARE FEET OF LAND.

THAT I HAVE MADE SAID SURVEY, LAND DIVISION AND MAP BY THE DIRECTION OF GARRETT G. FOAT, MEMBER OF THE COPPER CREEK PASS LLC, OWNER OF SAID LAND.

THAT SUCH MAP IS A TRUE AND CORRECT REPRESENTATION OF THE EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE LAND DIVSION THEREOF MADE.

THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236 OF THE WISCONSIN STATUTES AND THE ORDIANANCES OF THE TOWN OF WATERFORD IN SURVEYING, DIVIDING AND MAPPING THE SAME.

Gary B. Foat

FEBRUARY 23, 2020
REVISED: MAY 12, 2020

GARY B. FOAT S-1598
WISCONSIN PROFESSIONAL LAND SURVEYOR



DEGEN – FOAT SURVEYING, INC.
100 SOUTH SECOND STREET
WATERFORD, WISCONSIN 53185
(262)534-5404 (FAX)534-2022
193031\193031CI.DWG
THIS INSTRUMENT DRAFTED BY: GARY B. FOAT

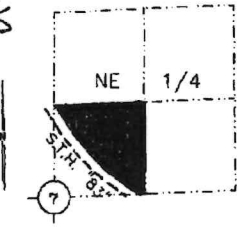
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TS ES

RACINE COUNTY CERTIFIED SURVEY MAP NO. 3408

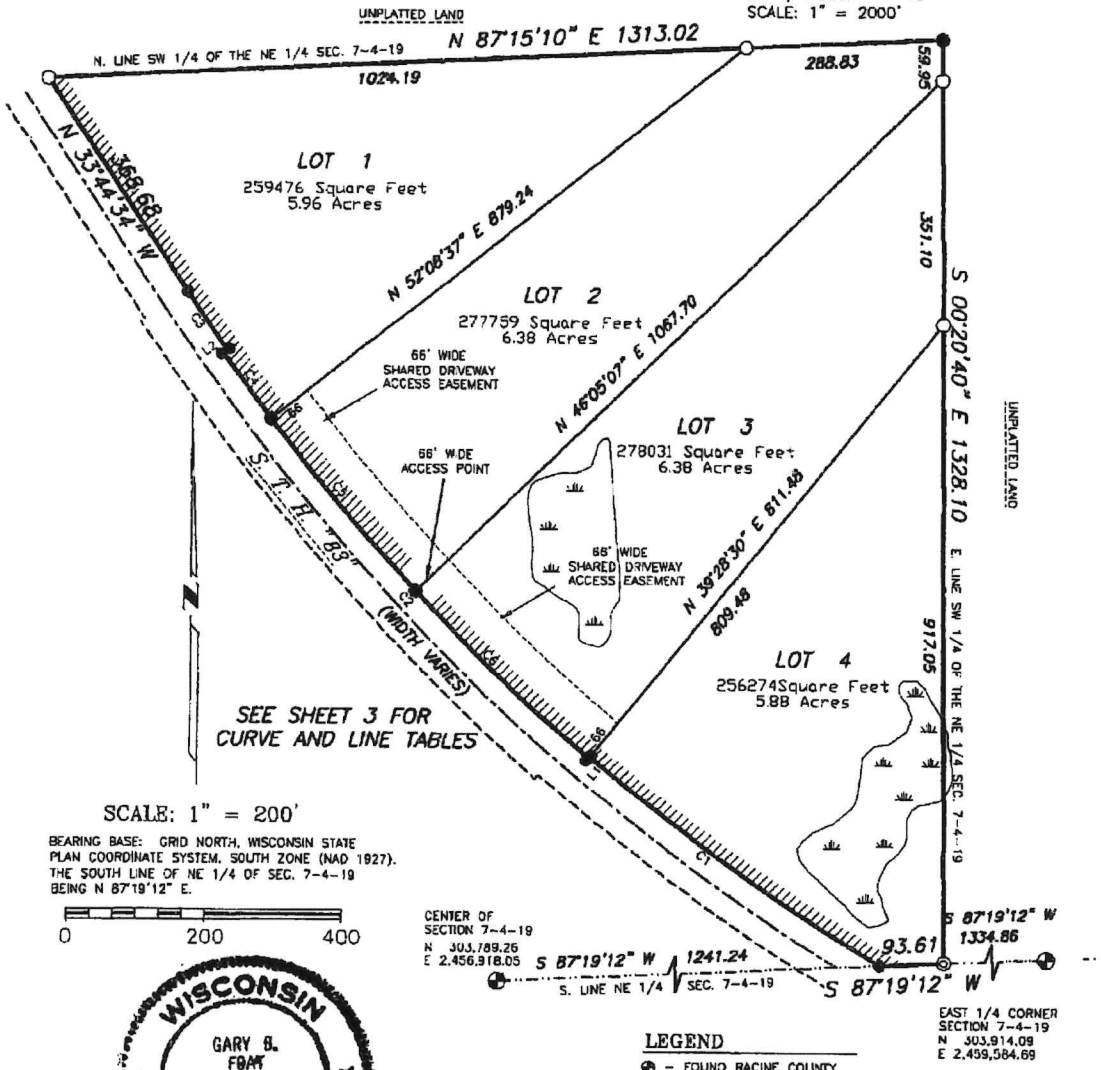
BEING PART OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 7, TOWN 4 NORTH, RANGE 19 EAST, TOWN OF WATERFORD, RACINE COUNTY, WISCONSIN.



VICINITY MAP
NE 1/4 SEC. 7-4-19
SCALE: 1" = 2000'

OWNER/SUBDIVIDER
COPPER CREEK PASS, LLC
510 B, N. SIXTH ST.
WATERFORD, WI 53185

NOTE: THESE LOTS ARE TO BE DEED RESTRICTED TO NO FURTHER LAND DIVISIONS WITHOUT RACINE COUNTY AND TOWN OF WATERFORD APPROVALS.



SCALE: 1" = 200'

BEARING BASE: GRID NORTH, WISCONSIN STATE PLAN COORDINATE SYSTEM, SOUTH ZONE (NAD 1927). THE SOUTH LINE OF NE 1/4 OF SEC. 7-4-19 BEING N 87°19'12" E.

0 200 400

WISCONSIN
GARY B. FOAT
S-1598
Waterford, Wis.
LAND SURVEYOR

Gary B. Foat
FEBRUARY 23, 2020
REVISED: MAY 12, 2020

LEGEND
- ⊕ – FOUND RACINE COUNTY CONCRETE MONUMENT
- ○ – SET 1" IRON PIPE, 18" IN LENGTH, 1.68 LBS./LIN. FT.
- ● – FOUND 5/8" REBAR
- ◎ – FOUND 1" I.D. IRON PIPE
- ( ) – RECORDED AS
- ⁂ – APPROXIMATE 2010 DNR WETLAND SCALED FROM RACINE COUNTY GIS NOTE: WETLANDS NOT DELINEATED

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RACINE COUNTY CERTIFIED SURVEY MAP NO. 3408

BEING PART OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 7, TOWN 4 NORTH, RANGE 19 EAST, TOWN OF WATERFORD, RACINE COUNTY, WISCONSIN.

OWNER'S CERTIFICATE:

AS OWNER, I HEREBY CERTIFY THAT I HAVE CAUSED THE LAND DESCRIBED ON THIS MAP TO BE SURVEYED, DIVIDED AND MAPPED AS REPRESENTED ON THE MAP, I ALSO CERTIFY THAT THIS MAP IS REQUIRED TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION.

TOWN OF WATERFORD
VILLAGE OF MUKWONAGO (EXTRATERRITORIAL JURISDICTION)

WITNESS THE HAND AND SEAL OF SAID OWNER THIS 2nd DAY OF July, 2020.

IN THE PRESENCE OF:

COPPER CREEK PASS, LLC
GARRETT G. FOAT
510 B, N. SIXTH ST.
WATERFORD, WI 53185

GARRETT G. FOAT, MEMBER

STATE OF WISCONSIN)
RACINE COUNTY)SS

PERSONALLY CAME BEFORE ME THIS 2nd DAY OF July, 2020, THE ABOVE NAMED GARRETT G. FOAT, MEMBER OF THE COPPER CREEK PASS LLC. TO ME KNOWN TO BE THE PERSON WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

NOTARY PUBLIC, STATE OF WISCONSIN

IS Permanent
COMMISSION EXPIRES

BRENDA WANASEK NOTARY PUBLIC STATE OF WISCONSIN

CURVE TABLE				
	CHORD		ARC	RADIUS
C1	N 55°11'42" W	519.58	520.19	3090.22
C2	N 43°01'17" W	791.31	793.49	3092.22
C3	N 34°42'31" W	104.02	104.02	3085.22
C4	N 36°45'48" W	117.98	117.99	3092.22
C5	N 40°53'08" W	326.82	326.97	3092.22
C6	N 47°08'38" W	348.35	348.53	3092.22

LINE TABLE	
	LINE
L1	S 39°26'30" W 2.00
L2	N 56°15'25" E 7.00

FROM	ALL OF
	016-04-19-07-004-001
TO	
LOT 1	016-04-19-07-004-100
LOT 2	016-04-19-07-004-200
LOT 3	016-04-19-07-004-300
LOT 4	016-04-19-07-004-400

WISCONSIN
GARY B. FOAT
S-1598
Waterford, Wis.
LAND SURVEYOR

FEBRUARY 23, 2020
REVISED: MAY 12, 2020
SHEET 3 OF 4

DocuSign Envelope ID: 828F76EC-F024-409C-AF2D-19A7151C3E78 1a

RACINE COUNTY CERTIFIED SURVEY MAP NO. 3408

BEING PART OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 7, TOWN 4 NORTH, RANGE 19 EAST, TOWN OF WATERFORD, RACINE COUNTY, WISCONSIN.

CONSENT OF MORTGAGEE:

WE, Community State Bank, MORTGAGEE OF THE ABOVE DESCRIBED PROPERTY DO HEREBY CONSENT TO THE SURVEYING, DIVIDING, MAPPING OF THE LAND DESCRIBED ON THIS MAP AND DO CONSENT TO THE OWNERS CERTIFICATE OF GARRETT G. FOAT.

Nicholas Borth
Business Banking Officer

STATE OF WISCONSIN)
RACINE COUNTY)SS

PERSONALLY CAME BEFORE ME THIS 20 DAY OF July, 2020.

Nicholas Borth ~~AND~~ _____ OF THE ABOVE NAMED CORPORATION,

TO ME KNOWN TO BE SUCH Business Banking officer ~~AND~~ _____ OF SAID CORPORATION AND ACKNOWLEDGED THAT THEY EXECUTED THE FOREGOING INSTRUMENT AS SUCH OFFICERS AS THE DEED OF SAID CORPORATION, BY ITS AUTHORITY.

NOTARY PUBLIC STATE OF WISCONSIN

MY COMMISSION EXPIRES 3-5-2021

ANDREW J. TULLY NOTARY PUBLIC STATE OF WISCONSIN

TOWN OF WATERFORD APPROVAL:

APPROVED BY THE TOWN OF WATERFORD THIS 2nd DAY OF July, 2020.

TOM HINCZ, TOWN CHAIRMAN

TINA MAYER, TOWN CLERK

VILLAGE OF MUKWONAGO EXTRATERRITORIAL PLAT JURISDICTION APPROVAL:

APPROVED BY THE VILLAGE OF MUKWONAGO THIS 17th DAY OF June, 2020.

FRED WINCHOWKY, VILLAGE PRESIDENT

DIANA DYKSTRA, VILLAGE CLERK/TREASURER

Town of Waterford Approval of this CSM does not constitute the suitability of said land for building purposes

Impact/Cite fee is due and payable to the Township of Waterford within 14 days of issuance of a building permit.

WISCONSIN LAND SURVEYOR GARY B. FOAT S-1598 Waterford, Wis.

FEBRUARY 23, 2020
REVISED: MAY 12, 2020