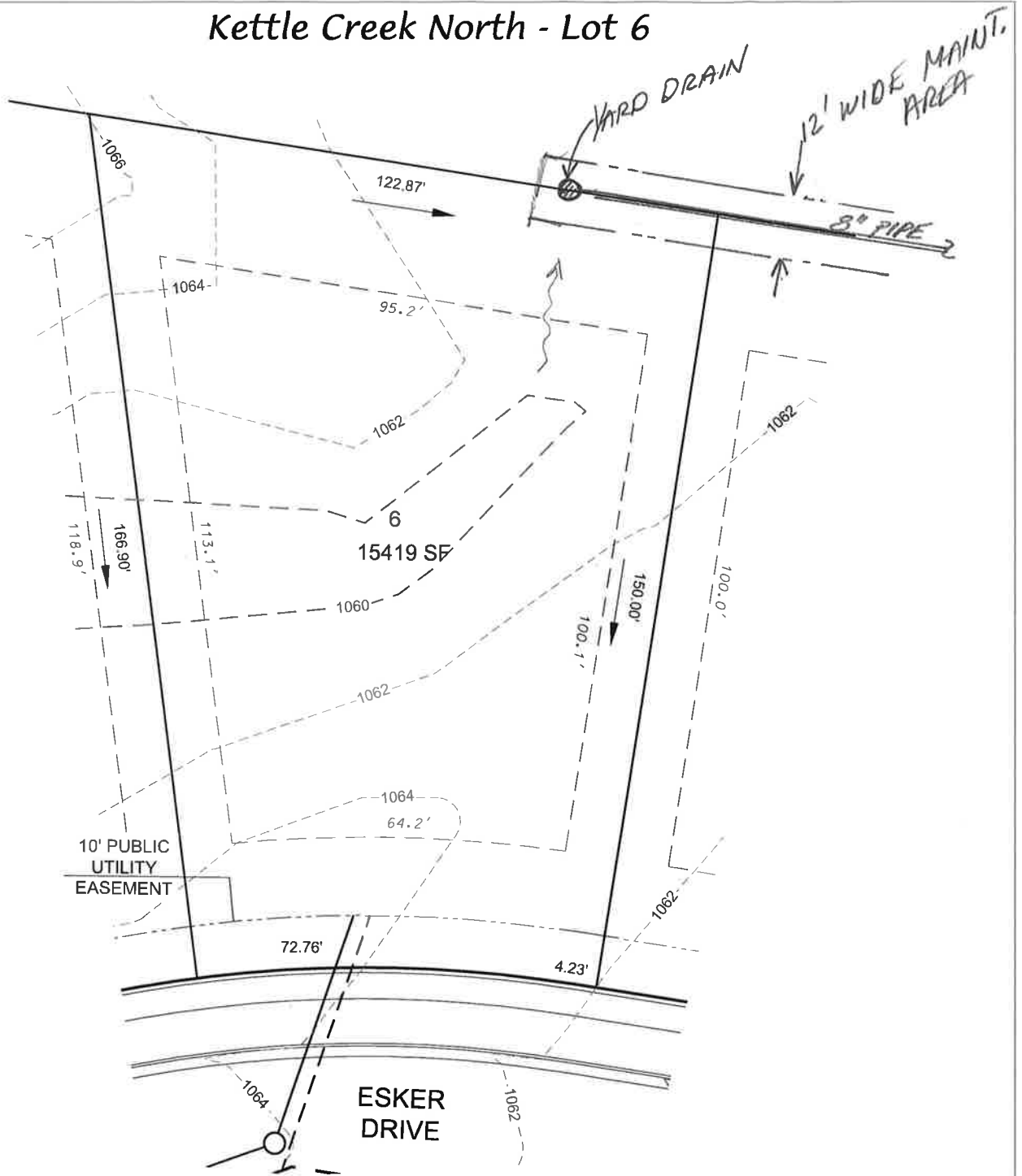


Kettle Creek North - Lot 6



FRONT YARD SETBACK = 25'
 REAR YARD SETBACK = 25'
 SIDE YARD SETBACK = 10'



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 7530 Westward Way, Madison, WI 53717
 Phone: 608.833.7530 • Fax: 608.833.1089
 YOUR NATURAL RESOURCE FOR LAND DEVELOPMENT

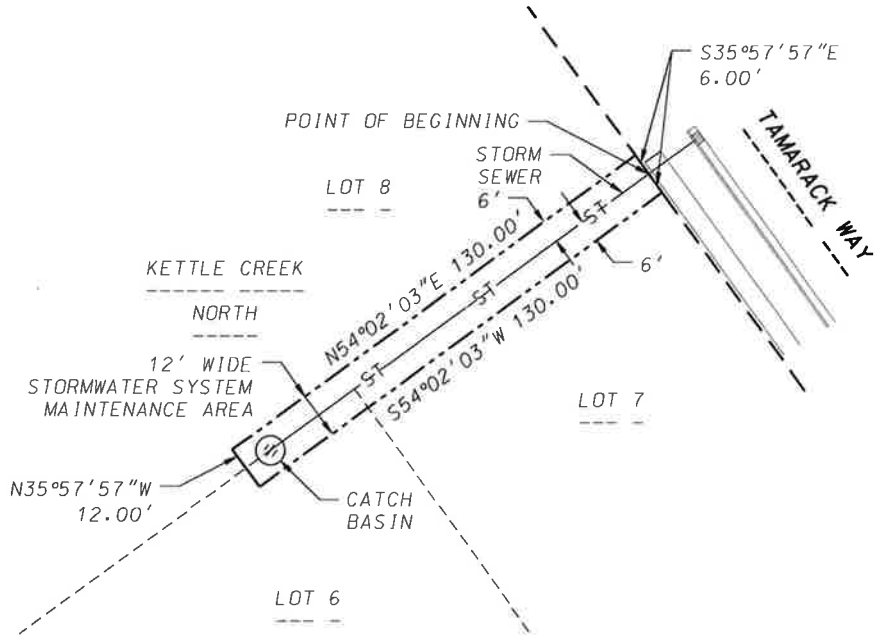


0 30
 Scale 1" = 30'

DATE: 06-15-18
 F.N.: 18-05-105
 REV.

DRAWN BY: KRG

EXHIBIT "A"



LEGAL DESCRIPTION

A Stormwater System Maintenance Area within Lots 6, 7 and 8, Kettle Creek North, recorded in Volume 60-072B of Plats on pages 386-391 as Document Number 5318117, Dane County Registry, located in the NE1/4 of the SE1/4 of Section 9, T6N, R8E, City of Verona, Dane County, Wisconsin to-wit:
 Beginning at the most Northerly corner of said Lot 7; thence S35°57'57"E, 6.00 feet; thence S54°02'03"W, 130.00 feet; thence N35°57'57"W, 12.00 feet; thence N54°02'03"E, 130.00 feet; thence S35°57'57"E, 6.00 feet to the point of beginning.



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Scale 1" = 50'

DATE: 06-29-20

F.N.: 15-07-128

**DECLARATION OF RESTRICTIVE COVENANT
FOR STORMWATER SYSTEM MAINTENANCE**

THIS DECLARATION ("Declaration"), entered into this 21 day of September, 2020, by and between H & H PROPERTIES I, L.L.C. (the "Owner"), and CITY OF VERONA, a Wisconsin Municipal Corporation (the "City"), collectively, the "Parties".

Return to and Drafted by:
Attorney Vernon J. Jesse
Murphy Desmond S.C.
P.O. Box 2038
Madison, WI 53701-2038

Tax Parcel No. See attached Exhibit A.

RECITALS

A. The Owner is the owner of certain real property located in the City of Verona legally described on attached Exhibit A (the "Property").

B. Owner desires to set forth certain obligations for the maintenance of certain stormwater system improvements located on the Property.

NOW THEREFORE, the Owner hereby declares as follows:

1. Stormwater System on Property. Owner has installed certain Stormwater Management infrastructure on the Property as depicted on the attached Exhibit B (the "Stormwater System"). The Stormwater System is located in the "Stormwater System Maintenance Area" depicted on Exhibit B.

2. Responsible Party. The Owners of the Property shall be responsible for maintaining the Stormwater System in perpetuity.

3. Required Maintenance Obligations. Owners of the Property shall take all reasonable steps to ensure smooth unimpeded flow of water through the Stormwater System Maintenance Area, including keeping the Stormwater System and Stormwater System Maintenance Area free of debris, mowing, and making all necessary repairs to ensure the

unimpeded flow of water whenever the performance of a Stormwater System is compromised due to sediment or debris, or otherwise.

4. Default by Responsible Party. In the event that the City of Verona or the Homeowners Association for the Plat of Kettle Creek North determines that Owners have failed to comply with any of the responsibilities as set forth in this Agreement, the City of Verona or the Homeowners Association for the Plat of Kettle Creek North shall give written notice to Owners identifying any said default and requiring compliance within five (5) working days of receipt of the notice or such longer period of time as specified in the notice. In the event Owners fail to complete any actions required to remedy the default within the required time period, unless extended in writing, Owners consent that City or Homeowners Association may enter the Property on which the Stormwater System is located, correct the default and charge the cost of such corrective action to Owner. If Owners fail to pay for said costs of corrective action, then City shall be entitled to place the cost of the corrective action on the tax roll for the Owner's Property as a special charge pursuant to Wis. Stats. § 66.0627 and the Homeowners Association may levy a special assessment against the Owners and collect the same as provided by the Covenants and Restrictions for the Plat of Kettle Creek North.

5. Severability. All provisions of this Agreement are severable, and if any one or more provision is deemed unenforceable for any reason, the remaining provisions shall remain in full force and effect.

6. Binding Agreement. All provisions of this Agreement, including the benefits and burdens hereunder, run with the Property and are binding upon and inure to the benefit of the Parties hereto and their successors and assigns.

7. Amendment; Termination. This Agreement may be amended or terminated only by a document signed by the Owners, the City of Verona and the Homeowners Association for Kettle Creek North.

8. Requirement to Record. This Agreement and any subsequent amendments thereto shall be recorded at the Dane County Register of Deeds.

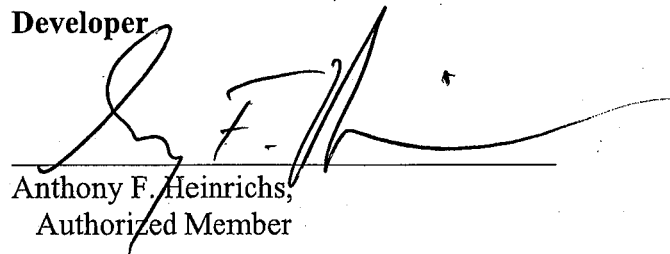
9. Governing Law. This Agreement at all times shall be enforced in accordance with the laws of the State of Wisconsin.

10. Assignment. Owners' obligations may not be assigned to another party without the prior written consent of City except that such consent is not required when an Owner transfers fee simple title to a buyer who will assume the maintenance responsibilities of the Owner.

IN WITNESS WHEREOF this Agreement is executed as of the date first written above.

H & H PROPERTIES I, L.L.C.
Developer

By:



Anthony F. Heinrichs,
Authorized Member

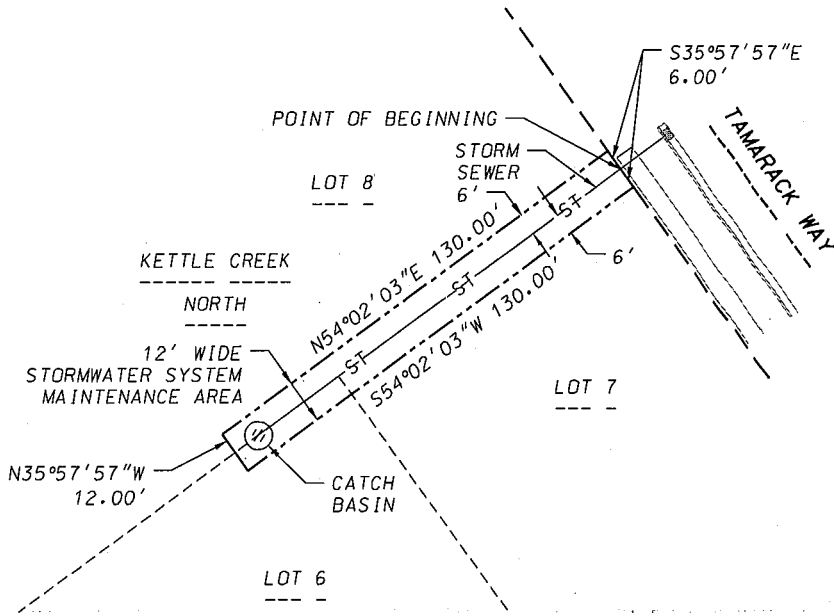
This document drafted by:
Attorney Vernon J. Jesse
MURPHY DESMOND S.C.
P.O. Box 2038
Madison, WI 53701-2038
(608) 257-7181

EXHIBIT A
LEGAL DESCRIPTION

Lots 6, 7 and 8, Kettle Creek North, recorded in Volume 60-072B of Plats on pages 38-391, as Document Number 5318117, Dane County Registry, located in the NE 1/4 of the SE 1/4, Section 9, T6N, R8E, City of Verona, Dane County, Wisconsin

4842-5482-8748, v. 1

EXHIBIT "B"



LEGAL DESCRIPTION

A Stormwater System Maintenance Area within Lots 6, 7 and 8, Kettle Creek North, recorded in Volume 60-072B of Plats on pages 386-391 as Document Number 5318117, Dane County Registry, located in the NE1/4 of the SE1/4 of Section 9, T6N, R8E, City of Verona, Dane County, Wisconsin to-wit:

Beginning at the most Northerly corner of said Lot 7; thence S35°57'57"E, 6.00 feet; thence S54°02'03"W, 130.00 feet; thence N35°57'57"W, 12.00 feet; thence N54°02'03"E, 130.00 feet; thence S35°57'57"E, 6.00 feet to the point of beginning.



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0 50



Scale 1" = 50'

DATE: 09-21-20

F.N.: 15-07-128