

Addendum Z (Broker Disclosure & Information)

1) It is assumed that all of the utilities...electricity, natural gas, highspeed internet, and telephone are available because this lot is in the city surrounded by homes that have these services. However, buyers should do their own due diligence to verify this and to determine where the connection points are.

2) There are covenants for Abbey Estates that may or may not still be in existence (see page three item XIII of the attached covenants). If they are still in existence, it appears that only a single family home can be constructed and not a two-family home even though Viroqua zoning allows for a two-family home within R-1 zoning. If the covenants are still in existence, then there is a minimum square footage requirement for building (see page two item IV of the attached covenants). A local title company has not found any new covenants in existence for First Addition to Abbey Est. and suggest that it is important to know, that a buyer contact an attorney to find out whether or not anyone would be able to enforce these current covenants. Buyers to do their own due diligence.

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DECLARATION OF RESTRICTIONS
TO FIRST ADDITION TO
ABBEY ESTATES, CITY OF VIROQUA,
VERNON COUNTY, WISCONSIN

THIS DECLARATION MADE this 1st day of July, 1983, by the owners of all of the property comprising FIRST ADDITION TO ABBEY ESTATES, CITY OF VIROQUA, VERNON COUNTY, WISCONSIN, hereinafter called Declarants,

WITNESSETH:

WHEREAS, Declarants are the owners of the real property described in Paragraph I of the Declaration, and are desirous of subjecting the real property described in Paragraph I to the restrictions, covenants, reservations, easements, liens, and charges hereinafter set forth, each and all of which are for the benefit of said property and for each owner thereof, and shall inure to the benefit of and pass with said property, and each and every parcel thereof, and shall apply to and bind the successors in interest and any owner thereof at this time or at times hereafter;

NOW, THEREFORE, Declarants hereby declare that the real property described and referred to in Paragraph I hereof is and shall be held, transferred, sold and conveyed subject to the conditions, restrictions, covenants, reservations, easements, liens and charges hereinafter set forth.

I. PROPERTY SUBJECT TO THIS DECLARATION.

The real property which is held and shall be conveyed, transferred and sold subject to the conditions, restrictions, covenants, reservations, easements, liens and charges with respect to the various portions thereof, set forth in the various clauses and subdivisions of the Declaration, is located in the County of Vernon, State of Wisconsin, and is more particularly described as FIRST ADDITION TO ABBEY ESTATES, CITY OF VIROQUA, VERNON COUNTY, WISCONSIN, as described in paragraph XVIII, below. No property other than that described above shall be deemed subject to this Declaration unless and until specifically made subject hereto.

Declarants may, from time-to-time, subject additional real property to the conditions, restrictions, covenants, reservations, liens and charges herein set forth, by appropriate reference hereto.

II. PURPOSES OF RESTRICTIONS.

The real property described in Paragraph I hereof is subject to the restrictions, covenants, reservations, liens and charges hereby declared to insure the best and most appropriate development and improvement of each building site herein contemplated; to protect the owners of building sites included herein against any improper use of surrounding building sites that might tend to depreciate the value of such building site; to preserve, as far as practicable, the natural beauty of said property, to guard against the erection thereon of poorly proportioned structures, and structures built of improper or unsuitable materials; to insure the highest and best development of said property; to encourage and secure the erection of attractive structures thereon with appropriate locations thereof on building sites; to secure and maintain proper setbacks from streets and adequate free spaces between structures; and, in general, to provide adequately for high type of quality of improvement to said property, thereby enhancing the value of the investment made by the purchasers of various building sites contemplated by these restrictions.

All lots in FIRST ADDITION TO ABBEY ESTATES, CITY OF VIROQUA, VERNON COUNTY, WISCONSIN shall be known and described as residential lots and shall be used for private residence purpose or agriculture crop use; no structure shall be erected, altered, placed or permitted to remain on any residential building lot,

other than one single family dwelling not to exceed two stories in height, with a private garage for not more than three cars, no multiple dwelling units, commercial construction, or basement homes will be permitted in FIRST ADDITION TO ABBEY ESTATES, CITY OF VIROQUA, VERNON COUNTY, WISCONSIN.

These protective covenants are not intended to limit invention or imagination, nor to dictate conformity. The objective of these covenants is to insure quality without prohibiting individuality. Residential structures are to relate well with each other and the natural environment, thereby creating an atmosphere of community without stereotyped conventionality.

III. LOCATION OF BUILDINGS.

No buildings shall be located unless such location shall strictly conform to the provisions of ordinances of the City of Viroqua.

IV. SPECIFICATIONS.

No residential structure that has a total square footage of less than 1100 square feet shall be erected or placed on any building lot, nor shall any garage construction be permitted if said garage is less than 280 square feet.

V. TIMING OF CONSTRUCTION.

All construction shall be completed suitable for occupancy or use within 12 months after the beginning of such construction.

VI. LIMITATION OF USE.

No noxious or offensive trade or activity shall be carried on upon any lot nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood. No livestock, animals or poultry of any kind shall be raised, bred, or kept on any such lot, excepting dogs, cats, or household pets not bred or kept for commercial purposes.

VII. TEMPORARY HOUSE PROHIBITION.

No trailer, basement, tent, shack, garage, barn, or other outbuilding or temporary building shall at any time be used as a dwelling.

VIII. EXCAVATED SOIL.

Excavated soil not subsequently used on the lot from which it was removed shall not be hauled from the FIRST ADDITION TO ABBEY ESTATES, CITY OF VIROQUA, VERNON COUNTY, WISCONSIN unless it first shall have been offered to Ross V. Abbey and Ramona J. Abbey or their successors as developers of this property.

IX. WEEDS, ETC. TO BE CUT.

All owners of lots sold but upon which construction has not commenced shall keep such lots free of weeds and grass of more than 12 inches in length. This restriction shall not prohibit the developers from actively farming lots not sold.

X. USED BUILDINGS PROHIBITED.

No person shall move a used building of any type on any of the lands of this plat.

XI. BOUNDARY LINES AND OR BOUNDARY LINE DISPUTES.

The owner or owners of any land in FIRST ADDITION TO ABBEY ESTATES, CITY OF VIROQUA, VERNON COUNTY, WISCONSIN shall be legally responsible for any boundary line disputes affecting his or her or its property.

XII. IMPROVEMENT TO SUBDIVISION.

The cost of paving of streets, installation of curb and gutter and/or sidewalks shall be borne by the owner of the lot at the time of such installation.

XIII. SCOPE OF OPERATIONAL COVENANTS AND RESTRICTIONS.

These covenants and restrictions are to run with the land and shall be binding upon all parties on any land, and all persons claiming under them, until January 1, 2000 at which time such covenants shall cease, unless at least one year before said January 1, 2000 the majority of the then owners of the lots shall execute and acknowledge an instrument in writing extending and continuing said covenants for an additional designated period of time; said instrument to be filed for record in the office of the Register of Deeds, in and for Vernon County, Wisconsin prior to January 1, 2000.

XIV. VIOLATION OF RESTRICTIONS.

If any owner of land in this plat shall violate or tend to violate any of the covenants herein, it shall be lawful for any other person or persons owning any land situated in said plat to prosecute any proceedings at law or in equity against the person or persons tending to violate any such covenant, and either prevent him or them from so doing, or recover damages for such violation, or both.

XV. SEVERABILITY CLAUSE.

The invalidation of any one of these covenants by any Judgment or Court Order shall in no wise affect any other provisions which shall, nevertheless remain in full force and effect.

XVI. MODIFICATION OF RESTRICTIONS.

Any and all covenants herein contained may be annulled, waived, changed or modified in whole or in part by filing any written Declaration in the office of the Register of Deeds in and for Vernon County, Wisconsin, signed by all of the owners of property in FIRST ADDITION TO ABBEY ESTATES, CITY OF VIROQUA, VERNON COUNTY, WISCONSIN designating the lots under which such nullification, waiver, modification or change is applicable, or by incorporating such nullification, waiver, modification or change in a deed of conveyance.

XVII. PERSONS BOUND.

The acceptance of a deed by any person to any of the above property shall be deemed a consent and agreement by that person, his heirs and assigns, to be bound by all of the provisions of these Articles of Restriction.

XVIII. BOUNDARY DESCRIPTION OF FIRST ADDITION TO ABBEY ESTATES.

Part of the Northeast Quarter (NE $\frac{1}{4}$) and part of the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$), Section Thirty-one (31), Township Thirteen (13) North, Range Four (4) West, City of Viroqua, County of Vernon, State of Wisconsin, described as follows:

Commencing at the North Quarter Corner of said Section Thirty-one (31), thence West 134.18 feet, thence South 990.81 feet, to the point of beginning, thence continuing South 947.38 feet, thence North 88° 03' 55" West 275.60 feet, thence North 01° 56' 05" East 28.47 feet, thence North 88° 03' 55" West 207.86 feet, thence South 71° 04' 41" West 64.21 feet, thence North 88° 03' 55" West 120.00 feet, thence North 01° 56' 05" East 147.28 feet, thence North 18° 38' East 657.25 feet, thence North 147.81 feet, thence North 89° 11' East 348.01 feet to the point of beginning.

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Dated this 1st day of July, 1983.

Ross V. Abbey
Ross V. Abbey

Ramona J. Abbey
Ramona J. Abbey

STATE OF WISCONSIN)
COUNTY OF VERNON) ss.

Personally came before me this 1st day of July, 1983, the above named Ross V. Abbey and Ramona J. Abbey, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Kathy M. Newman
Kathy M. Newman
Notary Public, State of Wisconsin
My Commission Expires 8-17-86

Register's Office
Vernon Co. Wis.
Noted for record this 15 day of July
1983 at 3:00 o'clock P.M.
and Recorded in Vol 277 of Record on
Page 116
Edward J. Nelson
Register of Deeds

This Instrument Drafted By:

Endicott & Monson Law Offices
302 Minshall Avenue, P. O. Box 289
Viroqua, Wisconsin 54665-0289

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