

DECLARATION OF CONDITIONS AND COVENANTS

WESTVIEW HILLS

CITY OF MADISON, DANE COUNTY, WISCONSIN

0000650

DANE COUNTY
REGISTER OF DEEDS

Doc No 2858969

1997-06-04 02:30 PM
Trans. Fee 0.00
Rec. Fee 10.00
Pages 1

WHEREAS, Douglas D. Stitgen, owner of Lots 1-9, inclusive, Block 1, Lots 1-12, inclusive, Block 2 and Lot 1, Block 3 in the Plat known as Westview Hills recorded on the 17th day of April, 1997 in Volume 57-71A of Plats on page(s) 280 & 281 in the Office of the Register of Deeds of Dane County, Wisconsin, will be benefited through the installation of public sanitary sewer, storm sewer, water main, and street improvements, including sidewalk to serve said lots.

NOW, THEREFORE, Douglas D. Stitgen hereby declares and provides that Lots 1-9, inclusive, Block 1, Lots 1-12, inclusive, Block 2, and Lot 1, Block 3 are subject to the following conditions and covenants:

1. The owner concurs with the City of Madison's policy to promote the general welfare of the City through the installation of public sanitary sewer, storm sewer, water main, and street improvements including sidewalk to serve said lots.
2. The owner acknowledges that it is the City of Madison's policy to assess the above described lots the full cost of said improvements, including inspection, engineering, and supervision costs.
3. The owner, its successors and assigns hereby waives all special assessment notices and hearings as required by Section 66.60(18) of the Wisconsin Statutes and Section 4.09 of Madison General Ordinances and further agrees that the benefits to the above described lots for the construction of said improvements, will be divided proportionately among said lots which it may elect to pay in eight equal successive annual installments.
4. The City of Madison shall have the right annually during the payment period, to place an amount equal to one-eighth of said charge above specified, together with interest on all unpaid balances thereof at the prevailing interest rate on the tax roll to be collected, together with the general taxes in the same manner as if said charge had been levied as a special assessment against the property, and as if said annual amounts were installments of special assessment.
5. In the event of a default in the payment of any of the said eight annual installments above specified, the collection of the same shall be enforced by the City of Madison by action for debt or by sale of the property for nonpayment of taxes.

This space is reserved for recording data.

Return to:

City Engineering Division
Rm. 115, City-County Building
Madison, Wisconsin

Tax Parcel No. See below

Waiver from
Developer agreeing
to have lots pay to
extend sewer/ water/
street improvements
when it became
available.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 25 day of November, 1996.

Douglas D. Stitgen
Douglas D. Stitgen

STATE OF WISCONSIN)
COUNTY OF DANE) SS

Personally came before me this 25th day of November, 1996, the above named _____, to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

Mary M. D. Groot
NOTARY PUBLIC

My Commission Expires: 06-29-97

Drafted by: City Engineering Division
Rm. 115, City-County Building
Madison, Wisconsin

GAD:mah

BLOCK #	LOT #	PARTIAL PARCELS NUMBER
BLK 1	LOT 1	60-0708-341-0101-9
BLK 1	LOT 2	60-0708-341-0102-7
BLK 1	LOT 3	60-0708-341-0103-5
BLK 1	LOT 4	60-0708-341-0104-3
BLK 1	LOT 5	60-0708-341-0105-1
BLK 1	LOT 6	60-0708-341-0106-9
BLK 1	LOT 7	60-0708-341-0107-7
BLK 1	LOT 8	60-0708-341-0108-5
BLK 1	LOT 9	60-0708-341-0109-3
BLK 2	LOT 1	60-0708-341-0312-2
BLK 2	LOT 2	60-0708-341-0311-4
BLK 2	LOT 3	60-0708-341-0310-6
BLK 2	LOT 4	60-0708-341-0309-9
BLK 2	LOT 5	60-0708-341-0308-1
BLK 2	LOT 6	60-0708-341-0307-3
BLK 2	LOT 7	60-0708-341-0306-5
BLK 2	LOT 8	60-0708-341-0305-7
BLK 2	LOT 9	60-0708-341-0304-9
BLK 2	LOT 10	60-0708-341-0303-1
BLK 2	LOT 11	60-0708-341-0302-3
BLK 2	LOT 12	60-0708-341-0301-5
BLK 3	LOT 1	60-0708-341-0201-7