

DECLARATION OF CONDITIONS AND COVENANTS
1000 OAKS SUBDIVISION
CITY OF MADISON, DANE COUNTY, WISCONSIN



WHEREAS, Pellett Development, LLC, owner of Lots 2 and 3, in the Plat known as 1000 Oaks recorded in Volume 59-0698 of Plats on Pages 321-323 in the Office of the Register of Deeds for Dane County, Wisconsin, will be benefited through the installation of street, sidewalk and utility improvements by the City of Madison.

NOW, THEREFORE, Pellett Development, LLC, hereby declares and provides that Lots 2 and 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 infrastructure improvements including, but not limited to, street, sidewalk and utility improvements, by the City of Madison on Harvest Moon Lane and South Point Road, adjacent to said lots.
2. The owner acknowledges that it is the City of Madison's policy to assess the above described lot(s) 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 66.0703(7)(b) of the Wisconsin Statutes and Section 4.09 of Madison General Ordinances and further agrees that the benefits to the above described lot(s) for the construction of said improvements, will be divided proportionately among said lot(s) 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.


IN WITNESS WHEREOF, we have hereunto set our hands and seals this 28th day of Dec, 2016.

PELLETT DEVELOPMENT, LLC

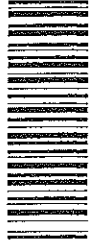



STATE OF WISCONSIN)
COUNTY OF DANE) SS

Personally came before me this 28th day of Dec, 2016, the above named Jackson B. Pellett or Joseph B. Pellett to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.


NOTARY PUBLIC

My Commission Expires: 2-26-17



9 0 9 5 6 4 0
TX:8824003

KRISTI CHLEBOWSKI
DANE COUNTY
REGISTER OF DEEDS

DOCUMENT #
5296925

01/05/2017 8:35 AM

Trans. Fee:

Exempt #:

Rec. Fee: 30.00

Pages: 1

This space is reserved for recording data.

Drafted By and Return to:

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

TAX PARCEL NO.

Lot 2: 251 / 0708-283-0204-5

Lot 3: 251 / 0708-283-0301-9