

VACANT LAND DISCLOSURE REPORT

DISCLAIMER

THIS DISCLOSURE REPORT CONCERNS THE REAL PROPERTY LOCATED AT _____
Drumlin Creek Phase 5 IN THE Loun
(CITY) (VILLAGE) (TOWN) OF Bristol COUNTY OF _____
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 7 (MONTH) 2 (DAY), 2022 (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 that does not include any buildings 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. 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.

B. ENVIRONMENTAL

	YES	NO	N/A
B1. Are you aware of a material violation of an environmental rule or other rule or agreement regulating the use of the property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B2. 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 soil, or other potentially hazardous or toxic substances on the property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B3. Are you aware of the manufacture of methamphetamine or other hazardous or toxic substances on the property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B4. Are you aware of subsoil conditions that would significantly increase the cost of development, including, but not limited to, subsurface foundations or waste material; any type of fill; dumpsites where pesticides, herbicides, fertilizer, or other toxic or hazardous materials or containers for these materials were disposed of in violation of manufacturer or government guidelines or other laws regulating such disposal; high groundwater; adverse soil conditions, such as low load-bearing capacity, earth or soil movement, settling, upheavals, or slides; excessive rocks or rock formations; or other soil problems?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B5. Are you aware of a defect caused by unsafe concentrations of, unsafe conditions relating to, or the storage of hazardous or toxic substances on neighboring properties?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B6. Are you aware of brownfields (abandoned, idled, or underused land that may be subject to environmental contamination) or other contaminated land on the property, or that contaminated soils on the property have been cleaned up under the Petroleum Environmental Cleanup Fund Act (PECFA), a Wisconsin Department of Natural Resources (DNR) remedial or cleanup program, the DATCP Agricultural Chemical Cleanup Program, or other similar program?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B7. Explanation of "yes" responses	<input type="text"/>		
	<input type="text"/>		
	<input type="text"/>		
	<input type="text"/>		

C. WELLS, SEPTIC SYSTEMS, STORAGE TANKS

	YES	NO	N/A
C1. Are you aware of underground storage tanks presently or previously on the property for storage of flammable or combustible liquids, including, but not limited to, gasoline or heating oil? (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. Wisconsin Department of Agriculture, Trade and Consumer Protection regulations may require the closure or removal of unused tanks.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C2. 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.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C3. Are you aware of defects in a well on the property or a well that serves the property, including unsafe well water due to contaminants such as coliform, nitrates, or atrazine, or any out-of-service wells or cisterns that are required to be abandoned (see s. NR 812.26, Wis. Adm. Code) but that are not closed or abandoned according to applicable regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C4. Are you aware of a joint well serving this property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C5. Are you aware of a defect relating to a joint well serving this property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C6. Are you aware of defects in any 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C7. Explanation of "yes" responses	<input type="text"/>		
	<input type="text"/>		
	<input type="text"/>		
	<input type="text"/>		

Some lots w phase I of subdivision have had high nitrates

D. TAXES, SPECIAL ASSESSMENTS, PERMITS, ETC.

- | | YES | NO | N/A |
|---|--------------------------|-------------------------------------|--------------------------|
| D1. Have you received notice of a property tax increase, other than normal annual increases, or are you aware of a pending property tax reassessment? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| D2. Are you aware of pending special assessments? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| D3. Are you aware of the property being 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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| D4. Are you aware of any land division involving the property for which required state or local permits were not obtained? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| D5. Are you aware of impact fees or another condition or occurrence that would significantly increase development costs or reduce the value of the property to a reasonable person with knowledge of the nature and scope of the condition or occurrence? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| D6. Are you aware of proposed, planned, or commenced public improvements or public construction projects that may result in special assessments or that may otherwise materially affect the property or the present use of the property? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

D7. Explanation of "yes" responses

E. LAND USE

- | | YES | NO | N/A |
|---|-------------------------------------|-------------------------------------|--------------------------|
| E1. Are you aware of the property being part of or subject to a subdivision homeowners' association? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| E2. If the property is not a condominium unit, are you aware of common areas associated with the property that are co-owned with others? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| E3. Are you aware of the property or any portion of the property being located in a floodplain, wetland, or shoreland zoning area under local, state or federal law? <i>See attached maps</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| E4. Are you aware of any zoning code violations with respect to the property? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| E5. 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. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| E6. 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. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| E7. Are you aware of restrictive covenants or deed restrictions on the property? | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| E8. Other than public rights of ways, are you aware of nonowners having rights to use part of the property, including, but not limited to, private rights-of-way and easements other than recorded utility easements? | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| E9. 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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| E10. 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 (608) 266-2486. <i>Property is zoned G4 Ag. (Zoned to build single family home)</i> | | | |
| 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)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 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)) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 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)) <i>Seller will pay penalty</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

YES NO N/A

E11. 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/FPAgreements.aspx for more information.

E12. 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?

E13. 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.)

E14. Are you aware of boundary or lot line disputes, encroachments, or encumbrances (including a joint driveway) affecting the property? *lots 66-72 & 74-78 have a joint driveway*
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.

E15. Are you aware there is not legal access to the property?

E16. 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.

E16m. Are you aware of a written agreement affecting riparian rights related to the property?

E16n. 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.

E17. 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).

E18. Are you aware of archeological artifacts, mineral rights, orchards, or endangered species on the property?

E19. Are you aware of existing or abandoned manure storage facilities located on the property? *there is an active farm on Hwy V*

E20. Are you aware that all or part of the property is enrolled in the managed forest land program?

The managed forest land program is a landowner incentive program that encourages sustainable forestry on private woodlands by exempting the landowner from the payment of property taxes in exchange for the payment of a lower acreage share payment and compliance with certain conservation practices. Orders designating lands as managed forest lands remain in effect for 25 or 50 years. When ownership of land enrolled in the managed forest land program changes, the new owner must sign and file a report of the change of ownership on a form provided by the Wisconsin Department of Natural Resources (DNR) and pay a fee. By filing this form, the new owner agrees to comply with the management plan for the land and the managed forest land program rules. The DNR Division of Forestry monitors forest management plan compliance. Changes that a landowner makes to property that is subject to an order designating it as managed forest land, or to its use, may jeopardize benefits under the program or cause the property to be withdrawn from the program and may result in the assessment of penalties. For more information, call your local DNR forester or visit <http://dnr.wi.gov/topic/forestry.html>.

E21. Explanation of "yes" responses

F. ADDITIONAL INFORMATION

YES NO N/A

F1. Are you aware of high voltage electric (100 kilo volts or greater) or steel natural gas transmission lines located on, but not directly serving, the property?

- | | YES | NO | N/A |
|--|-------------------------------------|-------------------------------------|--------------------------|
| F2. Are you aware of flooding, standing water, drainage problems, or other water problems on or affecting the property? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| F3. Are you aware of material damage from fire, wind, flood, earthquake, expansive soil, erosion, or landslide? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| F4. Are you aware of significant odor, noise, water diversion, water intrusion, or other irritants emanating from neighboring property? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| F5. Are you aware of significant crop damage from disease, insects, soil contamination, wildlife, or other causes; diseased or dying trees or shrubs; or substantial injuries or disease in livestock on the property or neighboring property? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| F6. Utility Connections. Are you aware that the property is connected to the following utilities on the property or at the lot line? (If "yes," indicate where the utility is located.) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| a. Electricity <u>at lot line</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Municipal water | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. Telephone <u>See Attached</u> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d. Cable television | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e. Natural gas <u>at lot line or across st</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f. Municipal sewer | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| F7. 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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| F8. Are you aware of other defects affecting the property?
Other defects may include items such as animal, reptile, or insect infestation; drainage easement or grading problems; excessive sliding; or any other defect or material condition. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| F9. Are you aware of a government agency, court order, or federal, state, or local regulations requiring repair, alteration, or correction of an existing condition? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| F9m. 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. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| F10. The owner has owned the property for <u>22</u> years. | | | |

F11. Explanation of "yes" responses

Some lots are adjacent to property that is in wetland, some lots may require erosion control permit. There is an active HOA and dues will be required in the future.

Buyer is aware USPS will require a cluster mailbox, provided by the developer.

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 William Ruben Date 7-2-2022
 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 _____

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

Due to updated FCC government regulations, telephone communication providers are no longer required to provide land line service to new phases. As a result, Paulson Development LLC cannot guarantee that all new phases will have access to traditional land line phones and internet. However, past Buyers in phase 3 of Drumlin Creek have contacted Frontier and they have agreed to provide telephone and internet services directly to the customer. The contact information for Frontier is listed below.

Engineering Department
118 Division Street
Plymouth, WI 53073
608-742-9507
Jerald.R.Moore@FTR.com
ATTN: Jerry Moore (updated 7-17-19)

<u>William M Paulson</u>	<u>8-21-2018</u>
Paulson Development LLC	Date

<u> </u>	<u> </u>
Buyers Name	Date

<u> </u>	<u> </u>
Buyers Name	Date

Update July 8, 2020:

Paulson Development LLC has paid Frontier to install telephone and internet for the 4th phase of Drumlin Creek (Lots 24-34, 72-78). As of this date, the line has not been installed and buried by Frontier. Seller suggests to buyer to call for service at time of start of construction if buyer wishes to use their service.

If there are any issues, please contact:
Jerry Moore
608-742-9507
Jerald.R.Moore@FTR.com

DECLARATION OF PEDESTRIAN AND VEHICULAR INGRESS AND EGRESS EASEMENT AFFECTING LOTS 66-72 AND 74-78, DRUMLIN CREEK, TOWN OF BRISTOL, DANE COUNTY, WISCONSIN

Paulson Development LLC, a Wisconsin limited liability company ("Developer"), owner of the real estate in the Town of Bristol, Dane County, Wisconsin, which has been platted as Lots 66-72, 74-75 and 77-78, Drumlin Creek, Town of Bristol, Dane County, Wisconsin ("PDL Lots"), and Charles D. Pitzlin and Kelly L. Pitzlin, husband and wife (collectively, "Pitzlin"), owners of Lot 76, Drumlin Creek, Town of Bristol, Dane County, Wisconsin ("Pitzlin Lot"), hereby declare that a portion of each of said PDL Lots and Pitzlin Lot, as defined herein, shall be subject to a joint pedestrian and vehicular ingress and egress easement for the mutual benefit of the PDL Lots and the Pitzlin Lot, on the terms and conditions set forth herein, and that all of said PDL Lots and Pitzlin Lots shall be held, sold, occupied, conveyed and transferred subject to and together with the easement set forth herein:

Return to:
Michael J. Lawton
P.O. Box 927
Madison, WI 53701-0927

See attached list

Parcel Identification Numbers

ARTICLE 1

Joint Ingress/Egress Easement

1.1 Creation of Joint Ingress/Egress Easement. Developer, being the Owner of Lots 66-72, 74-75 and 77-78, Drumlin Creek, Town of Bristol, Dane County, Wisconsin, and Pitzlin, being the Owner of Lot 76, Drumlin Creek, Town of Bristol, Dane County, Wisconsin, hereby declare, for themselves and their heirs, personal representatives, successors and assigns, and grant, for the benefit of the Owners of Lots 66-72 and 74-78, Drumlin Creek, Town of Bristol, Dane County, Wisconsin, and their heirs, personal representatives, successors and assigns, a perpetual, reciprocal right, privilege and easement, in common, appurtenant to and located on a portion of said Lots 66-72 and 74-78, Drumlin Creek, Town of Bristol, Dane County, Wisconsin, across, on and over an area legally described on Exhibit A attached hereto and incorporated by reference herein, and graphically described on Exhibit B attached hereto and incorporated by reference herein, titled thereon as a "Private Driveway Easement" providing an ingress and egress easement for pedestrian and vehicular (both motorized and non-motorized) ingress and egress to and from said Lots 66-72 and 74-78, Drumlin Creek, Town of Bristol, Dane County, Wisconsin with Fissure Trail (hereafter "Easement").

The Easement is solely for the use of each Owner of Lots 66-72 and 74-78, Drumlin Creek, Town of Bristol, Dane County, Wisconsin, and their employees, agents, contractors, visitors, guests, licensees, tenants and invitees, subject to any utility or other easements on the plat of Drumlin Creek, or as otherwise previously recorded. All Owners and their employees, agents, contractors, visitors, guests, licensees, tenants and invitees shall comply in their use of the Easement with all laws, ordinances and regulations relating thereto and they shall not unreasonably impede, obstruct or interfere with the use thereof by any other person or entity authorized to use such Easement. No building or other structure shall be erected upon or placed on or above such Easement. Any construction or maintenance work which disturbs or damages any improvement within such Easement shall be repaired or restored to as near the original condition as possible by the party or parties undertaking such construction or maintenance work.

1.2 Maintenance; Taxes. At such time as a building permit is issued by the Town of Bristol for a building(s) on any of the benefitted lots, then the Owner(s) of the benefitted lot(s) on which a building permit has been issued by the Town of Bristol shall be jointly responsible for all of the maintenance, replacement and repair of the driveway and other surfaces of the Easement, and the Owner(s) of the Lots from within Lots 66-72 and 74-78 for which a building permit has been issued shall share equally in the cost thereof. Any Owner who is the underlying fee owner of that portion of the Easement shall be responsible for any real estate taxes or other governmental imposition relating to that portion of the Easement on such Owner's property.

The obligation for maintenance, replacement and repair of the surface of the Easement shall be performed in a prompt and timely manner, and shall include, without limitation:

1. Maintaining the driveway in good order and repair, with the type of surfacing materials originally installed or such substitute as shall in all respects be equal or superior in quality, use and durability; and
2. Removing all litter, ice and snow, mud and sand, debris and refuse, and sweeping the surfaces to the extent reasonably necessary to keep the surfaces in a reasonably clean condition;

and all of which shall be performed in a manner and within a time period which is consistent with generally accepted standards for the maintenance of residential driveways generally in the Sun Prairie area. The parties shall confer in good faith and agree on all matters required for the proper maintenance, replacement and repair of the Easement for which they are responsible, but in the event that the parties cannot come to an agreement on any subject, the matter shall be immediately referred to binding arbitration before a neutral arbitrator who has experience in managing residential properties in the Dane County, Wisconsin metropolitan area, and the determination of the arbitrator shall be final and binding on the parties. All obligations shall be due thirty (30) days after receipt of the billing

therefore. The Owner of any Lot on which the Easement is located shall be responsible for mowing on such Lot and such mowing shall not be a shared cost of the Lot Owners.

In the event that any Owner shall default on any maintenance obligations hereunder or any Owner shall refuse to confer in good faith and agree on any matter requiring such action on the part of the parties, and such default or refusal to confer in good faith and agree shall continue after written notice of default or refusal to confer in good faith or agree of not less than ten (10) days duration from any other Owner (or in the case of a bona fide emergency, such written or oral notice as the circumstances permit), then the Owner giving the notice may perform such delinquent maintenance and repair work and bill the delinquent Owner for the delinquent owners share of the cost thereof in accordance with the procedures set forth in this section 1.2, which shall be paid by the delinquent Owner within thirty (30) days after receipt of such statement.

Any delinquent sums shall bear interest at the rate of 9% per annum and the delinquent Owner shall be responsible for any costs of collection including reasonable attorney fees or costs. Any unpaid amounts shall also be eligible to be recorded as a maintenance lien as provided by law against the benefitted land of the delinquent party.

1.3 Insurance. Each Owner shall maintain at all times public liability insurance against claims for death, bodily injury and property damage arising out of the Easement. All insurance required by this section shall be in an amount of not less than \$1,000,000.00 with respect to any one death or bodily injury, and in an amount of not less than \$250,000.00 with respect to property damage from any one occurrence. Each Owner subject to this instrument shall provide the other Owners, or their heirs personal representatives, successors and assigns, with an appropriate certificate of insurance showing the required coverage, which coverage cannot be canceled without thirty (30) days prior written notice to the party to whom the certificate is delivered. The Owners may jointly agree to increase the minimum public liability coverage required herein by a reasonable amount from time-to-time after three (3) years from the date hereof to reflect the effects of inflation.

1.4 Condemnation. Any award resulting from taking or condemnation of any portion or all of the Easement will be distributed among the Owners in proportion to the land contributed for the Easement from Lots 66-72 and 74-78, Drumlin Creek, Town of Bristol, Dane County, Wisconsin, except to the extent that the use of such funds is necessary to replace the taken portion of such Easement to as near the original condition as is possible, in which event such funds shall be held in trust by the recipient or its successors or assigns for the benefit of the Owners, and used for such purpose only.

1.5 Dedication. Nothing contained in this instrument will be deemed to be a gift or dedication of any portion of the Easement referred to herein to the general

public or to any public purpose whatsoever. The Owners, by written agreement of all of the Owners, shall have the right to temporarily close all or any portion of the Easement to such extent as may, in the opinion of their counsel, be legally necessary to prevent a dedication by operation of law thereof or the accrual of any prescriptive rights to any other person or to the public therein.

**ARTICLE 3
General Provisions**

2.1. Invalidation; Amendment or Modification. Invalidation of any one of these provisions, by judgment or court order, shall not affect any of the other provisions, which shall remain in full force and effect. No provision of this instrument may be amended or modified other than by a written instrument signed by the parties benefitted and burdened thereby.

2.2. Binding Effect; Governing Law. This instrument shall be binding upon and inure to the benefit of the parties hereto and their heirs, personal representatives, successors and assigns, and shall be governed by and construed in accordance with the laws of the state of Wisconsin.

IN WITNESS WHEREOF, the undersigned has executed this instrument on this _____ day of _____, 2022.

PAULSON DEVELOPMENT LLC

By: _____
William M. Paulson, Manager

By: _____
Susan K. Paulson, Manager

Charles D. Pitzlin

Kelly L. Pitzlin



Esker Trl

1657

1660

1654

1648

1642

1636

1630

1668

1653

1647

1641

1637

1631

1625

1619

7550

1672

1671

1678

1677

1684

1683

7543

1690

1691

1696

1715

1723

7491

7497

7503

7509

7515

7532

1704

1710

1716

1720

7483

7490

7496

7502

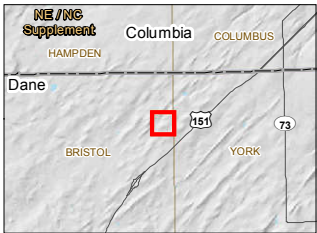
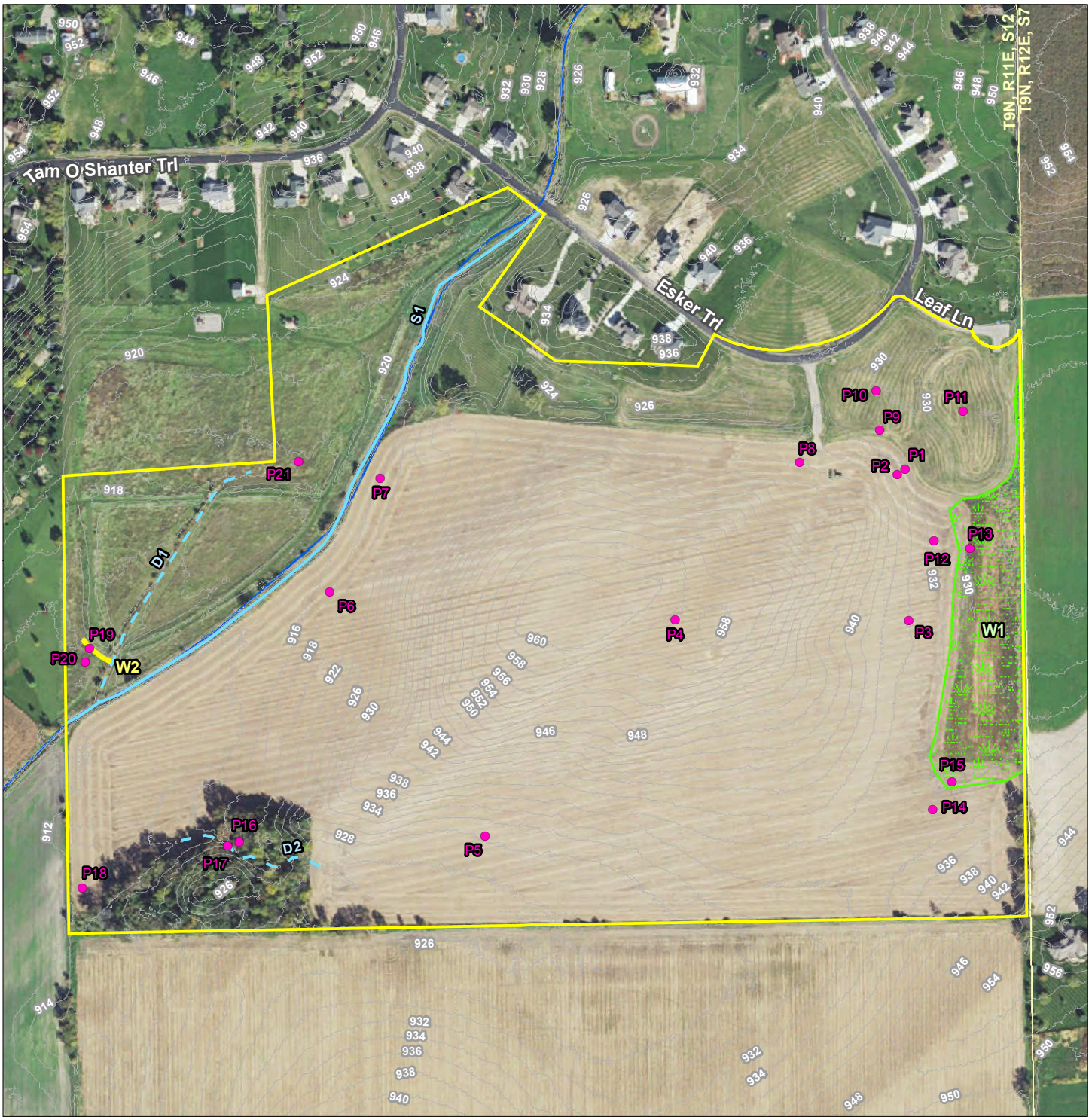
7508

Mollys Way

7484

Fissure Trl

Lily View Ln



Notes
 1. Coordinate System: NAD 1983 StatePlane Wisconsin South FIPS 4803 Feet
 2. Data Sources Include: Stantec, WDNR, WDOT
 3. Orthophotography: NAIP 2015

Legend

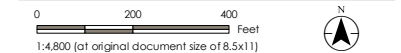
- Study Area
- 2ft Elevation Contours
- Sample Points
- ~ Field Delineated Waterway
- - - Field Delineated Drainage Feature
- Field Delineated Wetland
- Field Delineated Stormwater Conveyance Feature
- ~ DNR 24k Hydrography
- ~ Perennial Stream
- - - Intermittent Stream
- Waterbody

Figure No. **5**

Title **Field Collected Data**

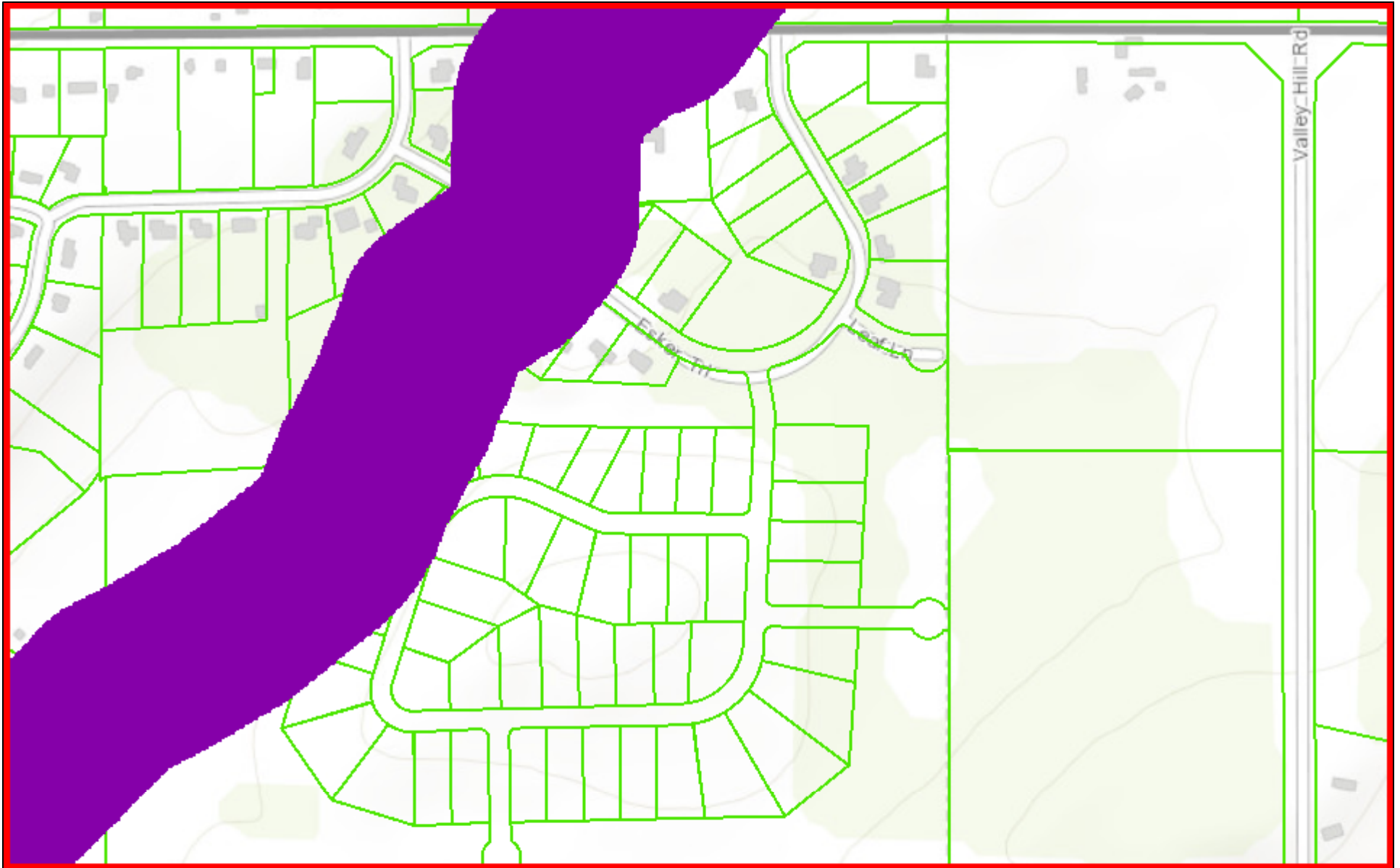
Client/Project
 Paulson Development, LLC
 Drumlin Creek Wetland Delineation

Project Location 193704156
 T9N, R11E, S12 Prepared by KAS on 2015-12-17
 T. of Bristol, Technical Review by CP on 2015-12-17
 Dane Co., WI Independent Review by KR on 2016-04-27



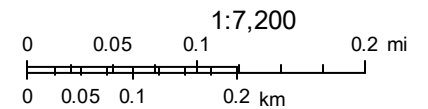
Disclaimer: Stantec assumes no responsibility for data supplied in electronic format. The recipient accepts full responsibility for verifying the accuracy and completeness of the data. The recipient releases Stantec, its officers, employees, consultants and agents, from any and all claims arising in any way from the content or provision of the data.

Dane County Web Map



September 14, 2017

-  Lake or Stream 300 ft Buffer
-  DNR Wetlands > 2ac - 75 ft Buffer
- 1 Percent Annual Flood Chance Area**
-  Lake or Stream 300-1000 ft Buffer
-  1 Percent Annual Flood Chance Area
-  Tax Parcels



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey,

DRUMLIN CREEK

Lot Number: _____

Date: _____

EXTERIOR COLOR SELECTIONS:

Vinyl siding style / color: _____

What is the siding color (ex. light gray, dark tan, etc): _____

Vinyl shake style / color (if applicable): _____

Band board color: _____

Vinyl Corner trim color: _____

Soffit/Fascia color: _____

Gutter/Downspout color: _____

Vinyl Window Wrap color (if applicable): _____

Shingle style / color: _____

Exterior Front Door Style: _____

Exterior of Front Door color: _____

Overhead Door(s) color: _____

Stone Color: _____

Porch Post/Railing color (if applicable): _____

Window color: _____

Front Porch Post: _____