



REGISTRAR'S OFFICE  
SAUK COUNTY WI  
RECEIVED FOR RECORD  
Fee Amount: \$30.00

**DECLARATION OF  
COVENANTS,  
RESTRICTIONS AND  
CONDITIONS FOR THE  
SECOND ADDITION TO  
CARDINAL ESTATES AND  
LOT 1 ON CSM 6806**

THIS DECLARATION OF COVENANTS, RESTRICTIONS AND CONDITIONS FOR THE SECOND ADDITION TO CARDINAL ESTATES AND LOT 1 ON CSM 6806 (this "Amendment") is made by Fox Run Acres, LLC, a Wisconsin limited liability company (the "Developer") as of this 17th day of September, 2019.

**RECITALS:**

WHEREAS, Developer has received final plat approval from the Village of Sauk City for the subdivision known as the Second Addition to Cardinal Estates, the legal description of which is attached hereto as Exhibit A;

WHEREAS, Developer has received certified survey map approval from the Village of Sauk City for Lot 1 on CSM No. 6806, the legal description of which is attached hereto as Exhibit B;

WHEREAS, all lots within the original Plat of Cardinal Estates were subjected to that certain Declaration of Covenants, Restrictions and Conditions for the Plat of Cardinal Estates, dated January 19, 2005, and recorded in the Office of the Register of Deeds for Sauk County on January 25, 2005, as Document No. 858853 (the "Original Cardinal Estates Declaration"); and

WHEREAS, Developer wishes to make all lots within the Second Addition to Cardinal Estates and Lot 1 on CSM No. 6806 subject to the Original Cardinal Estates Declaration, with the exception of certain modifications to the minimum landscaping requirements, as more fully described herein.

(S)

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Recording Area

Return Address:

Dennis Steinkraus  
Forward Development Group  
161 Horizon Drive, Suite 101A  
Verona, WI 53593

PIN:

See attached Exhibit A.  
See attached Exhibit B.

## DECLARATION:

NOW, THEREFORE, Developer by this Declaration hereby declares that all lots within the Second Addition to Cardinal Estates and Lot 1 on CSM No. 6806 are made subject to the following restrictions, covenants and conditions:

1. All restrictions, covenants and conditions set forth in the Original Cardinal Estates Declaration, a true and correct copy of which is attached hereto as Exhibit C, provided, however, that, as applied to all lots within the Second Addition to Cardinal Estates and Lot 1 on CSM No. 6806, the minimum landscaping requirements set forth in Section (4) are hereby amended to read as follows:

(4) LANDSCAPING. All landscaping plans must be approved in writing by the Developer or the Architectural Control Committee before installation. Within twelve (12) months of the issuance of an occupancy permit for each structure on each single-family residential lot (Lots 57 through 76, inclusive, of the Plat and Lot 1 on CSM 6806) the following minimum landscaping shall be completed:

- a. sodding or seeding the entire yard;
- b. installation of a total of twelve (12) shrubs or bushes planted in the front yard;
- c. installation of at least one (1) additional landscape tree in the front yard having a minimum caliper of 2 inches at time of planting

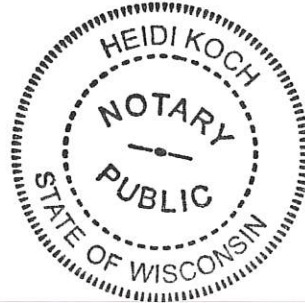
Any variation must be approved in writing by the Developer or the Architectural Control Committee. Landscape planting and the maintenance of the premises and adjoining street terrace shall be the responsibility of the abutting land owner to maintain same in a safe, aesthetically pleasing and travelable condition. Any planting of trees or shrubs requires a permit from the Village of Sauk City pursuant to the applicable provisions of the Code of Village Ordinances.

[Signature page follows/]

This Declaration is made as of the date first above written.

DEVELOPER:  
FOX RUN ACRES, LLC

By: Merlin Fuchs  
Name/Title: Manager



ACKNOWLEDGMENT

STATE OF WISCONSIN    )  
  ) SS.  
COUNTY OF Sauk    )

Personally came before me this 7<sup>th</sup> day of October, 2019, the above-named Merlin Fuchs as the Manager of Fox Run Acres, LLC, to me known to be the person who executed the foregoing instrument in such capacity and acknowledged the same.

Heidi Koch  
Name: Heidi Koch  
Notary Public, State of Wisconsin  
My Commission: 6/30/23

Drafted by: David Jenkins

**EXHIBIT A**

**LEGAL DESCRIPTION OF SECOND ADDITION TO CARDINAL ESTATES**

Lots 57 through 76, Second Addition to Cardinal Estates Plat, Sauk County, Wisconsin

[Plat attached]

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**EXHIBIT B**

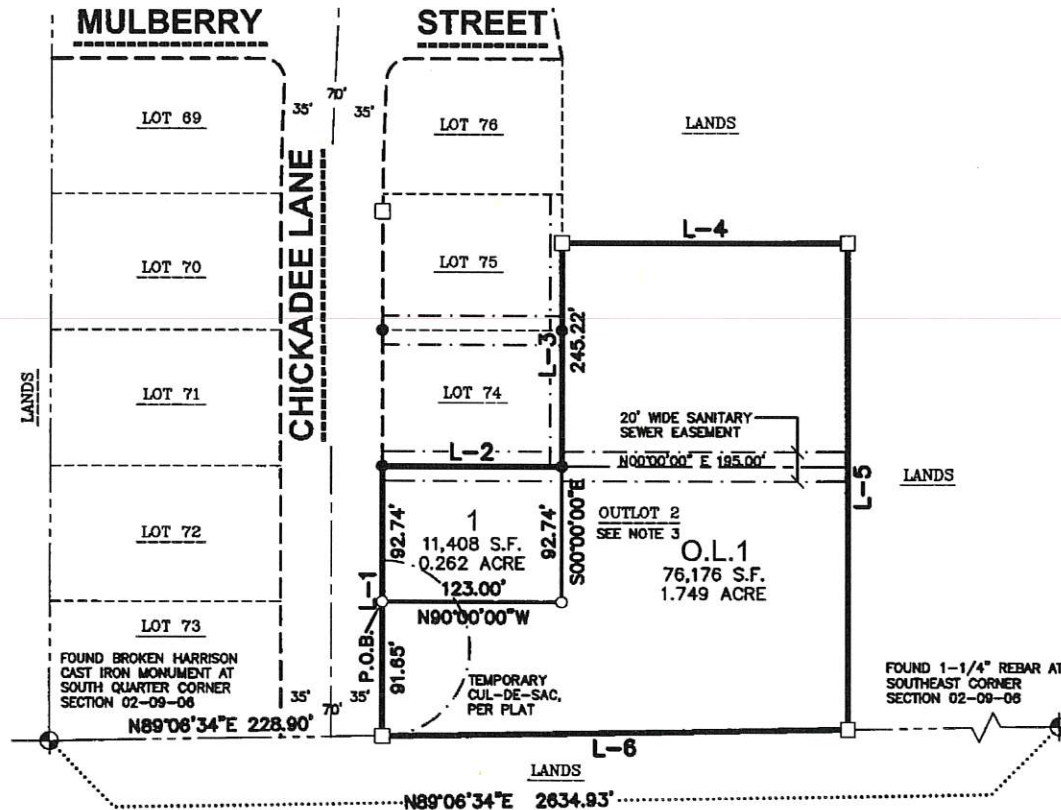
**Lot 1 on CSM No. 6806**

[CSM attached]

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# CERTIFIED SURVEY MAP NO. 6806

OUTLOT 2, SECOND ADDITION TO CARDINAL ESTATES, RECORDED IN VOLUME D-297A, AS DOCUMENT NO. 1170468, LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 02, TOWNSHIP 09 NORTH, RANGE 06 EAST, VILLAGE OF SAUK CITY, SAUK COUNTY, WISCONSIN



## LEGEND

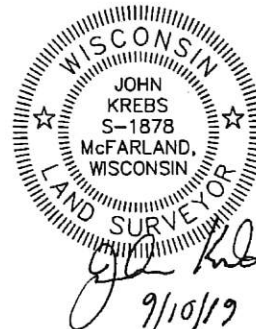
- GOVERNMENT CORNER
- 3/4" REBAR FOUND
- 1-1/4" REBAR FOUND
- 3/4" x 24" REBAR SET (1.50 LBS/LF)
- PLAT BOUNDARY
- LOT LINE
- CENTERLINE
- SECTION LINE
- PROPERTY LINE
- EASEMENT LINE

## NOTES

1. FIELD WORK PERFORMED BY JSD PROFESSIONAL SERVICES, INC. ON OCTOBER 03, 2018.
2. BEARINGS FOR THIS SURVEY AND MAP ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, (SAUK COUNTY), THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 02-09-06, BEARS N89°06'34"E.
3. OUTLOT 1 OF THIS CERTIFIED SURVEY MAP IS A REMNANT OF OUTLOT 2, SECOND ADDITION TO CARDINAL ESTATES WHICH WAS PREVIOUSLY DEDICATED TO THE VILLAGE OF SAUK CITY FOR THE PURPOSE OF STORM WATER MANAGEMENT.
4. LOT 1 BEING A PART OF OUTLOT 2, SECOND ADDITION TO CARDINAL ESTATES WAS VACATED PER COURT ACTION, DATED SEPTEMBER 09, 2019, CASE 2019CV000368..

## LINE TABLE

LINE	BEARING	DISTANCE
L-1	N00°00'46"W	184.39'
L-2	N90°00'00"E	123.03'
L-3	N00°00'00"W	152.48'
L-4	N90°00'00"E	195.00'
L-5	S00°00'00"E	331.93'
L-6	S89°06'34"W	318.02'



PREPARED BY:

**JSD** Professional Services, Inc.  
 Engineers • Surveyors • Planners  
 181 HORIZON DRIVE, SUITE 101  
 VERONA, WISCONSIN 53593  
 PHONE: (800)848-0080

PREPARED FOR:

FORWARD DEVELOPMENT  
 GROUP, LLC  
 161 HORIZON DRIVE,  
 SUITE 101A  
 VERONA, WI 53593

PROJECT NO: 17-7916

FILE NO: B-\*

FIELDBOOK/Pg: -

SHEET NO: 1 OF 3

SURVEYED BY: -

DRAWN BY: JK

CHECKED BY: -

APPROVED BY: TJB

VOL. PAGE

DOC. NO.

C.S.M. NO.



# CERTIFIED SURVEY MAP NO. 6806

OUTLOT 2, SECOND ADDITION TO CARDINAL ESTATES, RECORDED IN VOLUME D-297A, AS DOCUMENT NO. 1170468, LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 02, TOWNSHIP 09 NORTH, RANGE 06 EAST, VILLAGE OF SAUK CITY, SAUK COUNTY, WISCONSIN

## LEGAL DESCRIPTION

OUTLOT 2, SECOND ADDITION TO CARDINAL ESTATES, RECORDED IN VOLUME D-297A, AS DOCUMENT NO. 1170468, LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 02, TOWNSHIP 09 NORTH, RANGE 06 EAST, VILLAGE OF SAUK CITY, SAUK COUNTY, WISCONSIN.

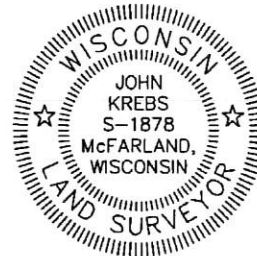
SAID PARCEL CONTAINS 87,584 SQUARE FEET OR 2.011 ACRES.

## SURVEYOR'S CERTIFICATE

I, JOHN KREBS, PROFESSIONAL LAND SURVEYOR S-1878, DO HEREBY CERTIFY THAT BY DIRECTION OF FORWARD DEVELOPMENT GROUP, LLC, I HAVE SURVEYED, DIVIDED, AND MAPPED THE LANDS DESCRIBED HEREON AND THAT THE MAP IS A CORRECT REPRESENTATION IN ACCORDANCE WITH THE INFORMATION PROVIDED. I FURTHER CERTIFY THAT THIS CERTIFIED SURVEY MAP IS IN FULL COMPLIANCE WITH CHAPTER 236.34 OF THE WISCONSIN STATUTES AND THE SUBDIVISION REGULATIONS OF THE VILLAGE OF SAUK CITY, SAUK COUNTY, WISCONSIN.

John Krebs  
JOHN KREBS, S-1878  
PROFESSIONAL LAND SURVEYOR

9/10/19  
DATE



## CORPORATE OWNER'S CERTIFICATE

VILLAGE OF SAUK CITY, A MUNICIPAL CORPORATION DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, AS OWNER, DOES HEREBY CERTIFY THAT SAID CORPORATION HAS CAUSED THE LAND DESCRIBED ON THIS CERTIFIED SURVEY MAP TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED AS REPRESENTED HEREON. SAID CORPORATION FURTHER CERTIFIES THAT THIS CERTIFIED SURVEY MAP IS REQUIRED BY S.236.34, WISCONSIN STATUTES TO BE SUBMITTED TO THE VILLAGE OF SAUK CITY FOR APPROVAL.

IN WITNESS WHEREOF, THE SAID VILLAGE OF SAUK CITY HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS REPRESENTATIVES THIS 16 DAY OF September, 2019.

VILLAGE OF SAUK CITY

BY: Vicki Breunig  
VICKI BREUNIG, CLERK

STATE OF WISCONSIN) SS  
SAUK COUNTY ) SS

PERSONALLY CAME BEFORE ME THIS 16<sup>th</sup> DAY OF September, 2019, THE ABOVE NAMED REPRESENTATIVE OF THE ABOVE NAMED VILLAGE OF SAUK CITY, TO ME KNOWN TO BE THE PERSON WHO EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED THE SAME.

Heidi Koch  
NOTARY PUBLIC, ~~SAUK~~ COUNTY, WISCONSIN  
Sauk

6/30/23  
MY COMMISSION EXPIRES



File: I:\2017\177916\DWG\177916 F-CSM.dwg Layout: Sheet 2 User: k Plotted: Sep 10, 2019 - 11:25am

PREPARED BY:  
**JSD** Professional Services, Inc.  
• Engineers • Surveyors • Planners  
161 HORIZON DRIVE, SUITE 101  
VERONA, WISCONSIN 53593  
PHONE: (608)848-9080

PREPARED FOR:  
FORWARD DEVELOPMENT  
GROUP, LLC  
161 HORIZON DRIVE,  
SUITE 101A  
VERONA, WI 53593

PROJECT NO: 17-7916  
FILE NO: B-\*  
FIELDBOOK/PG: -  
SHEET NO: 2 OF 3

SURVEYED BY: -  
DRAWN BY: JK  
CHECKED BY: TJB  
APPROVED BY: TJB

VOL. \_\_\_\_\_ PAGE \_\_\_\_\_  
DOC. NO. \_\_\_\_\_  
C.S.M. NO. \_\_\_\_\_

Vol 41 Pg 6806A



# CERTIFIED SURVEY MAP NO. 6806

OUTLOT 2, SECOND ADDITION TO CARDINAL ESTATES, RECORDED IN VOLUME D-297A, AS DOCUMENT NO. 1170468, LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 02, TOWNSHIP 09 NORTH, RANGE 08 EAST, VILLAGE OF SAUK CITY, SAUK COUNTY, WISCONSIN

## CORPORATE OWNER'S CERTIFICATE

FOX RUN ACRES, LLC, A LIMITED LIABILITY COMPANY DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, AS AN OWNER, DOES HEREBY CERTIFY THAT SAID LIMITED LIABILITY COMPANY HAS CAUSED THE LAND DESCRIBED ON THIS CERTIFIED SURVEY MAP TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED AS REPRESENTED HEREON. SAID CORPORATION FURTHER CERTIFIES THAT THIS CERTIFIED SURVEY MAP IS REQUIRED BY S.236.34, WISCONSIN STATUTES TO BE SUBMITTED TO THE VILLAGE OF SAUK CITY FOR APPROVAL.

IN WITNESS WHEREOF, THE SAID FOX RUN ACRES, LLC, HAS CAUSED THESE PRESENTS TO BE SIGNED BY CHARLES C. FUCHS, PRESIDENT, AND MERLIN L. FUCHS, SECRETARY, AND ITS CORPORATE SEAL TO BE HERUNTO AFFIXED ON THIS 16 DAY OF Sept, 2019.

BY: Merlin L. Fuchs

MERLIN L. FUCHS  
MANAGING MEMBER

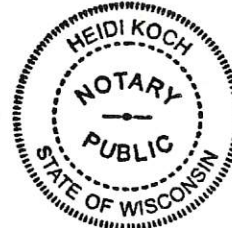
STATE OF WISCONSIN )  
SAUK COUNTY )

PERSONALLY CAME BEFORE ME THIS 16<sup>th</sup> DAY OF September, 2019, THE ABOVE NAMED MERLIN L. FUCHS, MANAGING MEMBER, OF THE ABOVE NAMED FOX RUN ACRES, LLC, TO ME KNOWN TO BE THE PERSON WHO EXECUTED THE FOREGOING INSTRUMENT AS A MANAGING MEMBER.

Heidi Koch 6/30/23

NOTARY PUBLIC, STATE OF WISCONSIN

MY COMMISSION EXPIRES



## RESOLUTION OF THE VILLAGE BOARD-VILLAGE OF SAUK CITY

I, VICKI BREUNIG, BEING THE DULY APPOINTED, QUALIFIED AND ACTING VILLAGE CLERK OF THE VILLAGE OF SAUK CITY, SAUK COUNTY, DO HEREBY CERTIFY THAT THE VILLAGE BOARD OF THE VILLAGE OF SAUK CITY PASSED RESOLUTION NUMBER 2019-11 ON THE 25 DAY OF June, 2019, AUTHORIZING ME TO ISSUE CERTIFICATE OF APPROVAL OF THIS CERTIFIED SURVEY MAP, FOX RUN ACRES, LLC, OWNER OF LOT 1, AND VILLAGE OF SAUK CITY, OWNER OF OUT LOT 1, UPON CERTAIN CONDITIONS, AND I DO HEREBY CERTIFY THAT ALL CONDITIONS WERE SATISFIED AND THE APPROVAL WAS GRANTED AND EFFECTIVE ON THE 25 DAY OF June, 2019.

DATED THIS 16 DAY OF September 2019

Vicki Breunig

9-16-19

VICKI BREUNIG, CLERK,  
VILLAGE OF SAUK CITY

DATE



## OFFICE OF THE REGISTER OF DEEDS

Sauk COUNTY, WISCONSIN

RECEIVED FOR RECORD Sept 16  
2019 AT 10:50 O'CLOCK A M

AS DOCUMENT # 1186066

IN VOL 41 OF CERTIFIED

SURVEY MAPS ON PAGE(S) 6806

Brent Bailey  
REGISTER OF DEEDS

PREPARED BY:

**JSD** Professional Services, Inc.  
Engineers • Surveyors • Planners  
181 HORIZON DRIVE, SUITE 101  
VERONA, WISCONSIN 53593  
PHONE: (608)848-5060

PREPARED FOR:

FORWARD DEVELOPMENT  
GROUP, LLC  
161 HORIZON DRIVE,  
SUITE 101A  
VERONA, WI 53593

PROJECT NO: 17-7916

FILE NO: B-\*

FB/PG: -

SHEET NO: 3 OF 3

SURVEYED BY: -

DRAWN BY: JK

CHECKED BY: TJB

APPROVED BY: TJB

**EXHIBIT C**

**ORIGINAL DECLARATION OF CARDINAL ESTATES**

Declaration of Covenants, Restrictions and Conditions for the Plat of Cardinal Estates, dated January 19, 2005, and recorded in the Office of the Register of Deeds for Sauk County on January 25, 2005, as Document No. 858853

[Copy attached]

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DOC# 858853

**DECLARATION OF COVENANTS, RESTRICTIONS AND  
CONDITIONS FOR THE PLAT OF CARDINAL ESTATES,  
VILLAGE OF SAUK CITY, SAUK COUNTY, WISCONSIN**

Recorded  
JAN. 25, 2005 AT 11:00AM

Declaration made the 19<sup>th</sup> day of January, 2005, by Cardinal Estates, Inc., a Wisconsin Corporation, of Sauk City, Wisconsin, the same being the Owner and interested party in the premises affected hereby and described as:

*Shirley Bailey*

REGISTRAR'S OFFICE  
SAUK COUNTY WI  
RECEIVED FOR RECORD

The Plat of Cardinal Estates, located in the Village of Sauk City, Sauk County, Wisconsin

(Such land referred to herein as "The Plat").

Cardinal Estates, Inc., ("The Developer"), owner of the described premises hereby declares that the Plat, and the lots included therein, are subject to the following restrictions, covenants and conditions:

These residential area covenants shall apply to all of the lots of the Plat, all of which are areas designated as residential.

**A. AREA COVENANTS:**

(1). **LAND USE AND BUILDING TYPE.** All of the described residential lots described shall be used for residential purposes only. No building shall be erected, altered, placed, or permitted to remain on any lot other than one detached single family dwelling unit not to exceed two stories in height. Each dwelling unit shall have a private garage of not less than one (1) nor more than three (3) cars attached to or located in a lower level of the dwelling unit. No dwelling shall be limited to a single roof line.

(2). **ARCHITECTURAL CONTROL.** For all buildings erected or placed on any lot within The Plat, the plans, specifications, and site plans must be submitted to the Developer, or its duly authorized agent, or his successors and assigns, for written approval as to quality of workmanship and materials, harmony of exterior colors, size, location with respect to topography, and finish grade elevation, prior to commencement of any construction on any such lot.

In the event Developer or the Architectural Control Committee does not approve or reject such plans, specifications and site plans within 15 days after the same have been submitted to the approving authority, then such approval shall not be required.

For each building erected or placed on any lot within The Plat, the prime contractor or builder to be hired for construction of such building shall be approved in writing by the Developer or the Architectural Control Committee, which approved shall not be unreasonably withheld. Developer may withhold its consent to any proposed contractor or builder for reasons such as financial status, business history and prospects, building reputation or any other reason which would be similarly relied upon by a reasonably prudent business person then developing a neighborhood of quality residential homes.



**(3). MINIMUM DWELLING SIZE.**

a. The following minimum finished floor area requirements shall apply for all single family residential lots (Lots 1 through 24, and 36 through 39, inclusive, of the Plat):

1. No single story dwelling unit shall contain less than 1300 square feet in area on the main level.
2. No raised ranch or two story dwelling shall contain less than a total 1600 square feet in area, of which a minimum of 900 square feet in area shall be on the main level.
3. No tri-level dwelling unit shall contain less than a total of 1900 square feet of area.
4. All dwellings shall include a basement of at least 7 feet in height and contain at least 900 square feet in area.

b. The following minimum finished floor area requirements shall apply for all duplex (two-family) residential lots (Lots 25 through 35, inclusive, of the Plat):

1. No single story dwelling unit shall contain less than 2000 square feet on the main level.
2. No raised ranch or two (or more) story dwelling shall contain less than a total 3000 square feet of which a minimum of 1600 square feet shall be on the main level.

For the purpose of determining finished floor area, stair openings shall be included, but open or screen porches, attached garages, and unfinished basement area shall be excluded.

**(4). LANDSCAPING.** The minimum landscaping for each structure on each single family residential lot (Lots 1 through 24, and 36 through 39, inclusive, of the Plat) and duplex residential Lots (Lots 25 through 35, inclusive, of the Plat) shall consist of:

- a. Sodding or seeding the entire yard;
- b. Three (3) conifer shrubs having a planting height of at least two (2) feet and;
- c. Two (2) shade trees planted at least one of them being placed in the front yard, (Said trees to have a diameter of at least 1 inch).

Any variation must be approved in writing by the Developer or the Architectural Control Committee.

Landscape planting and the maintenance of the premises and adjoining street terrace shall be the responsibility of the abutting land owner to maintain same in a safe, aesthetically pleasing and travelable condition. Any planting of trees or shrubs requires a permit from the Village of Sauk City pursuant to the applicable provisions of the Code of Village Ordinances.

**(5). EXTERIOR ALTERATION.** No alteration in the exterior appearance of existing buildings, including but not limited to exterior remodeling and the construction of patios and decks, shall be made without the



written approval of the Developer or the Architectural Control Committee.

**(6). SITE ALTERATION.** The elevation of a lot shall not be changed so as to materially affect the surface elevation or grade of the surrounding lots. No earth, rock, gravel or clay shall be excavated or removed without the approval of the Developer or the Architectural Control Committee.

**(7). ASSIGNMENT BY DEVELOPER.** The Developer, after a period of fifteen (15) years from the date of first recording of this Declaration or after all of the lots in The Plat and the adjoining areas to be developed as an addition or additions to Cardinal Estates, have been sold, whichever occurs first, may elect to assign its right to approve all of the items listed in paragraphs 1 through 4 above to the Architectural Control Committee.

**(8). DRIVEWAYS.** All driveways must be paved or concrete within one year of commencement of work on improvements.

**(9). PROHIBITED USES.** No trailer, basement, tent, shack, garage, barn or any part thereof, shall ever be used as a residence, temporary or permanent. Commercial animal boarding, kenneling or treatment is expressly prohibited whether for fee or not. Accessory buildings are expressly prohibited except where previously approved by the Developer or the Architectural Control Committee.

**(10). PROHIBITED STORAGE.** Storage of boats, trailers, travel trailers, snowmobiles, mobile homes, campers, and other recreational vehicles are prohibited unless kept inside garages. This shall not prohibit the temporary storage of such vehicles for the purpose of loading or unloading for a period not to exceed forty-eight (48) hours. No cars or other vehicles shall be parked on lawns or yards at any time.

**(11). LOT MAINTENANCE.** All areas of lots not used as a building site or lawn or under cultivation as a garden shall have cover crop or be so cultivated or tended as to keep such areas free from noxious weeds. The owner shall be responsible for maintaining the lot in a neat appearance. The owner must mow the lawn or cover crop on the lot at least eight (8) times annually. This paragraph shall not be construed to prevent a family garden or orchard.

**(12). COMPLETION OF IMPROVEMENTS.** Construction of all buildings shall be completed within nine (9) months after issuance of a building permit for the respective building. Landscaping (including grading, sodding, and/or seeding) shall be completed within ninety (90) days of completion of construction, provided weather conditions so allow.

**(13). ANTENNAS AND FENCES PROHIBITED.** No exterior antennas, (except mini dishes smaller than 36"), walls or fences shall be permitted unless approved in writing by the Developer or the Architectural Control Committee, as to location, material, height and color. Fences are permitted for swimming pools provided the necessary permit is obtained from the Village of Sauk City pursuant to the Code of Village Ordinances, and only if the swimming pool and the location of the pool and the color

material and location of the fence are approved by the Developer or the Architectural Control Committee.

**(14). ACTIVITIES PROHIBITED.** No noxious or offensive trade or activity shall be carried on, nor shall anything be done which may be or will become a nuisance to the neighborhood. This shall not be construed to prevent a family garden or orchard, provided that all vegetable gardens and orchards shall be located in back or side yards.

**(15). ACCESSORY STRUCTURES.** No outbuildings or accessory building of any nature shall be erected on any lot without prior written approval of the Developer or the Architectural Control Committee.

**(16). WOODPILES.** No woodpiles in excess of one face cord shall be stored outside the structure(s) located on the lot. All woodpiles shall be kept in a neat orderly manner, and shall be restricted to the rear yard area only.

**(17). ZONING REQUIREMENTS.** All buildings constructed on any lot in The Plat shall conform to all governmental zoning requirements and all side-yard or set-back requirements imposed by local ordinance unless such requirements are modified by the Specific Implementation Plan applicable to the lots affected by these restrictions, which requirements shall then apply.

**(18). TERM.** These restrictions run with the land and shall be binding on all persons having an interest in The Plat for a period of twenty-five (25) years after The Plat is recorded, at which time these restrictions will terminate, unless, the Architectural Control Committee records a notice of extension of these restrictions, in which case the restrictions may be extended for additional ten-year periods, with unlimited number of extensions permitted. If any person, or his heirs, successors or assigns, shall violate or attempt to violate any of these covenants and restrictions within said 25 years, or any extension period, any person or persons owning any lot or lots in the Plat shall have standing to bring proceedings at law or equity against the person or persons violating or attempting to violate any such covenant or restrictions, and the prevailing party shall be awarded reasonable attorneys fees and costs.

**B. ARCHITECTURAL CONTROL COMMITTEE:**

**(1).** After the expiration of fifteen (15) years after the first recording of this Declaration, unless Developer releases such rights earlier by recorded instrument, the plans, specifications, and site plans must be submitted to a committee of three persons, elected by a majority of persons holding title to any lot or lots in the Plat, for approval in writing by a majority of said committee as to all of the items enumerated in the preceding section. The election of said committee shall be held annually on the second Monday in January of each even numbered year, at a site selected by the Developer or the previous committee. Vacancies created between elections shall be filled by the remainder of the committee. Said committee shall be referred to as the Architectural Control Committee.



000258

(2). The Architectural Control Committee shall maintain written records of all applications submitted and of all actions taken by the Committee. Until the expiration of fifteen (15) years, or earlier if Developer elects to release such control, all plans, applications, and requests shall be submitted to the Developer, c/o Merlin Fuchs, 162 Fox Run, Sauk City, Wisconsin 53583, or at such other address as directed by the Developer. After such time the Committee shall establish a mailing address or office location for such purpose.

IN WITNESS WHEREOF, Cardinal Estates, Inc., a Wisconsin Corporation, has caused this instrument to be executed this 19th day of January, 2005.

**CARDINAL ESTATES, INC.**

Charlie Fuchs  
Charlie Fuchs, President

Merlin Fuchs  
Merlin Fuchs, Secretary

STATE OF WISCONSIN    )  
                              ) SS.  
SAUK COUNTY            )

Personally came before me this 19th day of January, 2005, the above named Merlin Fuchs, to me known to be the person who executed the foregoing document and acknowledged the same.

Dorothy K. Fuchs-Wells  
Notary Public, State of Wisconsin  
My commission: MAY 18, 2008

This document drafted by Atty. Dale A. Carlson  
**CARLSON KOECK KIRK & GRAVES LTD.**  
P. O. Box 9, Prairie du Sac, WI 53578

1:\WP9DOCS\DC\Fox Run Acres\DeclarationRev03.wpd