

295882

Lots 1-35 & 41-77,
Outlots 1-6, & Public Park
Tainter Trail Estates
Town of Tainter

VOL 227 RECORDS PAGE 176

PROTECTIVE COVENANTS

STATE OF WISCONSIN)
) SS
DUNN COUNTY)

This declaration made this 3rd day of March, 1972, by Gary L. Bakke, Judith L. Bakke, James A. Drill, Jane Ann Drill, Joseph C. Schumacher, Frank C. Schumacher, Rita M. Schumacher and the Bank of New Richmond, hereinafter jointly referred to as the "Declarant";

Whereas, the declarant is the owner of real property situated in Dunn County, Wisconsin, described as Tainter Trail Estates, a plat of a portion of the Town of Tainter, Dunn County, Wisconsin, which plat is filed in the office of the Register of Deeds, for Dunn County, Wisconsin, in Volume 5 of Plats, on Page 27, and;

Whereas, the declarant is desirous of subjecting said real property to certain conditions, restrictions, covenants and charges for the benefit of said real property and its present and subsequent owners as hereinafter set forth:

Now, therefore, Gary L. Bakke, Judith L. Bakke, James A. Drill, Jane Ann Drill, Joseph C. Schumacher, Frank C. Schumacher, Rita M. Schumacher and the Bank of New Richmond hereby impose upon the real property above described the following conditions, restrictions, covenants and charges which shall run with the land and be binding upon and inure to the benefit of the owners of said land, their heirs, executors, administrators, successors, and assigns:

A. AREA OF APPLICATION

Unless otherwise specified herein, the covenants shall

apply to all lots of Tainter Trail Estates except lots 36 through 40

B. LAND USE

No lot shall be used except for residential purposes. No building shall be erected, altered, placed or permitted to remain on any lot other than one single-family dwelling and a private garage for not more than two cars.

C. TYPE OF BUILDING

Any building erected on any lot must have a full foundation, except for porches, sundecks, patios and similar appurtenances. No single story dwelling shall be erected or maintained having a ground floor living area of less than 600 feet, and no dwelling of more than one story shall be erected or maintained having a ground floor living area of less than 500 square feet. Porches, sundecks, basements, attics, attached garages, breezeways, carports and crawl spaces shall be excluded from the calculation of ground floor living area.

No dwelling of more than one and one half stories shall be erected or maintained on lots 52, 53, 54, 57, 58, 59 or 60.

D. MOBILE HOMES

No mobile homes, except camper vehicles as hereinafter permitted, shall be permitted on any lot. A mobile home is defined as that which is, or was as originally constructed, designed to be transported by any motor vehicle upon a public highway, and designed, equipped and used primarily for sleeping, eating and living quarters or is intended to be so used, and includes any additions, attachments, annexes, foundations and appurtenances.

E. CAMPING

Camping shall be permitted on any property for five years after the initial purchase from declarants. Camping equipment shall be removed from property when not in use. Camping in tents which are not mounted on mobile units shall be permitted at any time. No camping shelters, including mobile units or vehicles, shall be parked on any premises outside of an enclosed garage at any time for more than 24 hours when not occupied.

F. COMPLETION OF CONSTRUCTION WORK

All building exteriors, including exterior color, shall be completed within 180 days from the date construction begins. All buildings must be roofed with dark colored roofing material or cedar shingles or shakes, and all building exteriors, exclusive of brick or stone, shall be stained or painted in a natural color compatible with the landscape.

G. PETS

No animals shall be kept or maintained on any lot except the usual household pets, and in such cases the pets shall be so kept and maintained as not to become an annoyance or nuisance to other residents in the development by reason of movement, noise or odor.

H. USE AND ENJOYMENT OF COMMON PROPERTIES

By separate deed, declarants have granted to the owner of each lot an undivided 1/77 interest in common, with the owners of the other lots, in greenways designated on said plat as Outlots 2, 3, 4, 5 and 6. Said parcels shall be used exclusively as pedestrian pathways, common greenways and nature trails. Motorized vehicles, including, but not limited to, automobiles, trucks, snow-

mobiles, motorcycles and trail bikes, are prohibited in said areas.

I. DURATION OF THE PROTECTIVE COVENANTS AND RESTRICTIONS

The covenants and restrictions of this declaration shall run with and bind the land and shall inure to the benefit of and be enforceable by any owner, their respective heirs, successors and assigns for a term of 25 years from the date this declaration is recorded. After the expiration of said 25 year term, the covenants and restrictions shall be automatically extended for successive periods of 10 years, unless an instrument signed by the then owners of 2/3 of the lots has been recorded, agreeing to terminate or modify the covenants and restrictions.


J. ENFORCEMENT

Enforcement of the covenants and restrictions of this declaration shall be by any proceeding at law or in equity against any person violating or attempting to violate any such covenant or restriction to restrain violation or to recover damages, or both.


K. SEVERABILITY

Invalidation of any one of these covenants or restrictions shall in no way affect any other provisions which shall remain in full force and effect.

In witness whereof, the parties have hereunto set their hands and seals this 3rd day of March, 1972.


James A. Drill


Gary L. Bakke


Jane Ann Drill


Judith L. Bakke

Joseph C. Schumacher
Joseph C. Schumacher

BANK OF NEW RICHMOND

Frank C. Schumacher
Frank C. Schumacher

By [Signature]
A. J. Peterson, President

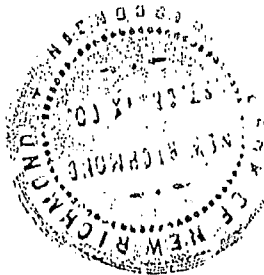
Rita M. Schumacher
Rita M. Schumacher

By James A. Gretz
James A. Gretz, Vice-President

Signatures of Gary L. Bakke, Judith L. Bakke, James A. Drill, Jane Ann Drill, Joseph C. Schumacher, Frank C. Schumacher, Rita M. Schumacher, A. J. Peterson and James A. Gretz authenticated this 3rd day of March, 1972.

[Signature]
Member State Bar of Wisconsin ~~XX~~
~~XXXXXXXXXX~~
L. R. Reinstra

This instrument drafted by:
DOAR, DRILL, NORMAN & BAKKE



REGISTER'S OFFICE
DUNN COUNTY, WISCONSIN

Received for record the 8th day
of March A.O., 1972
at 9:45 A. M. and recorded in
Vol. 227 of Records on page 176-180

[Signature]
HERB D. SCHULTZ, Register of Deeds

Chg + set:
Doar, Drill, Norman & Bakke
New Richmond

PROTECTIVE COVENANTS ADDENDUM

STATE OF WISCONSIN)
) SS
DUNN COUNTY)


This declaration made this 4th day of April, 1972, by Gary L. Bakke, Judith L. Bakke, James A. Drill, Jane Ann Drill, Joseph C. Schumacher, Frank C. Schumacher, Rita M. Schumacher and The Bank of New Richmond, hereinafter jointly referred to as the "Declarant";


Whereas, the declarant has previously recorded protective covenants for Tainter Trail Estates, a plat which is filed in the office of the Register of Deeds for Dunn County, Wisconsin, in Volume 5 of Plats, on Page 27, such protective covenants being recorded in Volume 227 of Records, at Page 176 - 180.

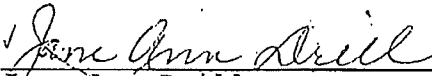
Whereas, Paragraph B of such protective covenants did prohibit the construction of a boathouse on said lot which was not the intention of declarant:

Now, therefore, declarant hereby modifies and amends such protective covenants as follows:

Nothing stated in the protective covenants regarding lots 1 - 35 and 41 - 77 of Tainter Trail Estates, recorded in Volume 227 at Page 176, shall be construed to prevent the construction of a boathouse for not more than two boats, boat dock or ramp or other boat lift device on any of said lots.


James A. Drill


Gary L. Bakke


Jane Ann Drill


Judith L. Bakke

Joseph C. Schumacher
Joseph C. Schumacher

BANK OF NEW RICHMOND



Frank C. Schumacher
Frank C. Schumacher

By A. J. Peterson
A. J. Peterson, President

Rita M. Schumacher
Rita M. Schumacher

By James A. Gretz
James A. Gretz, Vice President

Signatures of Gary L. Bakke, Judith L. Bakke, James A. Drill, Jane Ann Drill, Joseph C. Schumacher, Frank C. Schumacher, Rita M. Schumacher, A. J. Peterson and James A. Gretz authenticated this 4th day of April, 1972.

L. R. Reinstra
L. R. Reinstra
Member State Bar of Wisconsin

This instrument drafted by:
DOAR, DRILL, NORMAN & BAKKE

REGISTER'S OFFICE
DUNN COUNTY, WISCONSIN

Received for record the 5th day
of April A.D., 1972
at 3:20 P. M. and recorded in
Vol. 227 of Records on page 571-572

Herb D. Schutz
HERB D. SCHUTZ, Register of Deeds

Chgt Rec'd: DOAR, DRILL, NORMAN & BAKKE
NEW RICHMOND

9.30

~~Tainter Trail Estates~~

RIGHT-OF-WAY GRANT

In consideration of the sum of one & no/100
DOLLARS (\$ 1.00), the undersigned, for them selves, their heirs, successors
and assigns, grant and convey unto the WISCONSIN TELEPHONE COMPANY
and unto the Dunn County Electric Cooperative,
its or their successors and assigns, the following described rights:

To place, replace, and maintain buried cable, terminal posts and marker posts

together with associated appliances, all necessary and usual in the conduct of its or their business,
on and beneath

land owned by the grantor B in the Town of Tainter

Dunn County, Wisconsin, and described as follows: The South 10 feet of Lots
1 to 6 inclusive, the North 10 feet of Lots 7 to 10 inclusive, the West 10 feet of Lot
11, the South & East 10 feet of Lots 12 and 13, (the Easterly 10 feet of Lots 14 to 37
inclusive,) the South 10 feet of Lot 38, the Westerly 10 feet of Lots 39 to 42 inclusive,
the Northeasterly 10 feet of Lots 43 to 48 inclusive, the Southerly 10 feet of Lots 49,
50, 53 to 58 inclusive, the North & Westerly 10 feet of Lot 51, the Westerly 10 feet of
Lot 52, the Westerly 10 feet of Lots 59 to 69 inclusive, the Southeasterly 10 feet of
Lots 70 to 77 inclusive. Tainter Trail Estates, a subdivision located in the Northeast
¼ of Section 29, the Southeast ¼ of Section 20, the Northwest ¼ and the Southwest ¼ of
Section 21, all in Township 29 North, Range 12 West.

Signed this 16 day of March, 19 77

WITNESS:

Rosemary Driscoll
Rosemary Driscoll
Marlene Olson
Marlene Olson

Gary V. Bakke (SEAL)
Gary V. Bakke Land Owner

Judith L. Bakke (SEAL)
Judith L. Bakke His Wife

James A. Drill (SEAL)
James A. Drill Land Owner

Jane Ann Drill (SEAL)
Jane Ann Drill His Wife

State of Wisconsin)
County of ST. CROIX) ss.

Personally appeared before me this 16th day of March, 1972, Gary L. Bakke, Judith L. Bakke, James A. Drill and Jane Ann Drill to me known to be the person s who executed the instrument on the other side hereof and acknowledged the same.

Rosemary Driscoll

Rosemary Driscoll
Notary Public, State of Wisconsin

My commission expires 3/16/75, 1975

Document Drafted By

By Clayton H. Ness

REGISTER'S OFFICE
DUNN COUNTY, WISCONSIN

Received for record the 25th day of May, A.D., 1972

at 9:30 A.M. and recorded in Vol 228 of Records on page 695-696

H. Schutz
HERD D. SCHUTZ, Register of Deeds
pd. 3.00 + Ret
Wis. Telephone Co
(have envelope)