

**DECLARATION of COVENANTS,
RESTRICTIONS, CONDITIONS, and
DESIGN GUIDELINES FOR PLAT OF
THE SCHOOLYARD ADDITION**

DOCUMENT #: **1168023**
Recorded: 07-12-2018 at 01:55 PM
BRENT BAILEY, SAUK COUNTY REGISTER OF DEEDS
REGISTRAR'S OFFICE
Windows Server, WI
RECEIVED FOR RECORD
Fee Amount: \$30.00
: :

Document Number

Document Name

This document has been filed electronically

This Declaration applies to:

Lots 1 through 23, in the School Yard Addition to the Village of
Sauk City, in the Village of Sauk City, Sauk County, Wisconsin.

Recording Area

Name and Return Address

Atty. Timothy M. Homar
P.O. Box 458
Sauk City, WI 53583

*This is not a conveyance as defined by Wis. Stat. §77.21(1) and no real estate
transfer return or fee is required.

181-1401-00000; 181-1402-00000;
181-1403-00000; 181-1404-00000;
181-1405-00000; 181-1406-00000;
181-1407-00000; 181-1408-00000;
181-1409-00000; 181-1410-00000;
181-1411-00000; 181-1412-00000;
181-1413-00000; 181-1414-00000;
181-1415-00000; 181-1416-00000;
181-1417-00000; 181-1418-00000;
181-1419-00000; 181-1420-00000;
181-1421-00000; 181-1422-00000;
181-1423-00000

Parcel Identification Number

DRAFTED BY:

Timothy M. Homar, Geier Homar & Roy, LLP

635 Water St., Sauk City, WI 53583

**DECLARATION OF COVENANTS,
RESTRICTIONS, CONDITIONS, AND DESIGN GUIDELINES
FOR THE PLAT OF THE SCHOOLYARD ADDITION,
VILLAGE OF SAUK CITY,
SAUK COUNTY, WISCONSIN**

In order to support the development of a cohesive neighborhood and to encourage architectural harmony among the homes in the Schoolyard Addition to the Village of Sauk City (the "Property") the Village of Sauk City (the "Village") hereby declares that all lots of the Property are subject to the restrictions, covenants, and design guidelines as set forth herein, and that all such lots shall be held, conveyed, occupied, and transferred subject to these covenants, restrictions, and design guidelines.

For purposes of implementing and enforcing all provisions set forth herewith there shall be created an Architectural Review Committee ("ARC") which shall be responsible for the review and approval of plans and exterior specifications for all buildings and other improvements that may be placed upon the Property, said approvals to be provided by the ARC, in writing, prior to commencement of any improvements. The ARC shall have the responsibility for approving the exterior design, including exterior colors, materials, size, layouts, and elevations relative to the finished ground grades of all improvements to the Property. The ARC shall be comprised of three (3) persons as appointed by the Administrator of the Village at the sole discretion of the Administrator. The ARC has the authority to ensure that construction of all homes at the Property are in compliance with this Declaration. All lot owners and their agents and employees shall have the sole obligation to comply with this Declaration and any requirements set forth by the ARC. All lot owners and their agents and employees shall release and hold harmless the ARC and Village from any and all claims, courses of action, liability, or damages related to the application and/or enforcement of this Declaration of Covenants, Restrictions, and Design Guidelines.

The process for obtaining ARC approval for construction plans shall include the following steps:

1. Applicant shall submit three (3) copies of their proposed site plan to the ARC, such plans to be on either engineered scale of 1/4" = 1', or 1/8" = 1'. Electronic (digital) files are preferred.
2. Site plans to include footprint of home, garage, and porches, with dashed lines showing all overhangs.
3. Plans shall show elevations of the first floor relative to site contours (existing and proposed). Existing site contours to be provided to Applicant by the Village.
4. Plans shall show the elevation of the basement floor level.
5. Plans shall indicate all enclosed square footage, including, by separate indication on plans, the square footage of garages, porches, and sunrooms.
6. All exterior materials for siding and roofing, including colors, specifications, and composition shall be shown on plans.
7. The pitch of proposed roofs to be shown on plans.
8. Plans shall show location and specifications for all proposed exterior lighting.
9. All windows, shall be shown, along with their respective sizes, composition and specifications.

10. Plans shall show the sizes, colors, composition, and specifications of all exterior doors, including garage doors.

The ARC shall have ten (10) business days from the date of plan submittal to approve or disapprove plans. If no response is received from the ARC by the eleventh (11th) business day following the date of plan submittal then the plans, as submitted, shall be considered approved by the ARC.

It is intended by the Village that the homes at the Property will be designed to follow what are generally known to be traditional (non-contemporary) architectural styles, such styles being commonly described by specific terms such as Bungalow, Craftsman, Cape Cod, Colonial, National Folk, and Farmhouse.

The ARC will review submitted plans for completeness and to determine whether the plans are in conformity with the intent of this Declaration. The ARC will use certain specific design guidelines in its process of reviewing construction plans for all lots at the Property, including, without limitation, the following:

- Homes on corner lots will be considered to have a façade on each street.
- Material changes on facades can only occur at a band change
- All exterior materials to be approved by the ARC. Preference shall be given to engineered wood or fiber cement board (clapboard, shingle or board & batten), metal panels, brick, stone, or stucco. Vinyl siding, while not prohibited, is strongly discouraged.
- Window and door trim to be a minimum width of 3 inches.
- All homes shall have a minimum of three (3) color schemes (door, trim and main body), excluding the color of the roof. Beige is discouraged as a primary color choice.
- Chimney enclosures located on exterior walls shall not be less than 48 inches wide by 24 inches deep.
- Chimney enclosures on exterior walls must be finished to ground level.
- For roofing shingles, architectural styles are preferred. All roofing shingles must be rated to have a minimum 30-year life. Metal standing seam roofs are allowed.
- For energy efficiency, the wall/roof heel (the space from the top of the exterior wall plate to the bottom of the roof sheathing) shall not be less than twelve (12) inches.
- No exterior stairs to upper levels are permitted.
- House numbers shall be a minimum 3 inches and a maximum 6 inches tall.
- Driveways must be as wide as garages for the first twenty (20) feet from the garage door. Driveway surface materials shall be either poured concrete or masonry pavers (no asphalt).
- Garages facing the street shall be recessed a minimum three (3) feet from the adjoining face of the house, porches included. This rule does not apply to side-loaded garages.
- Garage doors facing the street shall be a maximum of two (2) cars side. This rule shall not apply to side-loaded garages. Unless garages have tandem parking spaces, all lots are limited to 2-car garages, except for corner lots and for side-loaded garages.
- No single-story house may be less than two-hundred percent (200%) of the footprint of its garage; for two-story houses, the footprint of the house must exceed one-hundred and fifty percent (150%) of the footprint of its garage.

- Garages must not exceed fifty percent (50%) of the street-side elevation of a house.
- Footprints of homes, including garages, may not exceed thirty percent (30%) of the area of their respective lots.
- Garage doors shall not exceed eight (8) feet in height, unless approved by the ARC. Architectural-styled (not plain) garage doors preferred.
- All homes shall have front porches. Porches shall be a minimum of six (6) feet deep and a minimum of ten (10) feet in length.
- Porch decks shall be a minimum of eighteen (18) inches above the elevation of the sidewalk. This requirement may be waived to accommodate plans for Universal Accessibility Designs.
- All fences are to be approved by the ARC. Chain link fences are discouraged.
- Air conditioning condenser units shall be located at the back of the house.
- Gas and electric meters shall not be on the front of a house.
- Rain gardens are encouraged.
- All lots owners must comply with Village-approved drainage plans for the property and lot owners shall not change the grade of the ground at lot lines.
- Homes are encouraged to be Energy Star Qualified and to follow standards of Universal Accessibility Design.

Landscape Guidelines:

In order to make lots at the Property as sustainable and attractive as possible, the Village has adopted as part of these Covenants and Restrictions certain landscape guidelines that are applicable to all lots of the Property. All homeowners are required to maintain a landscape that is healthy and balances manicured lawns and other landscape features with native plants and, where practical, encourages on-site storm water management practices. Initial planting plans shall be submitted along with the building plans for review and approval by the ARC. The following landscape requirements apply to all lots at the Property:

- All lawns and terraces shall be sodded or seeded, and well-maintained. Homeowners are encouraged to select lower maintenance fescues and bluegrass varieties. Groundcovers may be used in place of lawns around trees and planting beds.
- A minimum of one (1) deciduous or evergreen tree shall be planted in both the front and rear yards of each property. For corner lots, one (1) tree planting is required on each street-side yard plus the rear yard of the property. Tree species should be chosen with full grown-size in mind. All trees should be planted a minimum of eight (8) feet from the eave line of the house.
- The minimum caliper size for deciduous trees shall be two and one-half (2 ½) inches. Evergreen trees shall be a minimum of six (6) feet in height.
- Deciduous or evergreen shrubs in planting beds are required along street facing sides of houses as screening of exposed foundation walls; at least two-thirds (2/3) of exposed street facing foundation walls shall be screened by shrubs. Flower beds may be substituted for screening shrubs subject to approval by the ARC.

All initial landscaping shall be completed within thirty (30) days following completion of the house except during winter months in which case landscaping shall be completed as soon as weather conditions permit.

Any purchaser of a lot at the Property shall begin construction of the proposed home for the lot within ninety (90) days following the closing of the purchase of the lot, and construction of the home shall be completed within ten (10) months following the date that construction begins. Landscaping for each lot (grading, sodding, seeding, planting of initial shrubs and trees) shall be completed within one-hundred twenty (120) days following the completion of construction of the home, except the time period for the completion of landscaping may be extended to match the period of time that weather conditions prohibit the completion of landscaping work.

The provisions of this Declaration shall run with the land and shall be binding upon and inure to the benefit of all persons having an interest in the Property for a period of twenty (20) years following the date of the recording of the Plat for the Property, at which time the provisions of this Declaration shall automatically terminate. If any persons, or his heirs, successors, or assigns shall violate any of the provisions contained in this Declaration, the Village, the ARC, or any persons having an interest in any lot within the Property shall have standing to bring proceedings at law or in equity against the person or persons violating such provisions, and the prevailing party shall be awarded reasonable attorney's fees and costs, and any person violating any of these provisions shall be responsible for all costs related to removing any such violation.

This Declaration, or any part thereof, may be cancelled, released, amended, or waived in writing as to the sale of all of the lots in the Property by an instrument signed by the Administrator of the Village and the owners of a majority of the lots subject to this Declaration.

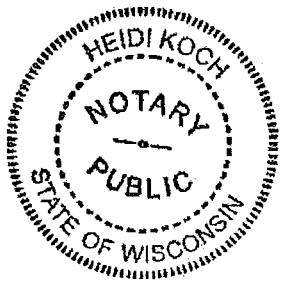
Invalidation of any of the provisions of this Declaration or any severable part of any provision, by judgment or court order, shall not affect any of the other provisions, which shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned have executed this instrument on this 10th day of April, 2018.

THE VILLAGE OF SAUK CITY, SAUK COUNTY, WISCONSIN

By: James Anderson
Name: James Anderson
Title: Village President

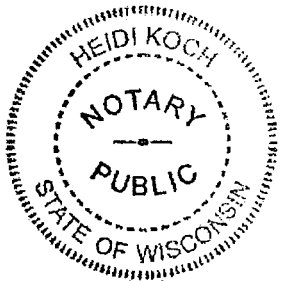
By: Vicki Breunig
Name: Vicki Breunig
Title: Village Administrator



ACKNOWLEDGEMENT

Personally came before me on April 10, 2018
the above-named James Anderson to me
known to be the person who executed the foregoing instrument and
acknowledged the same.

Heidi Koch
* ~~Heidi Koch~~
Notary Public, State of Wisconsin
My Commission expires: 6/4/19.



ACKNOWLEDGEMENT

Personally came before me on April 10, 2018
the above-named Vicki Breunig to me
known to be the person who executed the foregoing instrument and
acknowledged the same.

Heidi Koch
* ~~Heidi Koch~~
Notary Public, State of Wisconsin
My Commission expires: 6/4/19.