

**TOWN OF WINDSOR
BOARD RESOLUTION 2015-45**

**RESOLUTION APPROVING
DECLARATION RESTRICTING SALE OR TRANSFER OF CERTAIN LOTS
FORMERLY IN PRAIRIE CREEK SUBDIVISION THAT WILL BE IN THE
PLAT OF WOLF HOLLOW AT PLEASANT PRAIRIE CREEK, A REPLAT**

Replat Lots: 333, 334 AND 335

Developer: State at Main Development, LLC

WHEREAS, Wolf Hollow Windsor, LLC (“Petitioner”) has applied for and obtained conditional approval of the Final Plat of Wolf Hollow at Pleasant Prairie Creek, a Replat (“Replat”) located in the Town of Windsor, Dane County, Wisconsin, all as set forth in Town Board Resolution 2015-47, which is incorporated herein by reference; and

WHEREAS, to satisfy a condition in Board Resolution 2015-47, the Developer of those lots in the Replat that were formerly in the Prairie Creek Subdivision must agree to a DECLARATION RESTRICTING SALE OR TRANSFER OF LOTS PRIOR TO COMPLIANCE WITH REQUIREMENTS (“Prairie Creek Transfer Restriction”), which Prairie Creek Transfer Restriction is attached hereto as Exhibit 1 and incorporated herein by reference; and

WHEREAS, the Town staff and consultants have reviewed the Prairie Creek Transfer Restriction and recommend approval of same by the Windsor Town Board; and

WHEREAS, the Windsor Town Board wishes to approve the Prairie Creek Transfer Restriction, as set forth in this Resolution.

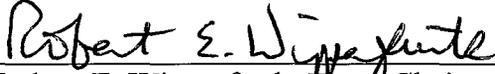
NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Windsor as follows:

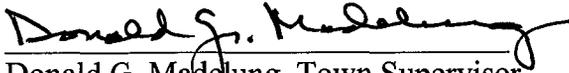
1. The Windsor Town Board hereby approves the Prairie Creek Transfer Restriction, and authorizes execution and recording of the Prairie Creek Transfer Restriction with the Dane County Register of Deeds.
2. The condition set forth as item 3.e. of Board Resolution 2015-47 shall be deemed satisfied at such time as the Town Planning & Development Coordinator receives a copy of the fully executed Transfer Restriction from Wolf Hollow Windsor, LLC and the developers of the lots formerly in the Prairie Creek Subdivision and the Pleasant Hill Estates Subdivision (collectively, the “Transfer Restrictions”).

3. A copy of the recorded Transfer Restrictions shall be retained as public records.

The above and foregoing Resolution was duly adopted at the regular meeting of the Town Board of the Town of Windsor on July 16, 2015, by a vote of 5 in favor, 0 opposed and — abstentions.

TOWN OF WINDSOR


Robert E. Wipperfurth, Town Chairperson


Donald G. Madelung, Town Supervisor


Bruce Stravinski, Town Supervisor


Alan Buchner, Town Supervisor


Monica M. Smith, Town Supervisor

Attested by:


Christine Capstran, Town Clerk *Clerk*

**PLAT OF WOLF HOLLOW
AT PLEASANT PRAIRIE CREEK, A REPLAT,
TOWN OF WINDSOR, DANE COUNTY, WISCONSIN:**

**DEED RESTRICTION PROHIBITING SALE OR
TRANSFER OF LOTS 333, 334 AND 335
Developer- State at Main Development, LLC**

RECITALS

WHEREAS, State at Main Development, LLC, a Wisconsin limited liability company, ("**Developer**"), on its own behalf as owner of certain lots formerly part of the Plat of Prairie Creek Subdivision and now in the plat known as **PLAT OF WOLF HOLLOW AT PLEASANT PRAIRIE CREEK, A REPLAT** ("**Replat**") a recorded plat in Volume **60-040A** of Plats on Pages **198-200** as Document Number **5171521** in the office of the Register of Deeds for Dane County, Wisconsin, anticipates requesting approval from the Town of Windsor (the "**Town**") for authority to construct necessary public infrastructure in the Replat to serve Lots 333, 334 and 335 of the Replat (the "**Replat Lots**"); and

WHEREAS, the Developer's authority to proceed with marketing and sale of the Replat Lots is subject to, among other things, obtaining customary approvals from the Town, which approvals have not yet been requested or obtained.

AGREEMENT

NOW THEREFORE, in consideration of the above recitals, which are incorporated herein by reference, and other valuable consideration, the sufficiency of which is hereby acknowledged, the Developer and Town agree as follows:

1. **THIS DEED RESTRICTION PROHIBITS TRANSFER OF THE REPLAT LOTS PRIOR TO RELEASE OF THIS DEED RESTRICTION. THE REPLAT LOTS SHALL NOT BE SOLD OR TRANSFERRED TO A THIRD PARTY UNTIL SUCH TIME AS A RELEASE IS RECORDED BY WINDSOR IN THE DANE COUNTY REGISTER OF DEEDS OFFICE, RELEASING THE REPLAT LOTS FROM THIS DEED RESTRICTION.**
2. **ENTITLEMENT TO RELEASE.** The Developer shall be entitled to a release of the deed restriction contained herein at such time as: (a) the Developer and Town enter into a Development Agreement that includes the Replat Lots and the required surety is provided to the Town to ensure the performance of the Development Agreement and construction of the necessary public infrastructure; and (b) such other documents as are customary and required by the Town, such as Covenants and Stormwater Management Agreements,



8 8 9 4 7 0 2
Tx:8889881

**KRISTI CHLEBOWSKI
DANE COUNTY
REGISTER OF DEEDS**

DOCUMENT #

5178096

08/19/2015 2:44 PM

Trans. Fee:

Exempt #:

Rec. Fee: 30.00

Pages: 4

THIS SPACE RESERVED FOR RECORDING DATA

RETURN TO:

Amy Anderson Schweppe
Town of Windsor
4084 Mueller Road
DeForest, WI 53532

DRAFTED BY:

Constance L. Anderson, Town Attorney
Anderson Consults, LLC
Madison, WI 53704
Connie@AndersonConsultsWI.com

PARCEL IDENTIFICATION NUMBERS:

See **Exhibit A**

IN WITNESS WHEREOF, the Town of Windsor, has caused this Deed Restriction to be signed by Robert E. Wipperfurth, Town Chairperson and its authorized representative, and attested to by Tina Butteris, Deputy Town Clerk, on this 16 day of July, 2015.

TOWN OF WINDSOR

By: Robert E. Wipperfurth
Robert E. Wipperfurth, Town Chairperson

Attest: Tina Butteris
Tina Butteris, Deputy Town Clerk

ACKNOWLEDGEMENT

STATE OF WISCONSIN

COUNTY OF DANE

Personally came before me this 16 day of July, 2015, the above-named Robert E. Wipperfurth and Tina Butteris, known to me as the Town Chairperson and Deputy Town Clerk of the Town of Windsor, and who executed the foregoing instrument and acknowledged the same.

Sindy Schwenn
Sindy Schwenn
Notary Public, State of Wisconsin
My Commission is Permanent/Expires: 3/18/18



Exhibit A

Wolf Hollow at Pleasant Prairie Creek

Lot Number	Parcel ID Number
333	068/ 0910-322-3113-0
334	068/ 0910-322-3124-0
335	068/ 0910-322-3135-0