

DECLARATION OF RESTRICTIONS

RECORDED
SHEBOYGAN COUNTY, WI

HORIZON ESTATES
First Additon

Deputy of Naval Registrar
In Vol. 1413 of
Records on page 1/6

95 OCT 13 AM 13

THIS DECLARATION, made this 2nd day of June, 1994 by TOWN AND COUNTRY REALTY, INC. herein called the "Developer",

Witnesseth:

Whereas, the Developer owns a parcel of real estate in the City of Plymouth, Sheboygan County, Wisconsin, known as HORIZON ESTATES: and

Whereas, the real estate described on Schedule "A" attached hereto is a part of said development;

NOW, THEREFORE, the Developer hereby declares that the real property described in Schedule "A": attached hereto and made a part hereof as though fully set forth herein shall be used, held, transferred, sold and conveyed subject to the conditions, restrictions, covenants, reservations and easements herein set forth, which shall endure to the benefit of and pass with said property and each and every parcel thereof, and shall apply to and bind the successors in interest, and owner thereof.

ARTICLE I

001E#9938	0007	JF:	\$14.01
001E#9938	0007	LRIB	\$2.01
001E#9938	0007	COLRM	\$4.01

A. General Purpose. The general purpose of this declaration is to help assure that the development will become and remain an attractive community and toward that end to preserve and maintain the natural beauty of the development, to insure the best use and most appropriate development and improvement of each building site; to protect owners of building sites against such use of surrounding buildings as will detract from the residential value of their property; to guard against the erection thereon of poorly designed or proportioned structures; to obtain harmonious use of material and color schemes; to insure the highest and best residential development of said property; to encourage and secure the erection of attractive homes thereon, with appropriate locations thereof on building sites; to prevent haphazard and inharmonious improvement of building sites; to secure and maintain proper spatial relationship of structures to other structures and to lot lines and open spaces.

B. Land Use and Building Type. No parcel shall be used except for single-family, residential purposes. No building shall be erected, altered, placed or permitted to remain on any parcel other than one detached, single-family dwelling, not exceeding two and one half stories in height and attached garage for not less than two cars and not more than three cars, and other outbuildings incidental to residential use of the premises.

I. Mail Boxes. All mail boxes, stands, supports and posts when required at the side of the road, shall be approved by the ACC.

J. Sewer Connections. All sanitary sewers shall be installed and connected according to regulations set forth by the Plymouth Utilities. Sewer connections will be permitted after fulfillment of the above.

K. Low Lots and Fill. Where lots are low and/or where fill is required, fill shall be maintained at a minimum in order to least disturb the natural appearance and the general drainage. Where architectural designed houses are required to attain a building solution, the ACC may recommend that such plans be developed by a registered architect and approved by the ACC. These special designs may not be subject to other restrictions as set herein, provided plans are closely reviewed by the ACC.

L. Trees and Wooded Lots. In cases where trees must be removed to provide for a building site, such removal shall be kept to a minimum. During the process of development, the developer shall have the privilege of relocating those trees on other nearby lots in order to generally enhance the quality and character of the entire development. Whenever this relocation is necessary, it shall be done at no expense to the lot owner from which the trees are taken. The ACC shall approve the area to be cleared of trees.

ARTICLE II

The Architectural Control Committee

In order to maintain harmony and to promote the aesthetics of Horizon Estates for the protection of the owners of said property against residences which are not compatible with the area and the community, the authority and function of the Architectural Control Committee shall be lodged in and exercised by Town and Country, Inc., its successors or assigns, so long as Town and Country Realty, Inc. owns any property in said development. Said ACC shall have the right to refuse to approve of any such building plans and specifications and/or landscape plans and specifications; shall have the right to take into consideration the suitability of the proposed building or other structures and the materials for said structures and their effect on the specific site and surrounding area. The ACC's actions shall be final and conclusive as to persons then or thereafter owning parcels in said development.

At such time as Town and Country Realty, Inc. no longer owns any parcels in said development, the ACC shall consist of three (3) property owners selected by the property owners of Horizon Estates, Phase I with each residence representing one vote. The vote of the majority of the committee shall be the controlling vote and shall be construed to be the vote of the committee.

ARTICLE III

All buildings and final grading shall be completed within one (1) year from the date of commencement of such building, unless a further extension of time is given by the ACC. No structure of temporary character, trailer, basement, tent, shack, garage, barn or other outbuilding shall be used on any parcel at any time as a residence, either temporarily or permanently, nor shall any building be occupied until it has been substantially completed in accordance with the plans and specifications submitted to and approved by the ACC.

ARTICLE IV

Fill, fill disposal, grading and construction completion.

A. Ground Fill. All ground fill or other fill brought in or removed in connection with any construction or other work whatsoever, performed or done in said development, including but not limited to home construction, shall if not used by the land owner upon the building site be delivered to such other place, site or location within said development as designated by Town and Country Realty, Inc. Failure to comply shall render owner liable for damages and the costs necessary to bring about compliance.

B. Final Grading. Within one year from date of completion or occupancy, whichever comes first, of any building constructed on a parcel within Horizon Estates, proper fill as designated shall be used, the surface of such parcel shall be finally graded to meet existing grade requirements as specified by the City and/or the ACC and the portion between the front of such building and the roadway, shall be properly seeded, sodded or landscaped. This shall be the responsibility of the owner of said lot/parcel.

C. Architectural Control. In the interest of promoting attractive design, it is preferred but not required that any residence or garage be designed by an architect. No structure shall be erected, placed or altered on any parcel until the building plans, specifications and plat plan showing the location thereof have been approved in writing as to quality, materials, harmony of external design and colors, with existing and planned structures, and as to location with respect to topography, neighboring buildings, setbacks, finish grade elevation, driveways and plantings, by the Architectural Control Committee (ACC), or by a representative designated by a majority of the members of said ACC.

D. Dwelling Quality and Minimum Sizes. The design, layout and exterior appearance of each residence shall be such that, in the opinion of the ACC at the time of approving the building plans, the residence will be of high quality and will have no substantial adverse effect upon property values in the neighborhood. No dwelling or garage or shall exceed 2-1/2 stories or 35 feet in height. The floor area within a perimeter of the building exclusive of porches, garages, bays, patios, breezeways and similar additions shall not be less than 2,000 square feet for a two-story, 1,500 square feet for a ranch style, and a story and half shall have no less than 1,800 square feet total.

E. Underground Wiring. Any telephone, electric or other utility wiring installed in, on or about the subject premises shall be installed underground only. Any overground facilities thereto related shall be placed and landscaped so as not to detract from the quality and overall appearance of the premises.

F. Fences and Walls. Plans showing exact locations and construction details of fences, walls, hedges or mass screen plantings shall be submitted to the ACC and be approved before they may be constructed or planted. Although these delineating means are permitted on adjoining property lines, they are not permitted on other open space areas to the rear of the parcels unless otherwise provided in the case of individual lots or after approval by the ACC.

G. Garbage and Refuse Disposal. No parcel shall be used or maintained as a dumping ground for rubbish. Trash, garbage and other waste shall not be kept except in sanitary covered containers. All equipment for the storage of such material shall be kept in a clean and sanitary condition and suitably screened from view from streets and adjacent parcels. The ACC shall have final approval when complaints or violations occur.

H. Animals. Dogs, cats or other household pets may be kept on the owner's parcel in accordance with City laws, provided that they are not kept, bred or maintained for any commercial purpose, or allowed to annoy neighbors. All pets shall be confined and maintained on the owner's parcel and shall not be allowed upon any property owned by others.

ARTICLE V

Term

The provisions shall remain in full force and effect for a term of fifteen (15) years from the date of recording hereof, except such as may be annulled, waived, changed, or amended by a written declaration setting forth such modification, annulment, waiver, change or amendment, signed by sixty (60%) per cent of the owners heretofore referred to, provided that Town and Country Realty, Inc. as long as it or it's legal representatives shall own any of the said parcels, shall join in such declaration.

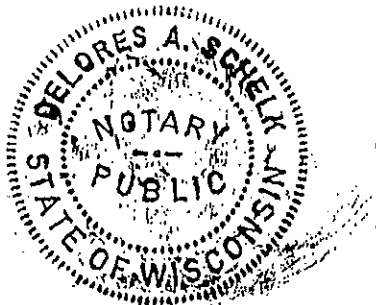
IN WITNESS WHEREOF, TOWN AND COUNTRY REALTY, INC. has caused these presents to be signed this 2nd day of June, 1994.

TOWN AND COUNTRY REALTY & INS., INC.

Francis J. Feider
Francis J. Feider, President

Sharon L. Feider
Sharon L. Feider, Secretary

Delores A. Schell
State of Wisconsin, Sheboygan County
The above named persons came before me
this 2nd day of June, 1994.
Notary Public Sheboygan County, WI.
My commission expires 10/4/98

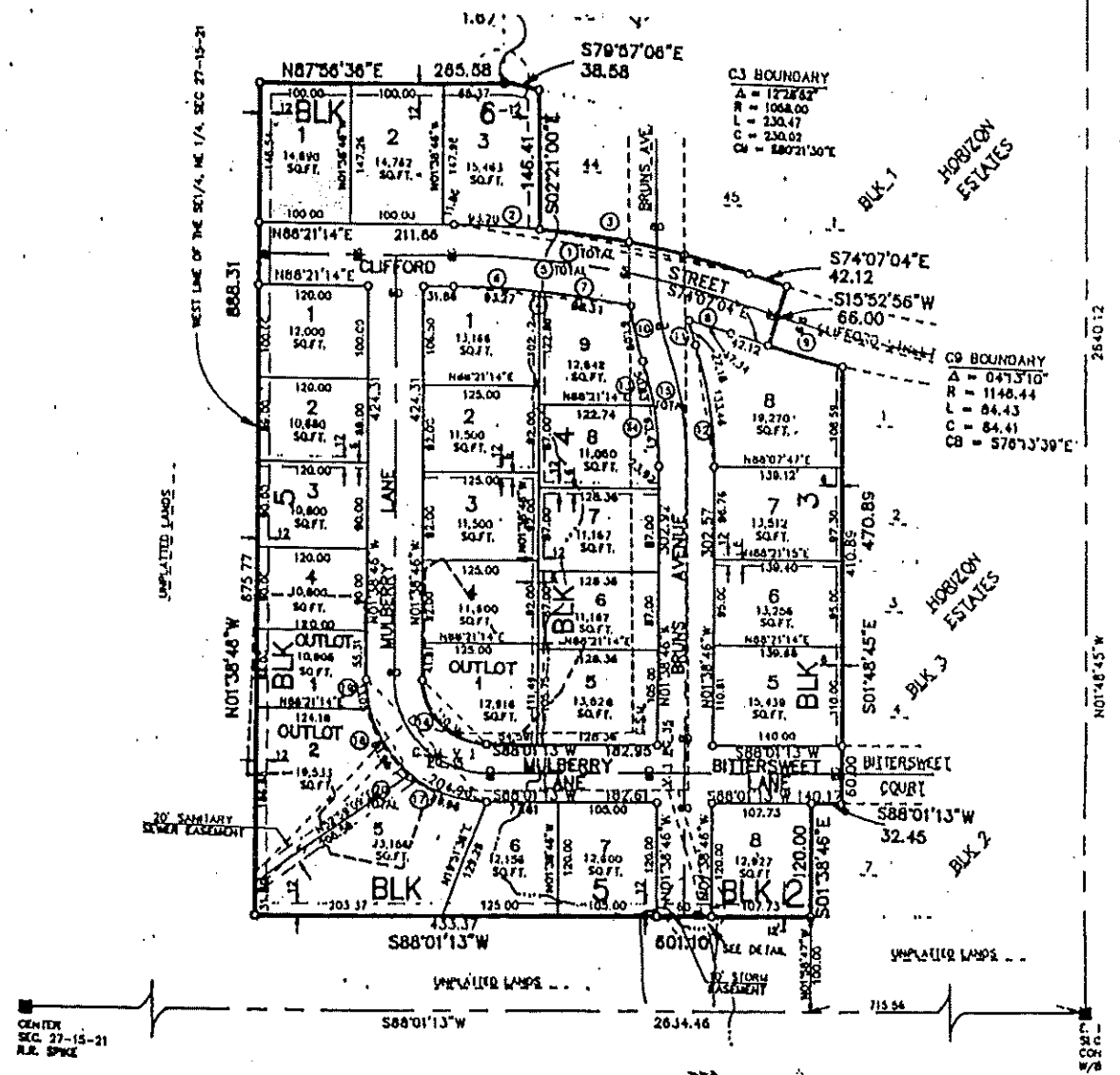


Drafted By: Francis Feider

Re: Francis Feider
1215 Eastern Ave
Plym, WI 53073

HORIZON ESTATES ADDITION NO. 1

A SUBDIVISION OF PART OF THE SE 1/4 OF THE NE 1/4
OF SECTION 27, TOWN 15 NORTH, RANGE 21 EAST, CITY
OF PLYMOUTH, SHEBOYGAN COUNTY, WISCONSIN.



LOT 1 BLOCK 6
HORIZON ESTATES ADDITION NO. 1
CITY OF PLYMOUTH
CLIFFORD STREET