

2038729

BROWN COUNTY
REGISTER OF DEEDS
CATHY WILLIQUETTE**Planned Unit Development Restrictions****For;****SNOW SHOE ESTATES**Recorded in Volume 22 of Plats, Page 66,Document Number 2037220, 3:43 p.m.

2003 JUL 21 P 1:57

Project Scope: To amend by rezoning the property shown on the attached map to a Planned Unit Development. This development consists of;

Unit A - (27) Twenty seven, two-family homes

Unit B - (8) eight townhome lots

Unit C - (1) one planned rental community

Unit D - (5) outlots

Return to: 17⁰⁰ (4)
THOMAS J. SOZA Custom Home+ Design
745 ONTARIO RDGreen Bay WI 54311
ATTN: Debra Binkowski**Unit A - Two Family Homes**

Lots 3, 4, 5, 6, 7, 8, 9, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27, 28, 29, 33, 34, 35 and 36 shall be used for the purpose of duplex or single-family residences only. Each unit is to have the enclosed area of the main structure, exclusive of porches, patios, basements, finished basements or exposed basements, shall be not less than 1,300 square feet for one story structures and not less than 1,500 square feet per home for two story and multi level structures. Each unit is to have an attached garage not less than 500 square feet. Each dwelling unit is to have a roof pitch of not less than 6/12 and at least one projecting roofline toward the street. All ranches and multi level buildings to have a minimum of 33% masonry front. Two story homes may be sided.

Walking trails will be installed at lots 9, 28 and 29 when building is completed. The trails are to be five feet wide built with gravel and fines to the property lines and will be dedicated in public easements.

Unit B - Townhome lots

Lots 2,10,11,25,26,30,31 and 32 shall be used for the purpose of townhome, duplex, or single-family residences only. Lots 2 and 30 shall have a maximum density of 6 units of townhomes, lots 10,11,25,26,31, and 32 shall have a maximum density of 4 units of townhomes. Each dwelling unit is to have the enclosed area of the main structure, exclusive of porches; patios, basements, finished basements or exposed basements, shall be not less than 1,000 square feet. Each unit is to have an attached garage not less than 250 square feet and individual entries. Each dwelling unit is to have a roof pitch of not less than 4/12 and at least one projecting roofline toward the street. All buildings to have a minimum of 66% masonry around the entire exterior, see the attached building drawings for design intent.

Walking trails will be installed at lot 10 when building is completed. The trails are to be five feet wide built with gravel and fines to the property lines and will be dedicated in public easements.

Unit C - Planned Rental Community

Lot 1 shall be used for the purpose of attached residences only. No more than 42 dwelling units will be allowed with individual structures to contain no more than 9 attached units in each building. Each unit is to have the enclosed area of the main structure, exclusive of porches, patios and basements shall be not less than 900 square feet. Each unit is to have an attached garage not less than 250 square feet. Each dwelling unit is to have a roof pitch of not less than 4/12. All buildings to have a minimum of 66% masonry around the entire exterior, see the attached building drawings for design intent.

The manager of the Community will be held liable for the aesthetic maintenance of outlots 2 and 3. This will include items such as lawn care, picking up trash or general yard care.

Walking trails will be installed when 50% of the Community is completed. The trails are to be five feet wide built with gravel and fines to the property lines and will be dedicated in public easements.

Unit D - Outlots

Outlot 1 will be controlled by Snow Shoe Developers LLC. Outlots 2 and 3 will be dedicated to the Town of Suamico by Thomas J. Juza Custom Home and Design, Inc. with maintenance as stated by the Planned Rental Community. The Town of Suamico agrees to maintain the storm water management system on outlots 1, 2 and 3 after its construction. This includes yearly inspections of wet and dry ponds. If 12" of sediment is found in the ponds, the town will dredge and maintain the basins as needed for proper function of the system. Outlot 4 will be controlled by Snow Shoe Developers LLC. Outlot 5 will be divided for future duplex lots by Thomas J. Juza Custom Home & Design, Inc.

These general restrictions are to be applied to Units A through C;

- 1.) No building erected elsewhere shall be moved onto any lot or lots.
- 2.) No temporary structures (including, without exclusion of others, trailer, basement without residence above, tent, shack, garage or barn of any kind) will be permitted on any lot any time for dwelling purposes.
- 3.) Each home shall have a foundation below the frost line.
- 4.) Streets, setbacks and easements:
 - Front Yard Setback. See final Plat for setbacks on Veteran's Avenue and 40-foot minimum all else.
 - Side Yard Setback. 10-foot minimum.
 - Rear Yard Setback. 25 to 40-foot minimum per site plan.

Environmental Easements are to be left in a natural state. No filling, out buildings, patios, clearing trees or shrubs will be allowed. Grading for planting and drainage of back-lot storm water is required. Two-inch diameter trunk trees of a species native to the area are to be planted every 15' if gaps are present within the Environmental Easement or if trees are removed. Pruning done to the existing vegetation in the environmental easement is to be done as recommended by a forester licensed by the state of Wisconsin. Fill from the building site is to be tapered from the building setback down to the environmental easement for a smooth transition.

- 5.) All land at the front, rear and sides of all lots shall be graded by and maintained by the property owners to provide for the adequate drainage of surface water away from any and all structures. The land occupied by public utility easements of the lots shall not be graded in such a manner as to interfere with drainage of storm water. No fill, structure, or fence shall be permitted to extend on or into any drainage easement. Any alteration, damming or containment of water, its flow or its banks shall be prohibited. Back-Lot elevations established by the Town Engineer of the Town of Suamico must be followed.
- 6.) Both municipal sewer and water shall serve development.
- 7.) All homes shall address the street with 76' minimum width.
- 8.) All dwellings shall be completed within one year after the beginning of construction and every structure must have a permanent finish on the exterior within six (6) months after the start of construction. All landscaping, including lawn, trees and shrubs are to be completed within one year of beginning construction.
- 9.) Lots 2, 25, 26, and 32 cannot discharge driveways to Veteran's Avenue.
- 10.) No fencing shall be erected upon any lot in the Plat without written approval and permit from the town. Further, no outbuildings, minibarns or storage sheds shall be erected upon any lot in the Plat without the express written approval and permit of the Town. No more than one outbuilding will be permitted per lot and it must be of the same character as the main building. The intent of the "same character" is if the dwelling has brick and siding with an 8-pitch roof the out building must have the same. No satellite dishes over 20" or exterior antennas, such as television (other than the normal housetop antenna), ham radio, or other communication modes shall be erected or installed on any lot.
- 11.) No livestock, poultry or exotic animals of any kind (including, without exclusion of others) shall be raised, bred, kept or maintained on any lot in the Plat. No more than two (2) common household pets are permitted and must be contained and maintained.
- 12.) Driveways are to be of concrete, brick pavers or asphalt, not gravel. All driveways must be completed within one (1) year from completion of main dwelling.
- 13.) No nuisance shall be maintained or suffered to exist in the plat. No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood.
- 14.) Landscaping and maintenance shall be done in a manner to blend with the environment and nature of the community to prevent the development of unsightly and undesirable areas. The entire lot must be kept well groomed and maintained in an acceptable manner.

- 15.) The cutting and storage of firewood shall be confined in a location and size of area and be maintained in an orderly fashion. It is required that storage of firewood be housed, sheltered or screened by adequate planting or fencing so as to be concealed from view of neighboring lots and streets. Firewood cutting and storage is to be limited to private use only and not for resale purposes.
- 16.) Storage, temporary or permanent, of any and all motorized vehicles, machinery, trailers and snowmobiles, motorcycles, bicycles, etc., or parts thereof must be kept in an enclosed garage.
- 17.) Trash, rubbish, garbage and all refuse matter or waste shall be kept in closed sanitary containers to be regularly removed from the premises and shall not be allowed to accumulate or cause an undesirable condition or health hazard.
- 18.) Burning of trash, rubbish, garbage, yard wastes, etc., is prohibited.
- 19.) Vegetable gardens shall be restricted to lots on which a dwelling exists.
- 20.) Vacant lots may not be used for parking or storage of any kind and shall be maintained by owner to comply with these covenants and local zoning ordinances.

WITNESS THE HAND OF SAID OWNER THIS 21 DAY OF July, 2003

IN THE PRESENCE OF:


 THOMAS J. JUZA CUSTOM HOME AND DESIGN, INC.
 THOMAS J. JUZA, PRESIDENT

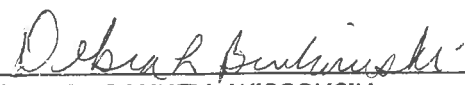

 SNOW SHOE DEVELOPMENT, LLC
 SCOTT FLAESCHEL

STATE OF WISCONSIN


BROWN COUNTY SS

PERSONALLY CAME BEFORE ME THIS 21 DAY OF July, 2003

THE ABOVE NAMED PERSONS TO ME KNOWN TO BE THE PERSON(S) WHO EXECUTED THE FOREGOING INSTRUMENT.


 BROWN COUNTY, WISCONSIN
 Debra L. Binkowski

NOTARY PUBLIC
 MY COMMISSION EXPIRES 11/27/05

DRAFTED BY -  James R. LaPlant