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**DECLARATION OF DRIVEWAY
EASEMENT**



1903459

RANDAL LEYES
REGISTER OF DEEDS
ROCK COUNTY, WI
RECORDED ON
10/07/2010 12:28:54PM

REC FEE: 30.00
EXEMPT #:
EXCLUSION CODE:
PAGES: 3

This Declaration of Easement ("Easement") is made this 22nd day of September, 2010, by **Gary R. Curler and Leticia C. Curler**, ("Declarants").

RECITALS:

WHEREAS, Declarants own fee simple absolute title to a certain property located in the City of Milton, County of Rock, State of Wisconsin, which property is more particularly described as:

Lots 1 and 2 of a Certified Survey Map recorded in Volume 33, Pages 173 - 176 of Certified Survey Maps of Rock County, Wisconsin as Document #1876672; and

Lot 1 of a Certified Survey Map recorded in Volume 15, Pages 330-332 of Certified Survey Maps of Rock County, Wisconsin as Document #1147489; and

WHEREAS, Declarants desire to create a Driveway Easement upon, over and across said Lots for use and purposes stated herein.

EASEMENT

1. **GRANT OF EASEMENT.** Declarants hereby create a non-exclusive Cross-Easement upon a portion of said Lots. The Easement will be located on the blacktop areas designated as "**Bit. Pmnt.**" on the Certified Survey Map attached hereto. The Easement shall be for the purposes of vehicular ingress and egress.
2. **MAINTENANCE.** Present and future owners of each lot shall, at their expense, maintain the Easement Area on their lot in its present condition and will repair or replace the driveway surface as and when needed. Each lot owner shall also be responsible for snow removal on their lot.
3. **DRIVEWAY USE.** The owner of each lot shall not obstruct or in any way impair access to the Easement Area.
4. **TERM.** This Easement and all other rights and obligations arising hereunder shall be perpetual unless terminated in writing by the owners of all lots affected hereby.

Gary R Curler
238 E Madison Ave
Milton WI 53563

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5. **COVENANTS RUN WITH THE LAND.** The rights granted herein shall be deemed to be covenants running with title to the Property. This Easement shall bind and inure to the benefit of the owners hereto and their respective successors and assigns.
6. **SEVERABILITY.** If any term or provision of this Easement is held to be invalid or unenforceable by a court of competent jurisdiction, then such holding shall not affect any other terms or provisions of this Easement and the same shall continue to be effective to the fullest extent permitted by law.
7. **ENTIRE AGREEMENT.** This Easement may be modified only by a written instrument executed on behalf of all lot owners in recordable form.
8. **GOVERNING LAW.** This Easement concerns property located in the State of Wisconsin and shall be governed by and construed in accordance with the laws of the State of Wisconsin.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date first above written.

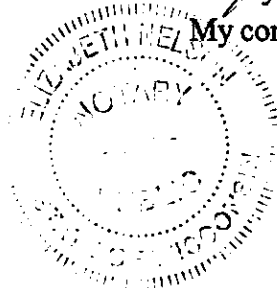
Gary R. Curler
Gary R. Curler, Declarant

Leticia C. Curler
Leticia C. Curler, Declarant

Subscribed and sworn to before me this
22nd day of September, 2010.

Elizabeth Helgeson
Notary Public, Rock County, Wisconsin
My commission is permanent.

This document drafted by:
Attorney Andrew H. Frank
State Bar No. 1017349
Frank Law Office
1404 Creston Park Drive
Janesville, Wisconsin 53545-1103
(608) 756-5541





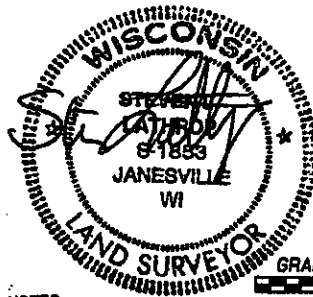
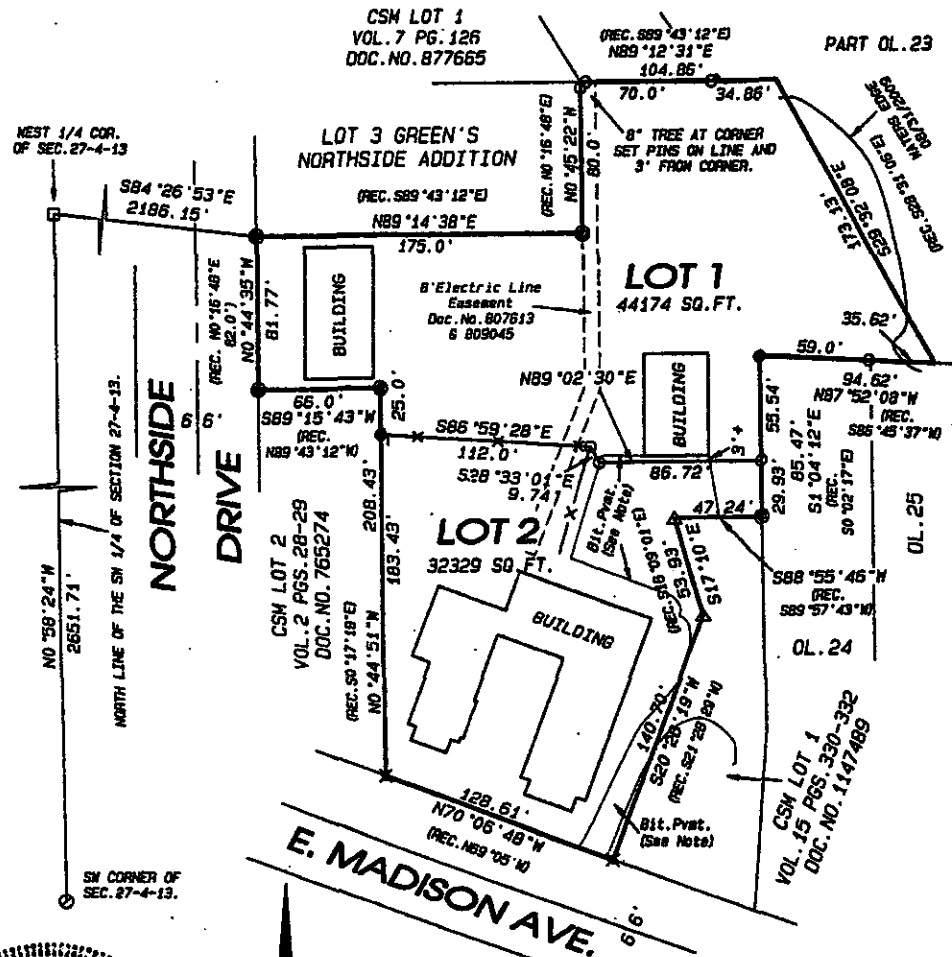
1876672

RANDAL LEYES
REGISTER OF DEEDS
ROCK COUNTY, WI
RECORDED ON
10/13/2009 11:42:41AM

REC FEE: 17.00
EXEMPT #:
EXCLUSION CODE:
PAGES: 4

CERTIFIED SURVEY MAP

LOTS 2 AND 3 OF A CERTIFIED SURVEY MAP RECORDED IN VOLUME 16, PAGES 330 THRU 332 OF CERTIFIED SURVEY MAPS OF ROCK COUNTY, WISCONSIN AS DOCUMENT NO. 1147489; FORMERLY BEING LOTS 1 AND 2, GREENS' NORTHSIDE ADDITION AND FORMERLY BEING ALL OR PART OF OUTLOTS 19, 21, 22 AND 23 OF THE ASSESSOR'S PLAT OF THE VILLAGE OF MILTON, BEING LOCATED IN THE NE 1/4 OF THE SW 1/4 OF SECTION 27, T.4N., R.13E., OF THE 4TH P.M., NOW THE CITY OF MILTON, ROCK COUNTY, WISCONSIN.



GRAPHIC SCALE 1"=80'

0' 40' 80' 120'

NOTES:

AN EASEMENT FOR INGRESS AND EGRESS ACROSS THE EXISTING PAVEMENT ON LOT 2 IS GRANTED FOR THE BENEFIT OF LOT 1.

BLANKET-TYPE EASEMENTS RECORDED AS DOC. NO. 536763 AND 577971 AFFECT THE SUBJECT PREMISES.

ASSUMED NO 58°24'W ALONG THE WEST LINE OF THE SW 1/4 OF SECTION 27-4-13.

LEGEND:

- SET ROUND IRON REBAR
7/8"x 24", 2.04 LBS./LIN. FT.
- ✕ SET DRILLHOLE IN CONCRETE
- ▲ SET PK MASONRY NAIL
- FOUND IRON PIN
- FOUND IRON PIPE
- FOUND CONCRETE MONUMENT
- FOUND POLYSTYRENE MONUMENT

—X— FENCE

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& ASSOCIATES

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