

DANE COUNTY  
REGISTER OF DEEDS

DOCUMENT #  
3505049

06/24/2002 04:37:30PM

Trans. Fee:  
Exempt #:

Rec. Fee: 13.00  
Pages: 2

**DRIVEWAY EASEMENT AGREEMENT**

THIS AGREEMENT IS MADE and entered into this 19<sup>th</sup> day of June, 2002, by and between Robert L. Allen and Susan L. Allen, hereinafter referred to as "Allen".

001530

WHEREAS, Robert L. Allen and Susan L. Allen own the following described property, to-wit:

Return to:  
Attorney Jeffrey T. Roethe  
P.O. Box 151  
Edgerton, WI 53534

Parcel 1:

Certified Survey Map No. 1246 recorded in Volume 5 of Certified Survey Maps of Dane County, at pages 164 and 165, as Document 1375254, Town of Fitchburg, Dane County, Wisconsin.

Tax Parcel Nos.:  
225/0609-254-9590-3;  
225/0609-254-9650-0;  
225/0609-254-9695-7

Subject to public highway over the Northerly 33 feet thereof and easement as set forth in instrument recorded May 11, 1954, as Document 872778.

Parcel 2:

A part of the Southeast 1/4 of the Southeast 1/4 of Section 25, Township 6 North, Range 9 East (Town of Fitchburg) more fully described as follows: Commencing at the Southeast corner of said Section 25; thence North 89° 54' West 597.9 feet; thence North 399.7 feet to the point of beginning of this description; thence continue North 297.8 feet; thence Westerly 424.65 feet along the South line of a parcel of land described in Vol. 98 of Records, page 163, as Document No. 1238315, and that line extended to the Southwest corner of that parcel; thence continue Westerly (recorded as West) 155.35 feet along the South line of a parcel of land described in Vol. 134 of Records, page 477, as Document No. 1250763; thence South 305.25 feet; thence East 580.0 feet along the North line of a parcel of land described in Vol. 831 of Deeds, page 576, as Document No. 1181541, to the point of beginning.

2/13

001531

WHEREAS, Robert L. Allen and Susan L. Allen are desirous of entering into a written agreement as to their rights and obligations to use and maintain the existing driveway.

NOW, THEREFORE, for valuable consideration, it is mutually agreed and understood as follows:

1. That Robert L. Allen and Susan L. Allen shall retain the use of a driveway located in the Westerly 44 feet of Certified Survey Map No. 1246 that currently exists for ingress and egress, and all current and future utilities from Schneider Drive to the parcel owned by Robert L. Allen and Susan L. Allen described as Parcel 2 herein.

2. That Robert L. Allen and Susan L. Allen shall be solely responsible to maintain the driveway, which includes upkeep, repair, maintenance, snow removal, and blacktopping or improvements that may be required to fully use the driveway.

3. This driveway shall remain open for use and is not to be blocked at any time.

4. Robert L. Allen and Susan L. Allen shall have the right to trim adjoining vegetation to keep the driveway passable and safe.

5. That this driveway easement agreement is binding upon the parties hereto, their heirs, successors and assigns and shall run with the land.

That this agreement is dated this 19<sup>th</sup> day of June, 2002.

Robert L. Allen  
Robert L. Allen

Susan L. Allen  
Susan L. Allen

Subscribed and sworn to before me this 19<sup>th</sup> day of June, 2002.

Jean K. Hestey  
Notary Public, Dane County, WI  
My commission expires: 1-18-04

THIS INSTRUMENT WAS DRAFTED BY:

Attorney Jeffrey T. Roethe  
P.O. Box 151  
Edgerton, WI 53534  
(608) 884-3391