

HIDDEN SPRINGS – Property Owners Association

AMENDMENT AND EXTENSION OF PROTECTIVE COVENANTS

August 1, 2007

In re: Lots 1 through 72 of Hidden Springs,
Section 33, Township 18 North, Range 11
East, Waushara County, Wisconsin and

Lots 77 through 157, Hidden Springs,
Section 33, Township 18 North, Range 11
East, Waushara County, Wisconsin

WHEREAS the Protective Covenants of Lots 1 through 72 were recorded on November 12, 1971 in Volume 187 of Records on Page 39 as Document No. 208332, Waushara County Registry which Protective Covenants were subsequently amended by an Amendment to Protective Covenants which was recorded on June 18, 1985 in Volume 337 of Records at Pages 236-241; and,

WHEREAS the Protective Covenants of Lots 77 through 157 were recorded on November 22, 1972 in Volume 196 of Records on Page 643 as Document No. 212789, Waushara County Registry, which Protective Covenants were subsequently amended by an Amendment to Protective Covenants which was recorded on June 11, 1986 in Volume 336 of Records at Pages 79-84; and,

WHEREAS a majority of the owners of Lots 1 through 72 and a majority of the owners of Lots 77 through 157 of the Protective Covenants desire to combine the two separate Protective Covenants into a single set of Protective Covenants; and

WHEREAS the previously recorded Protective Covenants provide in part that “. . . at any time a majority of the owners of the Lots in Hidden Springs Plat agree to a change or said covenants in whole or in part, the same shall be allowed,” and,

WHEREAS a majority of the owners of Lots 1 through 72 and a majority of the owners of Lots 77 through 157 of the two separate Protective Covenants have authorized this extension and amendment of their Protective Covenants as follows.

PROTECTIVE COVENANTS

PURPOSE:

The purposes of the following protective covenants are to enable a uniform programming for establishing a scheme of development and protection of the lands set forth therein;

Particularly to maintain the value of the lands through the regulations, type size and place of building; lot sizes, reservation of easements, prohibition of nuisances and other land uses that might affect the desirability of a residential area.

Further, a covenant shall be effective in its entirety as to the parties hereto, their heirs, assigns and successors.

AREA OF APPLICATION:

The covenants in its entirety shall apply to Lots 1 through 72 inclusive, which are located in a platted area known as Hidden Springs Plat, Section 33, Township 18 North, Range 11 East, Waushara County, Wisconsin, excepting therefrom parcels dedicated for road purposes, and Lots 77 through 157 inclusive which are located in a platted area known as Hidden Springs Addition No. 1, Section 33, Township 18 North, Range 11 East, Waushara County, Wisconsin, excepting therefrom parcels dedicated for road purposes.

1. An Architectural Review Committee shall be formed to review plans and general features of new or proposed modifications to buildings to assure quality in materials and appearance in order to uphold the value of all property. The Architectural Review Committee will follow practices as defined in its standing committee charter as authorized under the By-Laws.
2. The placing of mobile homes or trailers on any lot shall be prohibited; temporary dwellings may however be allowed, but shall be limited to a period during construction of a permanent dwelling or for a vacation not to exceed 12 weeks during the period of any one given year. Camping shall be limited to lot owner's relative. "Relative" means parent, grandparent, great-grandparent, stepparent, brother, sister, first cousin, nephew, niece, uncle, or aunt. This relationship shall be by blood, marriage, or adoption.

3. The lots shall be used for residential purposes, and shall not be used for commercial or agricultural purposes. An activity requiring payment of sales tax, use tax, or tax owed as a result of renting a residential property shall be considered a commercial use. No animals, livestock, or poultry of any kind shall be raised or bred or kept on any lot, except dogs, cats or other household pets may be kept provided they are not kept, bred, or maintained for any commercial purposes.
4. All owners of Lots 1 through 72 inclusive and Lots 77 through 157 shall be members of Hidden Springs Property Owners Association, Inc., a Wisconsin nonprofit corporation, registered in Waushara County, Wisconsin and shall be subject to the By-laws and Articles of Incorporation

These covenants are to run with the land and shall be binding on all parties and all persons claiming under them from this day forth. However, at any time a majority of the owners of the lots in Hidden Springs Plat, Lots 1 through 72 and Lots 77 through 157 agree to change or eliminate said covenants in whole or in part, the same shall be allowed.

These Protective Covenants modify and extend the Protective Covenants as recorded in Volume 187 of Records on Page 39 and amended as recorded in Volume 336 of Records on Pages 236-241 and recorded in Volume 196 of Records on Page 643 and amended as recorded in Volume 336 of Records on pages 79-84. Each of these Protective Covenants has been duly amended by a majority of the owners of Lots identified therein and it is the express intent of said owners to combine the two previous covenants into this single Protective Covenant applicable to Lots 1 through 72 and Lots 77 through 157 and that future amendments be made by the majority of the owners of all the lots.

ENFORCEMENT

Enforcement shall be by proceedings at law or in equity against any person violating or attempting to violate any covenant either to restrain violation or to recover damages.

SEVERABILITY

Invalidation of any of these covenants by judgment or court order shall in no wise affect any of the other provisions, which shall remain in full force and effect.