

SHORELAND PRESERVATION PROGRAM
RESTRICTIVE COVENANT

WHEREAS **Lee S. and Vicki C. Lind** owns real estate within Burnett County that is subject to the Burnett County Shoreland Regulations, and WHEREAS, Burnett County has created the Shoreland Preservation Program to provide a property tax rebate to land owners for participation in the program, provided the real estate enrolled in the program complies with the Burnett County Shoreland Buffer Design Standards, and WHEREAS, **Lee S. and Vicki C. Lind** (Owner) desires to enroll the following described real estate in the program:

Legal Description of Property: **Lots 1, 2, and 3, CSM #3340 V16 P115 (filed as document #310754), located in government lot 1, S18 T40 north R15 west, Burnett County, WI.**

NOW, THEREFORE, in consideration of the Owner's participation in the Shoreland Preservation Program and a \$50.00 per tax parcel (or the property tax amount, whichever is less) annual tax rebate provided by the Shoreland Preservation Program, **Lee S. and Vicki C. Lind** (Owner) hereby agrees that the following Restrictive Covenant be placed upon Owner's real estate:

Owner hereby agrees to provide all shoreline buffer restoration as required by Burnett County Land Use Ordinance in order to restore and/or maintain the real estate to comply with the requirements of the Ordinance.

Owner hereby agrees that at all times in the future, the real estate subject to this Restrictive Covenant shall comply with all vegetation protection requirements of the Burnett County Shoreland/Land Use Ordinance dated March 16, 2000 as detailed in Attachment I and the Shoreland Buffer Design Standards approved by the Burnett County Land and Water Conservation Committee March 9, 2006. This Covenant shall be considered a Restrictive Covenant upon the real estate and it shall run with the land and shall be binding upon all successors, heirs or assigns. The Covenant holder shall record this covenant in the Burnett County Office of the Register of Deeds, and may re-record it or any other document necessary to protect its rights under this Covenant. Violation of this Covenant will authorize, in addition to other penalties and relief required under the Burnett County Land Use Ordinance, injunctive relief and restoration of said real estate and further disqualify the participant from participation in the Shoreland Preservation Program.

The governmental unit has the right to conduct site inspections for practice installation, operation and maintenance, and compliance with the provisions of the above stated ordinance and applicable standards.

Dated this 6th day of October, 2014

(Owner)* **Lee S. Lind**

(Owner)*

(Owner)* **Vicki C. Lind**

(Owner)*

(Owner)*

(Owner)*

ACKNOWLEDGMENT: STATE OF MN - COUNTY OF Dakota ss:

Personally came before me this 6 day of Oct, 2014 the above named
Lee S. Lind & Vicki C. Lind

to me known to be the person S who executed the foregoing instrument and acknowledge the same.



Signature _____
ROBERT JOSEPH SCIAMANDA
NOTARY PUBLIC - MINNESOTA
My Commission Expires Jan. 31, 2015

Type or print name Robert J Sciamanda
Notary Public
My Commission Expires: 1-31-2015

ACKNOWLEDGMENT: STATE OF _____ - COUNTY OF _____ ss:

Personally came before me this _____ day of _____, _____ the above named

to me known to be the person _____ who executed the foregoing instrument and acknowledge the same.

Signature _____

Type or print name _____
Notary Public

My Commission Expires: _____

**Names of persons signing in any capacity should be typed or printed in black ink below their signatures.*

This instrument was drafted by: Burnett County Land and Water Conservation Department



8 0 1 2 5 2 8

Tx:4007644

432350

BURNETT COUNTY WISCONSIN

RECORDED ON:

10/07/2014 11:05 AM

PAGES: 2

JEANINE CHELL

REGISTER OF DEEDS

REC FEE: 30.00

TRANSFER FEE: 0.00

FEE EXEMPT #

Return To: Burnett County Land & Water
Conservation Department
7410 County Road K, #109
Siren, WI 54872

Tax Parcel Number: **012-4218-01-110**
012-4218-01-120
012-4218-01-130

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ATTACHMENT I

(2) Removal of Shoreline Cover

There shall be a shoreline vegetation protection area on each parcel which shall extend from the ordinary high water mark to a line 25 feet less than the required setback for structures but, in no case, less than 35 feet landward from the ordinary high water mark. Within this area, vegetation removal (including trees, shrubs and ground cover) and land disturbing activities are prohibited with the following exceptions:

- (a) One viewing/access corridor more or less perpendicular to the shore and no more than 30 feet wide may be established. Limited tree removal, pruning and mowing will be permitted. Clearcutting, filling grading and other land disturbing activities are not permitted in this area. On contiguous frontage, there shall be a 30-foot separation of uncut area between adjoining view corridors.
- (b) Limited pruning and mowing will be allowed in the area greater than 35 feet from the ordinary high water mark.
- (c) Pedestrian access, walkways, pathways, and stairways must be located in the access/viewing corridor and also subject to section 4.4(1)d, unless such location is not feasible due to steep slopes, wet soils, or similar limited conditions.
- (d) Pier, wharf and lift placement must also be confined to waters immediately adjacent to viewing/access corridor unless such location is not feasible due to steep slopes, wet soils, or similar limiting conditions.
- (e) Normal maintenance of existing vegetative buffer strips.

Revised March 9, 2006