RELEASE OF RIGHTS UNDER DECLARATION OF EASEMENT FOR PRIVATE ROAD AND PUBLIC UTILITIES

THIS RELEASE OF RIGHTS UNDER DECLARATION OF EASEMENT FOR PRIVATE ROAD AND PUBLIC UTILITIES ("Release") is made by the Village of Arlington, a Wisconsin municipal corporation (the "Village") and is effective when executed and recorded with Columbia County Register of Deeds Office ("Effective Date").

RECITALS

A. Judith Anne Benade Living Trust dated 3/15/2018 ("Benade") is the owner of real property located in the Town of Arlington, Columbia County, Wisconsin more particularly described on Exhibit A attached hereto and incorporated herein ("Benade Property");

THIS SPACE RESERVED FOR RECORDING DATA

Christopher B. Hughes
Stafford Rosenbaum LLP
P.O. Box 1784
Madison, WI 53701-1784

PIN. 11002-472.01; 11002-472.02; 11002-467.A; 11002-468.01

- B. Brad R. Hahn ("Hahn") is the owner of real property located in the Town of Arlington, Columbia County, Wisconsin more particularly described on Exhibit B attached hereto and incorporated herein ("Hahn Property" the Benade Property and the Hahn Property are collectively, the "Property");
- C. The Property is encumbered by the Declaration of Easement for Private Road and Public Utilities dated March 15, 2002 and recorded on March 19, 2002 in the Office of the Register of Deeds for Columbia County as Document No. 654631 (the "Declaration") a copy of which is attached hereto and incorporated here in as Exhibit C;
 - D. The Village has certain rights under the Declaration; and
 - E. The Village wishes to release any and all rights granted to it under the Declaration.

RELEASE

NOW, THEREFORE, the Village hereby states as follows:

- 1. <u>Recitals</u>. The foregoing recitals are hereby incorporated into this Release as if fully set forth in this Section 1.
- 2. <u>Release</u>. Effective as of the Effective Date, the Village hereby releases any and all rights granted unto it under the Declaration.
- 3. <u>Governing Law</u>. This Release shall be construed and enforced in accordance with the internal laws of the State of Wisconsin.

- 4. <u>Entire Agreement</u>. This Release constitutes the entire agreement between the parties with respect to the subject matter hereof and supersedes all prior agreements and understands, oral or written, with respect to such matters.
- 5. <u>Enforcement</u>. Enforcement of this Release may be by proceedings at law or in equity against any person or persons violating or attempting or threatening to violate any term or condition of this Release, either to restrain or prevent the violation or to obtain any other relief.

IN WITNESS WHEREOF, the Village executes this Release as of the date set forth below.

VILLAGE OF ARLINGTON
Done Done
By: Bryan Pjorge, Village President
By: Uason Humboldt, Trustee

ACKNOWLEDGEMENT

STATE OF WISCONSIN)
) SS.
COUNTY OF COLUMBIA)

This instrument was acknowledged before me on this <u>10</u> day of <u>February</u>, 2020, Bryan Bjorge, Village President, and Jason Humboldt, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Name: PJ Monson

Notary Public, State of Wisconsin

My commission is 5-1-2020

Attachments:

Exhibit A: Benade Property Exhibit B: Hahn Property

Exhibit C: Declaration of Easement for Private Road and Public Utilities

Drafted by: Christopher B. Hughes Stafford Rosenbaum LLP 222 W Washington Ave. Suite 900 P.O. Box 1784 Madison, WI 53701-1784