**CONDITIONS AND RESTRICTIONS - EXCESS PROPERTY DEED**

Wisconsin Department of Transportation

RE1652 2002

GENERAL

1.  It is expressly intended and agreed by and between the parties hereto that:      .

2.  It is expressly intended and agreed by and between the parties hereto that the following conditions and restrictions shall attach to this conveyance, and acceptance of this instrument by the grantee(s) shall be construed as acceptance of each and all of said conditions and restrictions:      .

ACCESS

3.  There shall be no vehicular ingress or egress between the above-described lands and the highway currently designated      .

4.  There shall be no vehicular ingress or egress between the above-described lands and the highways currently designated       and      , or to any ramps or roadways appurtenant to said highways.

5.  There shall be no vehicular ingress or egress between the above-described lands and the highway currently designated      , except      .

SALVAGE

6.  The above-described lands shall not be used for the accumulation or storage of junked automobiles or farm machinery, or parts thereof, or other salvage materials, nor shall said lands be used for the storage of wrecked or inoperable motor vehicles or farm machinery.

SETBACK

7.  There shall be a minimum building setback of 110 feet from the centerline of the adjacent highway designated      , or 50 feet outside the nearer right of way line, whichever is more restrictive.

8.  There shall be a minimum building setback of 110 feet from the centerline or 50 feet outside the nearer right of way line of the adjacent highway currently designated      , or, in accordance with local applicable ordinance, whichever is more restrictive.

9.  No building, structure or appurtenances of any type, including such on-premise advertising signs as may be authorized under subparagraph       above, shall be erected, located or maintained within a distance of       feet from the outside or nearer right of way line of the adjacent highway currently designated      , or, in accordance with local setback requirements, whichever is more restrictive.

10.  The above-described lands shall be subject to all applicable zoning laws and/or ordinances.

11.  In the event any building, structure or appurtenance, or any other improvement herein conveyed with the above-described lands is located within the set-back area, such property, described as       shall be (removed or relocated) (demolished) to conform with the setback reserved in the instrument by      , and the grantor reserves the right to enter and remove or raze said property upon default thereof by the grantee, and charge to the grantee the costs incurred.

EXCEPTIONS AND RESERVATIONS

12.  The above-described lands shall be used only for *(describe in detail any use restrictions)*       and said restricted use shall constitute a restrictive easement for the benefit of the grantor State of Wisconsin.

13.  There is expressly excepted and reserved to the grantor State of Wisconsin the right to construct, reconstruct, repair and maintain in perpetuity the *(describe in detail: e.g., drainage easement, etc.)*       within the area bounded as follows       together wit the right of access to and from the said area, and to operate necessary machinery and equipment on and along the said area hereinabove excepted and reserved.

14.  The grantor, Wisconsin Department of Transportation, Division of Transportation Infrastructure Development, reserves the right to construct the highway improvement designated as Project       County, according to the road plans for the project on file with said Division of Transportation Infrastructure Development, without liability under Section 32.18, (and Section 88.87) Wisconsin Statutes.

15.  Scenic easement reservation (attached as prepared for particular parcel).

16.  No trees shall be removed except marketable timber by selective cutting and in compliance with local forest cropping practice; however, in no instance shall the area be denuded of trees.

17.  The above-described lands shall not be used for quarrying or other excavation, nor shall any surface or subsurface minerals or other materials of any kind, be stored upon or removed from said lands.

GENERAL

18.  These covenants, burdens and restrictions shall run with the land and shall forever bind the grantee,  (his heirs, successors and assigns)  (its successors and assigns).

19.  These covenants, burdens and restrictions shall run with the land and shall forever bind the grantee,  (his heirs, successors and assigns)  (its successors and assigns); and, upon breach or failure of all or any part thereof all right, title and interest in and to the above-described lands shall immediately vest in the grantor, State of Wisconsin, the same as if this instrument had not been given.