

**RELEASE OF DECLARATION OF COVENANTS AND RESTRICTIONS**

Document Number

Document Title

Recording Area

Peter Turke  
Turke & Steil S.C.  
613 Williamson Street, Suite 201  
Madison, WI 53703

Name and Return Address

See Exhibits A, B, and C

Parcel Identification Number (PIN)

**RELEASE OF DECLARATION OF COVENANTS AND RESTRICTIONS**

THIS RELEASE OF DECLARATION OF COVENANTS AND RESTRICTIONS (this “Release”) is made as of this \_\_\_ day of \_\_\_\_\_, 2026, by and between VAS Bluff Road LLC, a Wisconsin limited liability company (“VAS Bluff Road Owner”), Whitewater Alpha Real Estate, LLC, a Wisconsin limited liability company (“Whitewater Alpha Real Estate Owner”), the Community Development Authority of the City of Whitewater, Wisconsin, a body politic established and created by the City of Whitewater, Wisconsin, a municipal corporation (“Whitewater CDA Owner”), and the City of Whitewater, Wisconsin, a municipal corporation (the “City”). VAS Bluff Road Owner, Whitewater Alpha Real Estate Owner, and Whitewater CDA Owner shall hereinafter individually be referred to as an “Owner” and collectively referred to as the “Owners”.

**WHEREAS**, VAS Bluff Road Owner is the current owner of certain real property more particularly described on Exhibit A attached hereto (the “VAS Bluff Road Property”);

**WHEREAS**, Whitewater Alpha Real Estate Owner is the current owner of certain real property more particularly described on Exhibit B attached hereto (the “Whitewater Alpha Real Estate Property”);

**WHEREAS**, Whitewater CDA Owner is the current owner of certain real property more particularly described on Exhibit C attached hereto (the “Whitewater CDA Property”);

**WHEREAS**, The VAS Bluff Road Property, the Whitewater Alpha Real Estate Property, and the Whitewater CDA Property shall hereinafter individually be referred to as a "Property" and collectively referred to as the "Properties";

**WHEREAS**, the City is a prior owner of all the Properties and at the time the City owned all the Properties, the City executed a certain Declaration of Covenants and Restrictions on July 16, 2003, and recorded as Document No. 0566457 in the Office of the Register of Deeds for Walworth County, Wisconsin on July 21, 2003 (the "Declaration");

**WHEREAS**, pursuant to Article X of the Declaration, any Owner or the City may seek to enforce the restrictions and covenants contained in the Declaration;

**WHEREAS**, pursuant to Articles IX of the Declaration, two-thirds (2/3) of the Owners may vote to terminate the covenants, restrictions and provisions contained in the Declaration, provided the Common Council of the City approves such termination (after review and recommendation by the Plan and Architectural Review Board of the City of Whitewater);

**WHEREAS**, all the Owners have voted to terminate the covenants, restrictions and provisions contained in the Declaration, the Common Council of the City has approved such termination (after review and recommendation by the Plan and Architectural Review Board of the City of Whitewater) via resolution # \_\_\_\_\_; and

**WHEREAS**, all the Owners and the City desire to execute and record this Release to provide notice that the Declaration has been terminated and the Owners and the City have released any and all rights in connection therewith.

**NOW, THEREFORE**, for good and valuable consideration, the receipt and sufficiency of which is hereby confirmed, the Owners and the City hereby terminate the Declaration, and the Owners and the City hereby release and forever discharge and release all rights, title, interests, and obligations created by or relating to the Declaration. The Declaration is of no further force or effect. This Release sets forth the entire agreement between the Owners and the City with respect to the matters set forth herein. There have been no additional oral or written representations or agreements. This Release shall bind the Owners, the City and their respective successors and assigns. This Release may be executed in any number of counterparts, each of such counterparts, for all purposes, shall be deemed an original but all of such counterparts taken together shall constitute but one and the same instrument.

Effective as of this \_\_\_\_ day of \_\_\_\_\_, 2026.

*[Remainder of Page is Intentionally Blank; Signature Pages Follow]*

VAS Bluff Road LLC, a Wisconsin limited liability company

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

STATE OF WISCONSIN )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

Personally came before me this \_\_\_\_ day of \_\_\_\_\_, 2026, the above-named \_\_\_\_\_ to me known to be the \_\_\_\_\_ of \_\_\_\_\_, a \_\_\_\_\_, who executed the foregoing instrument and acknowledge the same on behalf of said \_\_\_\_\_.

\_\_\_\_\_  
Name: \_\_\_\_\_  
Notary Public, State of Wisconsin  
My Commission \_\_\_\_\_

Whitewater Alpha Real Estate, LLC, a Wisconsin  
limited liability company

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

STATE OF WISCONSIN                    )  
  ) ss.  
COUNTY OF \_\_\_\_\_            )

Personally came before me this \_\_\_\_ day of \_\_\_\_\_, 2026, the above-named  
\_\_\_\_\_ to me known to be the \_\_\_\_\_ of  
\_\_\_\_\_, a \_\_\_\_\_, who executed the foregoing instrument and  
acknowledge the same on behalf of said \_\_\_\_\_.

\_\_\_\_\_  
Name: \_\_\_\_\_  
Notary Public, State of Wisconsin  
My Commission \_\_\_\_\_

Community Development Authority of the City of  
Whitewater, Wisconsin, a body politic established and  
created by the City of Whitewater, Wisconsin, a  
municipal corporation

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

STATE OF WISCONSIN                    )  
  ) ss.  
COUNTY OF \_\_\_\_\_          )

Personally came before me this \_\_\_\_ day of \_\_\_\_\_, 2026, the above-named  
\_\_\_\_\_ to me known to be the \_\_\_\_\_ of  
\_\_\_\_\_, a \_\_\_\_\_, who executed the foregoing instrument and  
acknowledge the same on behalf of said \_\_\_\_\_.

\_\_\_\_\_  
Name: \_\_\_\_\_  
Notary Public, State of Wisconsin  
My Commission \_\_\_\_\_

APPROVED:

City of Whitewater, Wisconsin, a municipal corporation

By: \_\_\_\_\_  
Name: John Weidl  
Title: City Manager

ATTEST:

By: \_\_\_\_\_  
Name: Heather Boehm  
Title: City Clerk

STATE OF WISCONSIN )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

Personally came before me this \_\_\_\_ day of \_\_\_\_\_, 2026, the above-named \_\_\_\_\_ to me known to be the \_\_\_\_\_ of \_\_\_\_\_, a \_\_\_\_\_, who executed the foregoing instrument and acknowledge the same on behalf of said \_\_\_\_\_.

\_\_\_\_\_  
Name: \_\_\_\_\_  
Notary Public, State of Wisconsin  
My Commission \_\_\_\_\_

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Name: Steven T. Chesebro  
Title: City Attorney

This document was drafted by:

Peter Turke  
Turke & Steil S.C.  
613 Williamson Street, Suite 201  
Madison, WI 53703

**EXHIBIT A**

**VAS BLUFF ROAD PROPERTY  
LEGAL DESCRIPTION**

Lot 1 of Certified Survey Map No. 3236 recorded in the Office of the Register of Deeds for Walworth County, Wisconsin on June 30, 2000 in Volume 18 of Certified Surveys of Walworth County at Pages 71 and 72 as Document No. 446556. **[NEED TO CONFIRM LEGAL DESCRIPTION MATCHES LAST DEED OF RECORD]**

Parcel Identification Number (PIN): /A323600001.

**EXHIBIT B**

**WHITEWATER ALPHA REAL ESTATE PROPERTY  
LEGAL DESCRIPTION**

Lot 2 of Certified Survey Map No. 3236 recorded in the Office of the Register of Deeds for Walworth County, Wisconsin on June 30, 2000 in Volume 18 of Certified Surveys of Walworth County at Pages 71 and 72 as Document No. 446556. [NEED TO CONFIRM LEGAL DESCRIPTION MATCHES LAST DEED OF RECORD]

Parcel Identification Number (PIN): /A323600002.

**EXHIBIT C**

**WHITEWATER CDA PROPERTY  
LEGAL DESCRIPTION**

Lot 1 of CERTIFIED SURVEY MAP NO. 5032 recorded in the Office of the Register of Deeds for Walworth County, Wisconsin on June 06, 2022, as Document No. 1063100, said Certified Survey Map being a redivision of Lot 3 of Certified Survey Map No. 3236 and a portion of Lot 4 of Certified Survey Map No. 3125 and a portion of Vacated Bluff Road by City of Whitewater Resolution dated April 4, 2000 and Vacated portion of Moraine View Parkway as per document No. 1049284 and a portion of unplatted land, all located in part of the Northeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  and part of the Northwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of Section 3, Town 4 North, Range 15 East, City of Whitewater, Walworth, Wisconsin.

**[NEED TO CONFIRM LEGAL DESCRIPTION MATCHES LAST DEED OF RECORD]**

Parcel Identification Number (PIN): /A503200001.