

DECLARATION OF RESTRICTIONS  
CONCERNING SPRINKLER SYSTEMS  
(Westlawn Gardens)

Document Title

**DECLARATION OF RESTRICTIONS CONCERNING  
SPRINKLER SYSTEMS**

**(Westlawn Gardens)**

**Drafted by:**

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Recording Area

Name and Return Address:

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100 E. Wisconsin Ave.  
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Tax Key Numbers:

See **Exhibit A**

**THIS DECLARATION OF RESTRICTIONS CONCERNING SPRINKLER SYSTEMS (“Declaration”):** is made as of September 1, 2018 by the Housing Authority of the City of Milwaukee, a public body corporate and politic created and existing under the laws of the State of Wisconsin (“**HACM**”) as the current owner of all parcels subject to this Declaration (“**Sprinkler Parcels**”) as referenced on **Exhibit A**.

**RECITALS**

A. **Westlawn Gardens.** HACM developed, and is redeveloping, the real estate in Milwaukee, Wisconsin known as Westlawn Gardens (“**Westlawn Gardens**”), generally situated to the south of West Silver Spring Drive between North 60<sup>th</sup> Street and North 68<sup>th</sup> Street.

B. **Subdivision Plat of Western Portion of Westlawn Gardens.** In conjunction with redevelopment of the western portion of Westlawn Gardens (“**Westlawn Gardens – West**”), the City of Milwaukee (“**City**”) approved the subdivision known as Westlawn West (the “**Plat**”) by Common Council Resolution File No. 171000 adopted November 7, 2017, and the Plat was recorded in the Milwaukee County Register of Deeds (“**ROD**”)

Office on December 8, 2017 as Document No.10735796 and corrected per an Affidavit of Correction recorded in the ROD Office on June 4, 2018 as Document No. 10782017.

C. **Legal Descriptions.** The parcel identification information used herein is from the Plat, and is based on lots and blocks reflected by and in the Plat.

D. **Intent – Sprinkler Systems.** The intent of this document is to create a deed restriction requiring sprinkler systems for any residential buildings constructed or to be constructed on certain lots created pursuant to the Plat which do not directly abut public street right-of-way (“**ROW**”) per MCO 119-11-6-b (including sub 6-b-1) and Wis. Stat. 236.33 and which constitute the Sprinkler Parcels referenced on **EXHIBIT A**.

### **RESTRICTIONS**

1. **Restrictions.** Any residential buildings, excluding detached garages and accessory structures, constructed or to be constructed on the Sprinkler Parcels subject to this Declaration shall be constructed with sprinkler systems which meet the requirements of NFPA 13D, adopted by the National Fire Protection Association. The restrictions set forth in this Declaration may be modified or waived only with the written approval of the Commissioner of Neighborhood Services of the City of Milwaukee, Wisconsin (the “**Commissioner**”).
2. **Runs With Land.** The restrictions created by this Declaration run with the land, encumber the Sprinkler Parcels, and shall be binding on and inure to the benefit of all owners of the Sprinkler Parcels and their respective successors (including successor owners) and assigns.
3. **Enforcement.** This document may be enforced at law and in equity by the City of Milwaukee, Wisconsin.
4. **Governing Law; Amendment.** This document is governed by Wisconsin law, and may only be amended by written instrument signed by each owner of a Parcel affected by such amendment (or their respective successors and assigns). Any amendment or termination shall be recorded with the ROD Office and requires the written, signed approval of the Commissioner, which signed approval shall also be recorded with the ROD Office.
5. **Drafter Doctrine Not Applicable; Headings.** The contract interpretation doctrine of “construing against the drafter” shall not apply to interpretation of this document. Headings are for convenience only.
6. **Counterparts.** This document may be signed in counterparts. Facsimile or email signatures shall be accepted as originals. If required for recording purposes, original signatures shall be supplied.



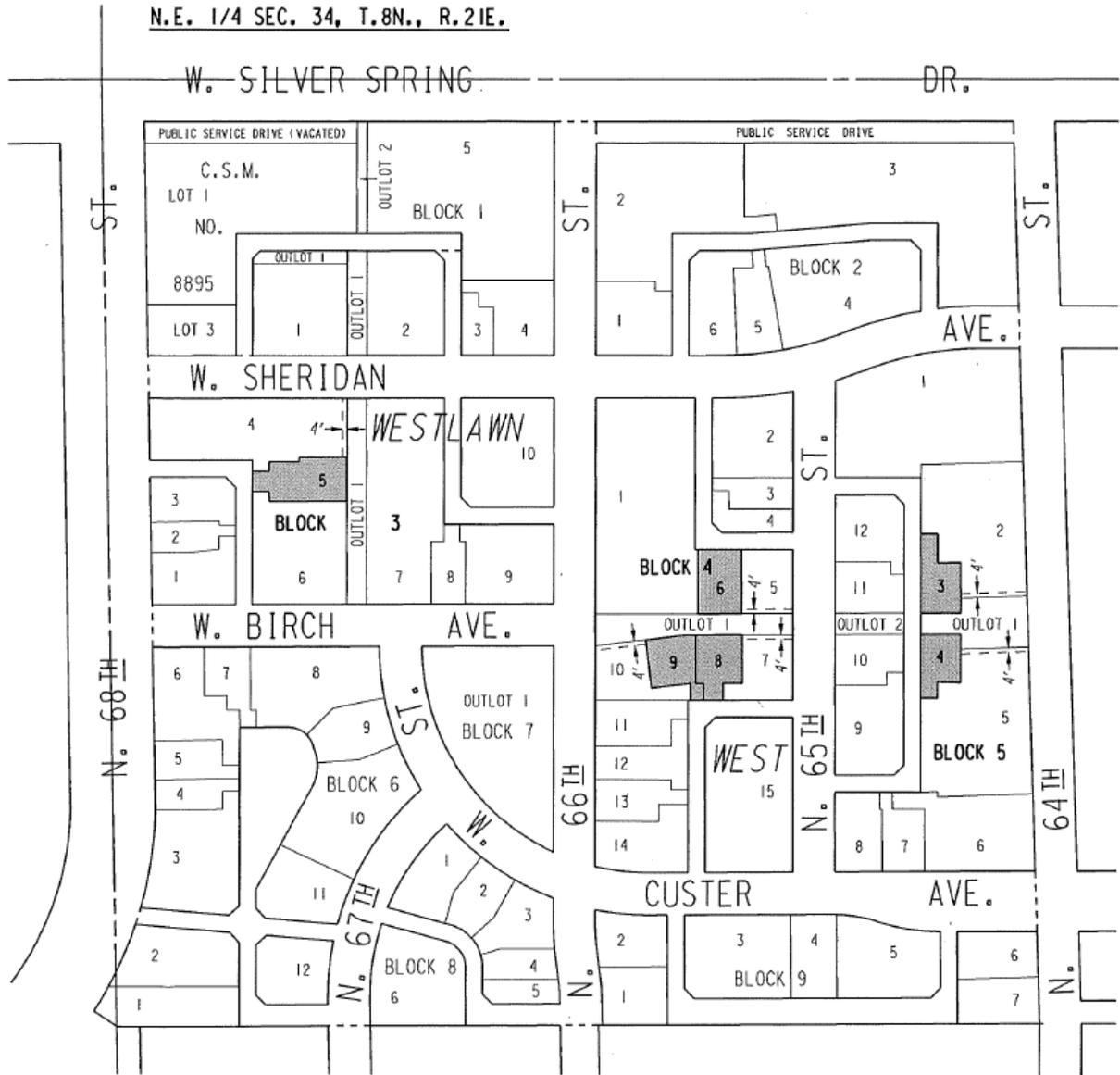
**EXHIBIT A**

**Sprinkler Parcels**

- 1) Lot 5, Block 3 in the subdivision known as Westlawn West.  
Tax Key Number: 189-0988-000
- 2) Lot 6, Block 4 in the subdivision known as Westlawn West.  
Tax Key Number: 189-1000-000
- 3) Lot 8, Block 4 in the subdivision known as Westlawn West.  
Tax Key Number: 189-1002-000
- 4) Lot 9, Block 4 in the subdivision known as Westlawn West.  
Tax Key Number: 189-1003-000
- 5) Lot 3, Block 5 in the subdivision known as Westlawn West.  
Tax Key Number: 189-1013-000
- 6) Lot 4, Block 5 in the subdivision known as Westlawn West.  
Tax Key Number: 189-1014-000

**EXHIBIT A**

**Sprinkler Parcels**



INFRASTRUCTURE SERVICES DIVISION

MILWAUKEE, WISCONSIN

APPROVED BY:

DATE: AUGUST 13, 2018

*John West*  
CENTRAL DRAFTING & RECORDS MANAGER

*[Signature]*  
CITY ENGINEER