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Recorded
JULY 10, 2007 AT 02:30PM

Document Number

DEED RESTRICTION

Declaration of Restrictions

In Re: Lots 2 and 3 of Certified Survey Map 7160,
Volume 51, Pages 65-65E, Doc# 885844.

STATE OF WISCONSIN)
) ss
COUNTY OF Fond du Lac

WHEREAS, the **City of Fond du Lac** is the owner of
the above-described property.

WHEREAS, the **City of Fond du Lac** has received a
Brownfields Green Space and Public Facility Grant
from the Department of Natural Resources ("DNR")
pursuant to s. 292.79, Wis. Stats., and ch. NR 173,
Wis. Adm. Code.

WHEREAS, the **City of Fond du Lac** submitted an application for this grant to
DNR, received on **January 15, 2003**. That application described the intended
use of the property for a purpose that DNR determined was eligible for funding
under s. 292.79(2), Wis. Stats., and s. NR 173.05, Wis. Adm. Code.

WHEREAS, the **City of Fond du Lac** and DNR entered into a grant agreement
for grant number **GRN-001** on **April 29, 2004** which described the requirements
and responsibilities of the grantee and DNR with respect to this eligible project.

WHEREAS, it is the desire and intention of the property owner to impose on the
property restrictions which will limit the use of the property to those purposes and
land uses identified in the application for at least twenty (20) years from the date
the grant agreement was signed by DNR, in order to satisfy the requirement in s.
NR 173.17(1)(b), Wis. Adm. Code.

NOW THEREFORE, the owner hereby declares that all of the property described
above is held and shall be held, conveyed or encumbered, leased, rented, used,
occupied and improved subject to the following limitation and restrictions:

Land Use Restriction. The property described above may only be used
for the following purposes:

Public open space

Patricia Kraus

PATRICIA KRAUS
REGISTER OF DEEDS
FOND DU LAC COUNTY
Fee Amount: \$13.00

Recording Area

Name and Return Address
Community Development Dept.
City of Fond du Lac
160 S Macy Street
Fond du Lac, WI 54936-0150

Lot 2 - FDL-15-17-15-13-620-01
Lot 3 - FDL-15-17-15-24-763-00

Parcel Identification Number

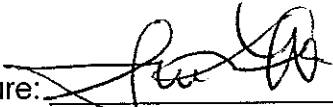
Amendment. The Restrictions imposed upon the Property are attached to and shall run with the land for at least twenty (20) years from **April 29, 2004**, provided however, that they may be extinguished or amended upon the recording of an instrument signed by both DNR, or its successor or assign, and the Property Owner, or his/her successor or assign.

[Optional Provision, only required if the property is owned by a corporation, partnership or governmental entity:]

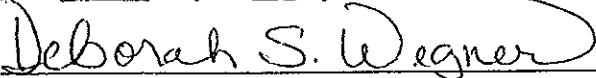
By signing this document, Thomas A. Herre, City Manager, and Sue L. Strands, City Clerk, asserts that he or she is duly authorized to sign this document on behalf of the City of Fond du Lac.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 10TH day of July, 2007.

Signature: 
Printed Name: Thomas A. Herre, City Manager

Signature: 
Printed Name: Sue L. Strands, City Clerk

Subscribed and sworn to before me
this 10th day of July, 2007


Notary Public, State of Wisconsin
My commission expires 11-23-08

This document was drafted by: James Flader, City Attorney