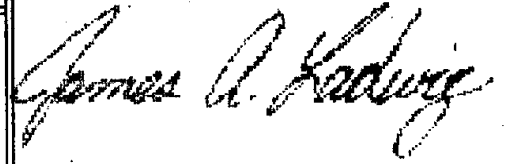


NOTICE OF P.O.W.T.S.

DOC # 2098937  
Recorded  
AUG. 23, 2006 AT 04:00PM

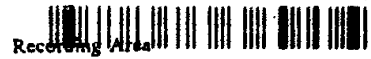
Document Number

Document Title



JAMES A LADWIG  
RACINE COUNTY  
REGISTER OF DEEDS

Fee Amount: \$21.00



Recording Area

See attached legal and tax key numbers

Name and Return Address

Altamont Development, LLC  
6949 Mariner Drive  
Racine, WI 53406

Parcel Identification Number (PIN)

21

This information must be completed by submitter: document title, name & return address, and PIN (if required). Other information such as the granting clauses, legal description, etc. may be placed on this first page of the document or may be placed on additional pages of the document. Note: Use of this cover page adds one page to your document and \$2.00 to the recording fee. Wisconsin Statutes, 59.517. WRDA 2/96

## NOTICE OF P.O.W.T.S.

NOTICE is made this 22<sup>nd</sup> day of August, 2006, by ALTAMOUNT DEVELOPMENT, LLC, a Wisconsin Limited Liability Company ("Altamount")

### WITNESSETH:

WHEREAS, Altamount is the owner of real estate located in the Town of Yorkville,, Racine County, Wisconsin, said land being described as set forth in Exhibit "A" which is attached hereto and incorporated by reference herein, ("Parcel 1"), and,

WHEREAS, Altamount intends to develop Parcel 1 for residential purposes, and the site plan for the proposed development provides for the installation of four (4) Private Onsite Wastewater Treatment Systems (P.O.W.T.S.). The P.O.W.T.S. has an aerobic treatment system and a drip line distribution system that requires bi-annual maintenance. By State of Wisconsin code and administered by the Department of Commerce, these systems are required to maintain a service contract with a certified maintainer at all times. The installation and servicing of these systems must be in accordance with manufacturer's specifications. A copy of the manufacturer's installation and servicing instructions must be given to the owner of the systems.

NOW THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, in hand paid, the receipt of which is hereby acknowledged, it is agreed as follows:

1. The installation of the P.O.W.T.S. shall be completed by Altamount at their sole expense. Altamount and their successors in title shall be the owner of the systems and shall be responsible for the installation, maintenance, repair and/or replacement of the P.O.W.T.S. identified under this Notice until such time as the Homeowner's Association for the proposed development assumes responsibility.

2. The Operation, Maintenance and Performance Monitoring required for the P.O.W.T.S. are as outlined on the attached Exhibit B.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals on the day and year first written above.

ALTAMOUNT DEVELOPMENT, L.L.C.

By: Raymond C. Leffler  
Raymond C. Leffler Member

By: John G. Shannon  
John G. Shannon Member

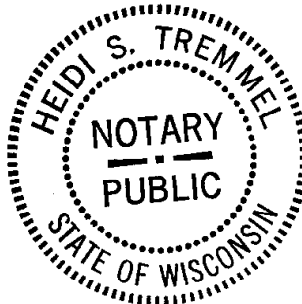
ACKNOWLEDGMENT

STATE OF WISCONSIN )  
 ) ss.  
RACINE COUNTY )

Personally came before me this 22nd day of AUGUST, 2006, the above named Raymond C. Leffler and John G. Shannon, to me known to be the Members of Altamount Development, L.L.C. who executed the foregoing instrument and acknowledged the same.

Heidi S. Tremmel  
\*Heidi S. Tremmel  
Notary Public - State of Wisconsin  
My Commission expires: March 21, 2010

Drafted by: Raymond C. Leffler  
6949 Mariner Drive  
Racine, WI 53406



**EXHIBIT A  
LEGAL DESCRIPTION**

Lots 2 through 24, and Outlots 1 through 6, Woodland Waters Subdivision, a recorded plat thereof. Said land being in the Town of Yorkville, Racine County, Wisconsin.

From Tax Key Nos.:     51-018-03-21-05-010-000  
                              51-018-03-21-05-010-010  
                              51-018-03-21-05-010-020  
and part of tax key no.  51-018-03-21-05-058-001

**New Tax Key Numbers:**

Lot 2	51-018-03-21-05-010-102
Lot 3	51-018-03-21-05-010-103
Lot 4	51-018-03-21-05-010-104
Lot 5	51-018-03-21-05-010-105
Lot 6	51-018-03-21-05-010-106
Lot 7	51-018-03-21-05-010-107
Lot 8	51-018-03-21-05-010-108
Lot 9	51-018-03-21-05-010-109
Lot 10	51-018-03-21-05-010-110
Lot 11	51-018-03-21-05-010-111
Lot 12	51-018-03-21-05-010-112
Lot 13	51-018-03-21-05-010-113
Lot 14	51-018-03-21-05-010-114
Lot 15	51-018-03-21-05-010-115
Lot 16	51-018-03-21-05-010-116
Lot 17	51-018-03-21-05-010-117
Lot 18	51-018-03-21-05-010-118
Lot 19	51-018-03-21-05-010-119
Lot 20	51-018-03-21-05-010-120
Lot 21	51-018-03-21-05-010-121
Lot 22	51-018-03-21-05-010-122
Lot 23	51-018-03-21-05-010-123
Lot 24	51-018-03-21-05-010-124

## EXHIBIT B

### OPERATION, MAINTENANCE AND PERFORMANCE MONITORING

1. The system owner(s) is/are responsible for the operation and maintenance of the dripline effluent component. The county, department, or POWTS service contractor may make periodic inspections of all parts of the system.

The owner, or owner's agent, is required to submit necessary maintenance reports to the appropriate jurisdiction and/or the department.

2. Design approval and site inspections before, during and after construction are to be done by the county or other appropriate jurisdictions in accordance with this manual and ch. Comm 83, Wis. Adm. Code.

3. Routine and preventative maintenance aspects:

- a) Pretreatment tanks and dosing chambers shall be inspected routinely and maintained when necessary or as specified in accordance with their approvals.
- b) Inspections of the drip line effluent component are required at least twice every year. Inspections will include checking: the system to ensure flush and alarm systems are functioning property; dose volumes registered on the water meter are acceptable in accordance with the system design dose; and wet or damp spots do not appear on the surface of the distribution field.
- c) Vehicle traffic, except for lawn maintenance equipment, is not permitted on the drip line effluent component.

- 4) User's Manual: A user's manual is to accompany the component. The manual is to contain the following as a minimum:

- a) Diagrams of all components and their location. This should include the location of the reserve area, if one is provided.
- b) Names and phone numbers of local health authority and component manufacturer or POWTS service contractor to be contacted in the event of component failure or malfunction.
- c) Information on the periodic maintenance of the component, including electrical/mechanical components.
- d) What activities can or cannot occur on the reserve area, if one is provided.

Note: Dose chamber may fill due to flow continuing during pump malfunction or power outages. One large dose when power comes on or when the pump is repaired may cause

the drip line effluent component to have problems. In this situation, the pump chamber should be pumped by a licensed pumper before pump cycling begins or other measures shall be used to dose the dripline soil distribution component with only the proper amount of influent. This may include manual operation of the pump controls until such time as the pump chamber has reached its normal level.

- 5) Performance monitoring must be performed on components installed under this manual.
  - a) The frequency of monitoring must be
    - i) At least twice every year following installation; and
    - ii) At time of a problem, complaint, or failure.
  - b) The minimum criteria addressed in performance monitoring of all system components are:
    - i) Type of use;
    - ii) Age of component;
    - iii) Nuisance factors, such as odors or user complaints;
    - iv) Mechanical malfunction within the component including problems with valves or other mechanical or plumbing components;
    - v) Material fatigue or failure, including durability or corrosion as related to construction or structural design;
    - vi) Neglect or improper use, such as overloading the design rate, poor maintenance of vegetative cover, inappropriate cover over the component, or inappropriate activity over the components;
    - vii) Pretreatment component maintenance, including dosing frequency, structural integrity, groundwater intrusion or improper sizing;
    - viii) Pump chamber maintenance, including improper maintenance, infiltration, structural problems or improper sizing;
    - ix) Ponding in distribution field, before the pump cycle, is evidence of development of a clogging mat or reduced infiltration rates;
    - x) Pump malfunction including dosing volume problems, breakdown, burnout, or cycling problems; and
    - xi) Overflow/seepage problems, as shown by evident or confirmed sewage effluent, including backup.
- 6) Reports are to be submitted in accordance with Ch. Comm 83, Wis. Admin. Code.