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THIRD AMENDMENT TO CONDOMINIUM DECLARATION

FOR NORTH SHORE CONDOMINIUM

Donna Schommer
Register
\$26.00 *Hurling, Clark ETAL*

The Condominium Declaration of conditions, covenants, restrictions and easements for North Shore Condominium originally dated the 5th day of March, 1985, and recorded the 13th day of March, 1985, in Jacket 577, Image 32-58 and made pursuant to the Condominium Ownership Act of the State of Wisconsin, Chapter 703 of the Wisconsin Statutes, by E. R. James & Associates, Inc., an Illinois corporation, authorized to do business in the State of Wisconsin, is hereby amended as follows:

1. Effective June 30, 1990, all rights and obligations of the original declarant, E. R. James & Associates, Inc., are hereby assigned to and assumed by North Point Development Corporation based upon the dissolution of a joint venture between E. R. James & Associates, Inc. and North Point Development Corporation, which dissolution took effect June 30, 1990.

2. The purpose of this Amendment is to allow buildings to be constructed which will contain a single condominium unit rather than to contain two condominium units.

3. Paragraph 2.4 of the original Declaration has changed to read as follows:

2.4 A Development Plan. North Shore Condominium includes a maximum of ten (10) buildings, three of which buildings presently contain two (2) condominium units and seven (7) additional proposed buildings, each of which will include a maximum of one (1) condominium unit. Said buildings to be constructed upon the above described parcel of land.

A maximum of twenty (20) units are zoned for the project.

2.5 Unit Ownership Formula. The ownership interest and voting rights formula shall be a fraction of which one is the numerator and in which the denominator is the number of condominium units built. This means that the ownership interest will range from 1/6 to 1/13 interest for each unit depending upon the number of units built.

4. Paragraph 4.1 of the Declaration is amended to read as follows:

4.1 Number. When the project is complete there shall be a maximum total of thirteen (13) condominium units, but there may be fewer units. Each of the additional sites for future construction in the Amended Plat (see Exhibit "AP") are restricted to buildings which will contain only one (1) condominium unit. The completed project will then have a

maximum of thirteen (13) condominium units including those six (6) already in existence.

5. Paragraph 4.2 of the Declaration is amended to read as follows:

4.2 Identification. A unit is that part of a building intended for individual, private use, comprised of one or more cubicles of air at one or more levels of space having outer boundaries formed by the interior surfaces of the perimeter walls, floors, ceilings, windows, window frames, doors and door frames of the building and floor plans contained in the plat together with all fixtures and improvements therein contained.

The units are designated by identifying numbers and their location area, number of rooms, limited common areas to which the units have access; and further details identifying and outlining the units are as set forth in Exhibits "D", "E" and "F" attached hereto and described and explained hereunder.

Sites "A", "B", "C", "D", "E", "F", and "G" depict the perimeter boundaries within which additional buildings may be constructed, one building per Site, being a single condominium unit building. Each unit to be built will be designated by letter "A" corresponding to the building number assigned to each Site shown on Exhibit "A". The additional building numbers include buildings 2, 3, 4, 6, 7, 9 and 10. Building numbers 1, 5, and 8 already exist as of the date of this Amendment. By further amendment to this Declaration, the actual buildings and locations of units will be depicted as and when completed. The Sites are shown on Exhibit "AP" attached hereto.

6. Any person or entity contracting with the declarant to acquire rights to construct a building within one of the Sites designated as Site A through G on Exhibit "AP" may hire their own architects and contractors (subject to Declarant approval) for the design and construction of the building; however, no excavation, Site preparation, or commencement construction shall start until the interior and exterior design, ground floor site location, elevation plans, materials, floor plans, and all specifications of the proposed structure have been approved in writing by the Declarant, North Point Development Corporation. The design, general appearance, and construction materials shall be compatible (in the sole discretion of the Declarant) with the existing structures.

7. Each building to be constructed on Sites A through G described above shall be subject to the maximum first floor ground coverage, maximum house width, and maximum side yard on each side of the building, as set forth in the fact sheet attached hereto as Exhibit "FS". Each building shall not be taller than two (2) stories including the ground floor, plus attic space. The restrictions in this paragraph are in addition

to final design approval of the overall building in the discretion of the Declarant as described in paragraph 6 above.

8. Any party contracting with the Declarant for the right to construct a building on the condominium property shall become responsible for that portion of the real estate taxes allocable to the proposed building Site chosen, effective on the closing date of the purchase contract made with the Declarant.

9. Assessments for all condominium expenses shall begin on the date of closing at a rate of 1/2 those assessments applicable to existing condominium units until the next January 1st. On the next January 1st following the date of closing of the purchase contract between the Declarant and the party desiring to build the condominium unit on the property, assessments shall begin at one-hundred percent (100%) of that attributable to other unit owners according to the provisions in the Declaration and Bylaws, regardless of whether or not a condominium unit is built as of January 1st, when these full assessments begin. The term "closing" for this paragraph means the date that a binding purchase contract is made between the Declarant and prospective unit owner.

10. All current condominium owners and their mortgagees hereby consent to further amendments to the Condominium Declaration limited to locating the building perimeter for the building in Sites A through G and recording the floor plan in each such building as approved by the Declarant without requirement for further signatures providing all such buildings and amendments are made consistent with the requirements of this THIRD AMENDMENT TO CONDOMINIUM DECLARATION FOR NORTH SHORE CONDOMINIUM.

Dated this 29 day of September, 1991.

NORTH POINT DEVELOPMENT CORPORATION

By: James W. Schroeder
President

By: R.V. Allen
Secretary

AUTHENTICATION

Signatures James W. Schroeder R.V. Allen
authenticated this 16th day of January, ~~XXXX~~ 1992.

Charles D. Koehler
Charles D. Koehler
TITLE: MEMBER OF THE STATE BAR OF WISCONSIN

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OWNERS:

Richard V. Allen
Richard V. Allen

Joan W. Allen
Joan W. Allen

AUTHENTICATION

Signatures, Richard V. Allen and Joan W. Allen
authenticated this 16th day of January, 1992.

Charles D. Koehler
Charles D. Koehler

TITLE: MEMBER STATE BAR OF WISCONSIN

Roger McClone
Roger McClone

Rita A. McClone
Rita A. McClone

AUTHENTICATION

Signatures, Roger McClone and Rita A. McClone
authenticated this 16th day of January, 1992.

Charles D. Koehler
Charles D. Koehler

TITLE: MEMBER STATE BAR OF WISCONSIN

Mary W. Davis
Mary W. Davis

AUTHENTICATION

Signature, Mary W. Davis
authenticated this 16th day of January, 1992.

Charles D. Koehler
Charles D. Koehler

TITLE: MEMBER STATE BAR OF WISCONSIN

Robert Wrchata
Robert Wrchata

Margaret G. Wrchata
Margaret G. Wrchata

AUTHENTICATION

Signatures, Robert Wrchata and Margaret G. Wrchata
authenticated this 16th day of January, 1992.

Charles D. Koehler
Charles D. Koehler

TITLE: MEMBER STATE BAR OF WISCONSIN

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James W. Schroeder
James Schroeder
Margaret K. Schroeder
Margaret Schroeder

AUTHENTICATION

Signatures, James Schroeder and Margaret Schroeder authenticated this 16th day of January, 1992.

Charles D. Koehler
Charles D. Koehler
TITLE: MEMBER STATE BAR OF WISCONSIN

Geraldine N. Ellsworth
Geraldine N. Ellsworth
Harold L. Ellsworth
Harold L. Ellsworth

AUTHENTICATION

Signatures, Geraldine N. Ellsworth and Harold L. Ellsworth authenticated this 16th day of January, 1992.

Charles D. Koehler
Charles D. Koehler
TITLE: MEMBER STATE BAR OF WISCONSIN

The above Amendment is approved by the mortgage holders holding mortgages on condominium units in the North Shore Condominium as follows:

FOX CITIES BANK, FSB
Mortgage Holder

By: Harold L. Hermansen
Harold L. Hermansen, Officer

By: Stuart F. Monard
~~Wayne F. Nielsen~~, Officer
Stuart F. Monard

Subscribed and sworn to before me this 16th day of October, 1991.

Judith A. Hill
Notary Public, State of Wisconsin
My commission expires: 5-8-94



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M & I WESTERN BANK
Mortgage Holder

By: *Michael D. Gingrass*
Michael D. Gingrass, Officer
J. Scott Sitter, Officer

By: *Scott D. Chicoine* CLO
Judith A. Heidner, Officer
Scott D. Chicoine, Officer

Subscribed and sworn to before me this ___ day of September, 1991.

Paula C. Jaeger
Notary Public, State of Wisconsin
My commission expires: October 8, 1995

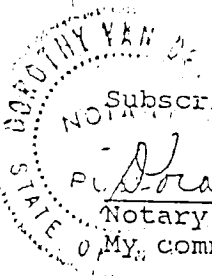
NOTARY PUBLIC
STATE OF WISCONSIN
PAULA C. JAEGER

BANK ONE APPLETON, N.A.
Mortgage Holder

By: *[Signature]*
Officer

By: *[Signature]* ADV
Officer

Subscribed and sworn to before me this ___ day of September, 1991.



Dorothy Van Dusek
Notary Public, State of Wisconsin
My commission expires: OUTAGAMIE COUNTY
MY COMMISSION EXPIRES NOVEMBER 27, 1991.

ASSOCIATED BANK, N.A.
Mortgage Holder

By: *Patricia M. Sewall*
Patricia M. Sewall, Officer
Assistant Vice President

By: *Thomas R. Brown*
Thomas R. Brown
Vice President

Subscribed and sworn to before me this 11th day of September, 1991.

May S. Quarts
Notary Public, State of Wisconsin
My commission expires: 6/28/92

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FOX CITIES BANK, Mortgage Holder

By: Harold L. Hermansen
Harold L. Hermansen, Officer

By: Stuart F. Monard
~~Wayne T. Nielsen~~ / Officer

Stuart F. Monard October

Subscribed and sworn to before me this 16th day of September, 1991.

Judith A. Gill
Notary Public, State of Wisconsin
My commission expires: 5-8-94

Subscribed and sworn to be-
fore me December 15, 1991

VALLEY BANK, Mortgage Holder

Charles D. Koehler
Notary Public, State of
Wisconsin
My commission expires 6-3-93

BY: David D. Bass
BY: Lois L. Mackers

THIS INSTRUMENT DRAFTED BY:

Returns
CHARLES D. KOEHLER
HERRLING, CLARK, HARTZHEIM & SIDDALL LTD.
301 N. Lynndale Drive
Appleton, WI 54914

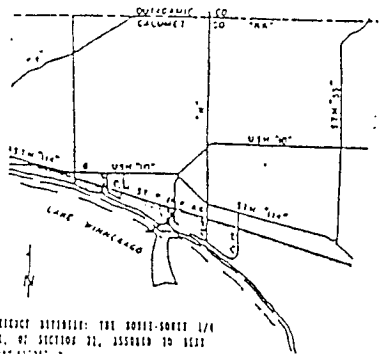
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EXHIBIT

"AP"

AMENDED PLAT FOR NORTH SHORE CONDOMINIUMS
 LOT 1, C.S.M. 1059 AND LOT 2, C.S.M. 1010, PART OF GOVERNMENT LOT
 3, SECTION 22, TOWN 20 NORTH, RANGE 18 EAST, TOWN OF HARRISON,
 CALUMET COUNTY, WISCONSIN, EXCEPT ROAD RIGHT-OF-WAY

and beginning at the Northwest corner of Lot 1 Certified Survey Map 1413 Calumet County Register, thence South
 17°17'18" along the Westerly line of said Lot 1 200.00' to an existing 17' diameter iron pipe on a concrete base of
 Lake Winnebago, thence 90° 17'18" E from the western edge of said pipe 210' 00" to a 17' diameter iron pipe on a
 concrete base, thence 90° 17'18" E from the western edge and the end of the concrete base of said pipe
 210' 00" to the point of beginning, including all land lying between the western edge of Lake Winnebago and
 the concrete base.



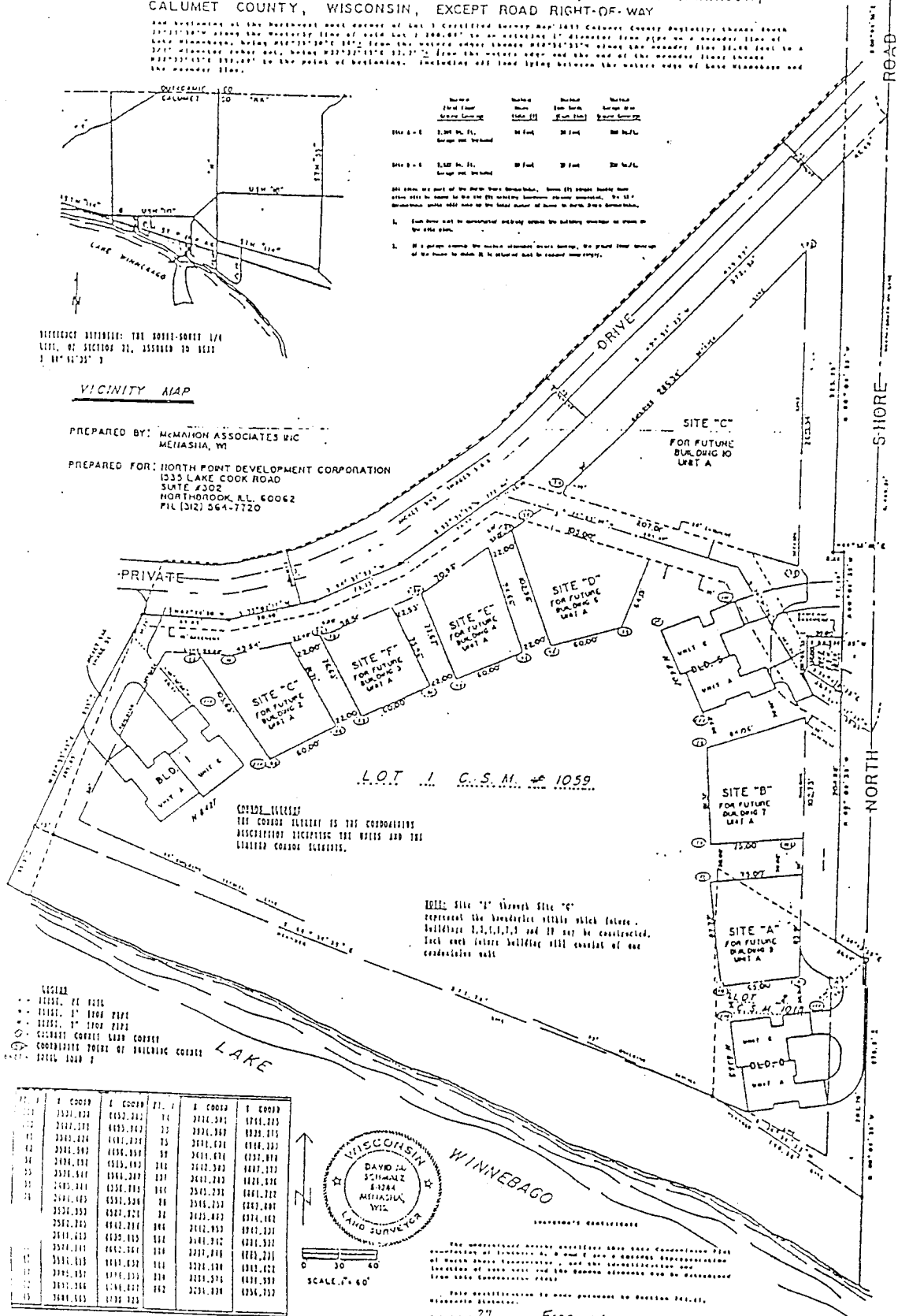
Name	Area	Volume	Record	Reference
Site A	1,200 sq. ft.	10' x 120'	10' x 120'	10' x 120'
Site B	1,200 sq. ft.	10' x 120'	10' x 120'	10' x 120'

1. Each site shall be developed in accordance with the building setback line shown on this plat.
2. If a garage is to be constructed on any site, the garage shall be located on the eastern side of the site.

REFERENCE TO THE NORTH-SOUTH LINE
 OF SECTION 22, ASSIGNED TO BEAT
 1 10' 12' 18" 1/2

VICINITY MAP

PREPARED BY: McMAHON ASSOCIATES INC
 McMAHON, WI
 PREPARED FOR: NORTH SHORE DEVELOPMENT CORPORATION
 1335 LAKE COOK ROAD
 SUITE 2302
 NORTH BROOK, ILL. 60062
 TEL (312) 564-7720



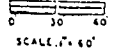
LOT 1, C.S.M. # 1059

CONDO ACCESS
 THE CONDO ACCESS IS THE CORRIDOR
 DESCRIBED INCLUDING THE RULES AND THE
 LIMITED CONDO ACCESS.

NOTE: Site "A" through Site "F"
 represent the boundaries within which future
 buildings 1, 2, 3, 4, 5 and 6 may be constructed.
 Each unit future building will consist of one
 condominium unit.

- BEAT, 22 1010
- BEAT, 22 1000 1010
- BEAT, 22 1000 1020
- BEAT, 22 1000 1030
- BEAT, 22 1000 1040
- BEAT, 22 1000 1050
- BEAT, 22 1000 1060
- BEAT, 22 1000 1070
- BEAT, 22 1000 1080
- BEAT, 22 1000 1090
- BEAT, 22 1000 1100

BLD	UNIT	AREA	NO.	NO.	NO.	NO.	NO.
1	1	1,200	101	102	103	104	105
1	2	1,200	106	107	108	109	110
1	3	1,200	111	112	113	114	115
1	4	1,200	116	117	118	119	120
1	5	1,200	121	122	123	124	125
1	6	1,200	126	127	128	129	130
1	7	1,200	131	132	133	134	135
1	8	1,200	136	137	138	139	140
1	9	1,200	141	142	143	144	145
1	10	1,200	146	147	148	149	150



The undersigned Notary Public has been duly qualified and
 appointed by the State of Wisconsin, and is duly sworn and
 qualified to perform the duties of a Notary Public in and for
 the State of Wisconsin, and the undersigned has been
 duly qualified and appointed by the State of Wisconsin, and
 is duly sworn and qualified to perform the duties of a Notary
 Public in and for the State of Wisconsin.

WITNESSED my hand and the seal of my office this
 21st day of FEBRUARY, 1994.

THIS INSTRUMENT WAS FILED BY _____

RECORDED 12/10/90
 RECORDED 3/21/91

David J. Schwanz
 Notary Public
 State of Wisconsin
 Exp. 12/31/2004

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FYH/RT

NORTH SHORE CONDOMINIUM
SINGLE FAMILY HOMES
FACT SHEET

	Maximum First Floor <u>Ground Coverage</u>	Maximum House <u>Width (1)</u>	Minimum Side Yards <u>(Each Side)</u>
Site A	3,362 Sq. Ft. Garage not included	84 Feet	30 Feet
Site B	3,362 Sq. Ft. Garage not included	84 Feet	30 Feet
Site C	3,362 Sq. Ft. Garage not included	84 Feet	30 Feet
Site D	2,522 Sq. Ft. Garage not included	60 Feet	22 Feet
Site E	2,522 Sq. Ft. Garage not included	60 Feet	22 Feet
Site F	2,522 Sq. Ft. Garage not included	60 Feet	22 Feet
Site G	2,522 Sq. Ft. Garage not included	60 Feet	22 Feet

All sites are part of the North Shore Condominium. Seven (7) single family home sites will be added to the six (6) existing townhomes already completed. The 13 Condominium units will make up the total number of homes in North Shore Condominium.

1. Each home must be constructed entirely within the building envelope as shown on the site plan.
2. Garages are not included in the maximum allowable foot print shown above. Garages shall not exceed 829 square feet of floor area for sites A, B and C, and 726 square feet for sites D, E, F and G. If a garage exceeds the maximum allowable square footage, the ground floor coverage of the house to which it is attached must be reduced accordingly.

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EXHIBIT "FS"