

1481620

FIRST AMENDMENT TO CONDOMINIUM
DECLARATION FOR NORTH POINTE
CONDOMINIUMS

Document Number

Document Title

OUTAGAMIE COUNTY
RECEIVED FOR RECORD

AUG 21 2002

AT 1:30 O'CLOCK A.M. P.M.
JANICE FLENZ
REGISTER OF DEEDS

Recording Area

Name and Return Address

Atty. Charles D. Koehler
800 N. Lynndale Drive
Appleton, WI 54914

pd
29.00

Parcel Identification Number (PIN)

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93145

**FIRST AMENDMENT
TO
CONDOMINIUM DECLARATION
FOR
NORTH POINTE CONDOMINIUMS**

This First Amendment to the Declaration of North Pointe Condominiums is made pursuant to the authority granted under Section 703.09(2) Wis. Stats. and section 22 of the original Condominium Declaration.

The Condominium Declaration is hereby amended to add PHASE II (also known as Phase 2) and expand the Condominium as set forth in section 3 of the original Condominium Declaration recorded on June 28, 2001 as Document No. 1414185 with the Register of Deeds office for Outagamie County, as further authorized pursuant to Section 703.26 Wis. Stats.

Accordingly, the legal description of the real estate for PHASE II attached hereto as **Exhibit A** is hereby declared to become part of the Condominium property subject to all terms and conditions set forth in the original Condominium Declaration and subject to the Condominium Ownership Act set forth in Chapter 703 Wis. Stats.

Each Unit Owner shall have that percentage of interests as Unit Owners as set forth in section 3 of the original Condominium Declaration, which shall be the number one (1) divided by the total number of Units developed as further explained in sections 3 and 5 of the original Condominium Declaration.

A copy of the Condominium Plat for NORTH POINTE CONDOMINIUM, PHASE II, is attached hereto and incorporated herein by reference as **Exhibit B**.

This Amendment shall further correct a typographical error on page 4 of the original Condominium Declaration wherein the original sentence read as follows:

“The maximum number of Units which may be added in Phase 2 are 15 Units and the percentage interest in the Common Elements will then be based upon a total of 61 Units.”

The foregoing sentence is hereby corrected as follows:

“The maximum number of Units which may be added in Phase 3 are 15 Units and the percentage interest in the Common Elements will then be based upon a total of 61 Units.”

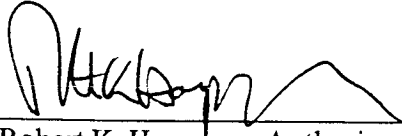
This Amendment creating Phase II includes all land and proposed units originally scheduled for addition to the Condominium as part of Phase II (2) and Phase III (3), all of which

is being included in the Second Amendment as Phase II (2), and accordingly, no Phase III (3) is contemplated.

This Amendment is being made by Heritage Development Company, LLC, the Declarant.

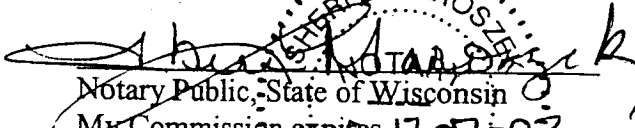
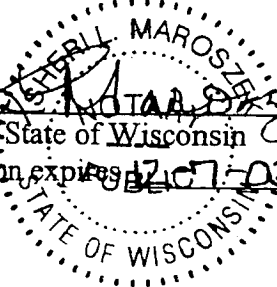
Dated this 16th day of August, 2002.

HERITAGE DEVELOPMENT COMPANY, LLC

BY: 
Robert K. Hoepfner, Authorized Member

STATE OF WISCONSIN)
) ss.
COUNTY OF OUTAGAMIE)

Personally came before me this 16th day of August, 2002, the above-named Robert K. Hoepfner to me known to be the person who executed the foregoing instrument and who acknowledged the same as the act and deed of the company.


Notary Public, State of Wisconsin
My Commission expires 07-07-03


THIS INSTRUMENT DRAFTED BY:
ATTORNEY CHARLES D. KOEHLER
HERRLING, CLARK, HARTZHEIM & SIDDALL LTD.
800 NORTH LYNNDALE DRIVE
APPLETON, WI 54914

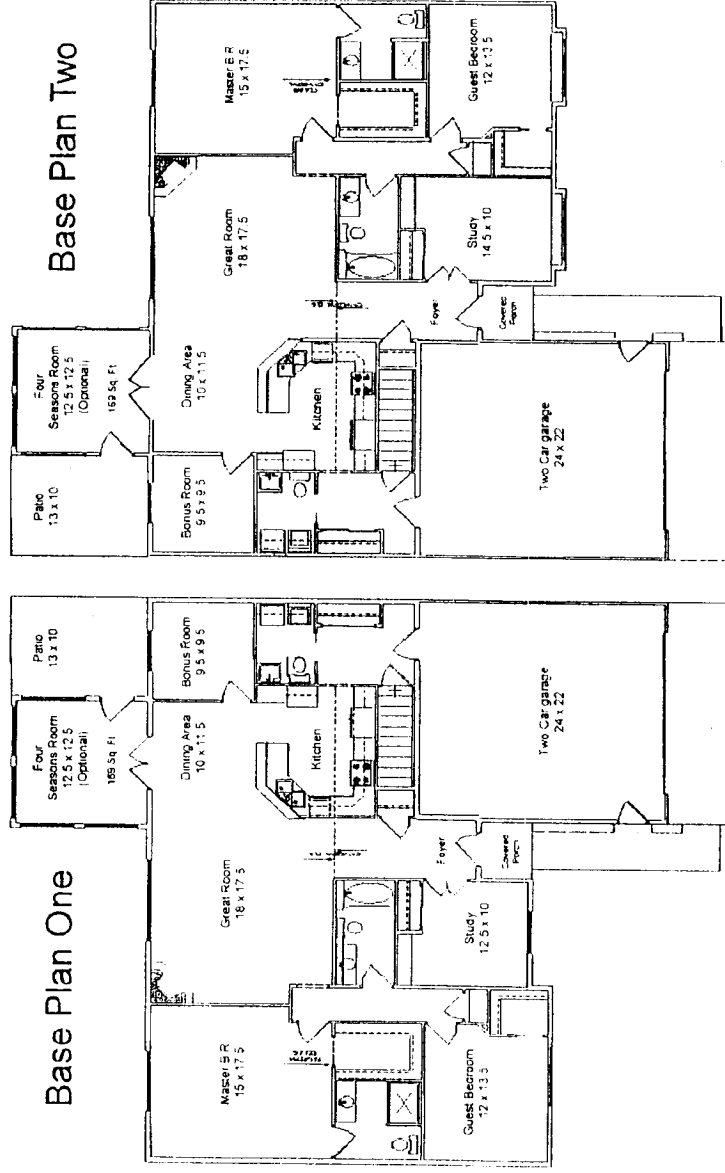
RETURN TO DRAFTER

CONDOMINIUM LEGAL DESCRIPTION

Being part of the Southwest $\frac{1}{4}$ of Section 11 Township 21 North, Range 17 East
City of Appleton,
Outagamie County, Wisconsin, more fully described as follows;
Commencing at the West $\frac{1}{4}$ of said Section 11;
Thence South 01 degrees 11 minutes 26 seconds West, 1581.68 feet;
Thence South 88 degrees 48 minutes 34 seconds East, 527.92 feet to the Point of
Beginning;
Thence North 01 degrees 11 minutes 26 seconds East, 263.03 feet;
Thence South 89 degrees 44 minutes 05 seconds East, 594.60 feet;
Thence South 00 degrees 37 minutes 46 seconds West, 135.81 feet;
Thence along a curve to the left 14.94 feet at a radius of 280.00 feet, having a
chord bearing of South 00 degrees 53 minutes 57 seconds East; for 14.94 feet and
with a delta angle of 03 degrees 03 minutes 26 seconds;
Thence South 02 degrees 25 minutes 40 seconds East, 100.71 feet;
Thence South 87 degrees 34 minutes 20 seconds West, 93.69 feet;
Thence South 02 degrees 25 minutes 40 seconds East, 94.17 feet;
Thence North 87 degrees 34 minutes 20 seconds East, 93.69 feet;
Thence South 02 degrees 25 minutes 40 seconds East, 53.60 feet;
Thence along a curve to the right 123.07 feet at a radius of 970.00 feet, having a
chord bearing of South 01 degrees 12 minutes 25 seconds West for 122.99 feet
and with a delta angle of 07 degrees 16 minutes 10 seconds;
Thence South 04 degrees 50 minutes 30 seconds West, 54.31 feet;
Thence South 89 degrees 59 minutes 47 seconds West, 346.46 feet;
Thence South 52 degrees 40 minutes 51 seconds West, 142.71 feet;
Thence South 75 degrees 47 minutes 31 seconds West, 156.13 feet;
Thence North 01 degrees 11 minutes 26 seconds east, 440.81 feet to the to the
Point of Beginning;
Said parcel of land contains 361,006 Square Feet / 8.288 Acres more or less.

Phase II North Pointe Condominiums

BEING PART OF THE SOUTHWEST 1/4 OF SECTION 11 TOWNSHIP 21 NORTH, RANGE 17
EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN



OWNER:
HERITAGE DEVELOPMENT COMPANY, LLC
2829 NORTH MEADE STREET
APPLETON, WI 54911

NOTE:
ROOM SIZES ARE ROUNDED TO THE
NEAREST 1/2" AND MAY VARY IN
ACTUAL CONSTRUCTION.

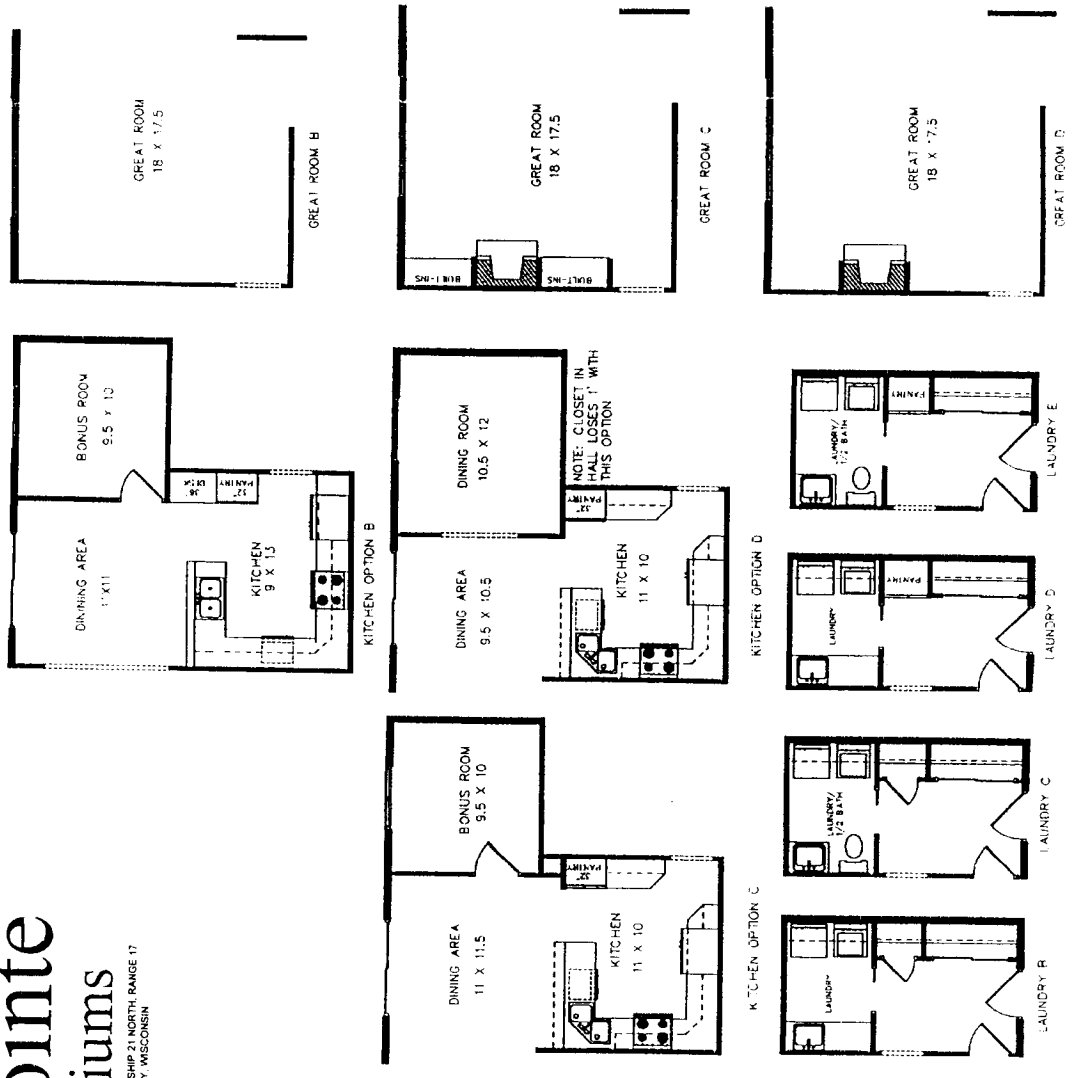
PREPARED BY:
DAVEL ENGINEERING, INC.
1811 RACINE STREET
MENASHA, WI 54952
THIS DRAWING WAS DRAWN BY
MRS. JENNIFER L. BURNHAM
DATE: 06/27/2002
PHASE II NORTH POINTE CONDOMINIUM
PROJECT NUMBER: 1854
SHEET 3 OF 6

Revised this _____ day of _____

Phase II North Pointe Condominiums

BEING PART OF THE SOUTHWEST 1/4 OF SECTION 11 TOWNSHIP 21 NORTH, RANGE 17
EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN

PREPARED BY:
DAVEL ENGINEERING, INC.
1811 RACINE STREET
MENASHA, WI 54902
THIS INSTRUMENT WAS DRAWN BY
KACENT R. BRIDGMAN
REGISTERED PROFESSIONAL ARCHITECT
PROJECT NUMBER: 1884
SHEET 6 OF 6



OWNER:
HERITAGE DEVELOPMENT COMPANY, LLC
2829 NORTH MEADE STREET
APPLETON, WI 54911

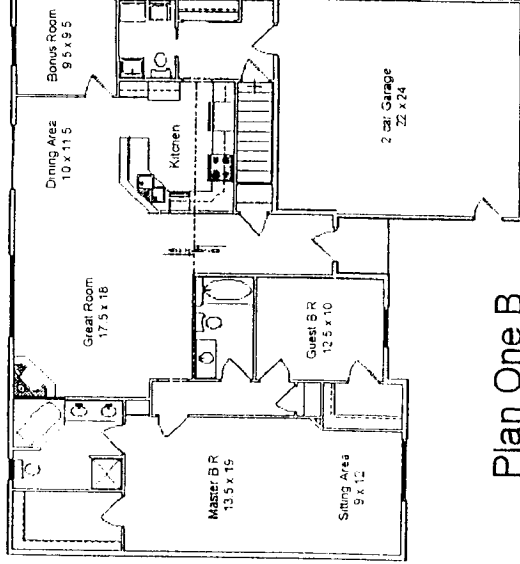
NOTE:
ROOM SIZES ARE ROUNDED TO THE
NEAREST 1/2" AND MAY VARY IN
ACTUAL CONSTRUCTION.

Revised this _____ day of _____

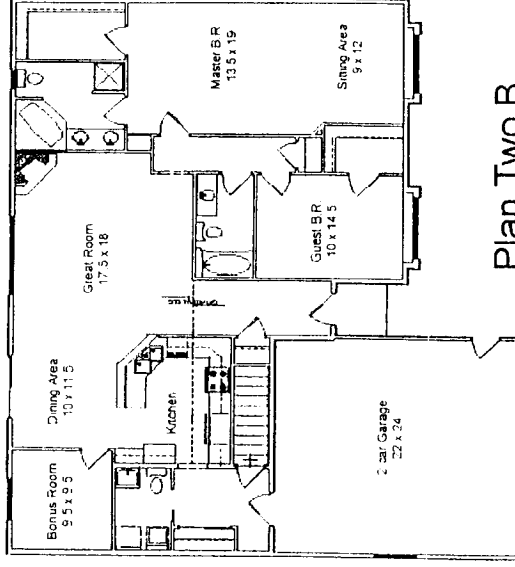
Phase II North Pointe Condominiums

BEING PART OF THE SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 21, NORTH, RANGE 17
EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN

SUNROOM OPTIONAL ON ALL PLANS



Plan One B



Plan Two B

OWNER:
HERITAGE DEVELOPMENT COMPANY, LLC
2825 NORTH MEADE STREET
APPLETON, WI 54911

NOTE:
ROOM SIZES ARE ROUNDED TO THE
NEAREST 1/2" AND MAY VARY IN
ACTUAL CONSTRUCTION.

PREPARED BY:
DALVEL ENGINEERING, INC.
1811 RAGINE STREET
MENASHA, WI 54952
THIS INSTRUMENT WAS DRAWN BY
HARLAN R. BRUMM
REGISTERED PROFESSIONAL ENGINEER
STATE OF WISCONSIN
PROJECT NUMBER: 184
SHEET 4 OF 6

Revised this _____ day of _____

Phase II North Pointe Condominiums

BEING PART OF THE SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN.

OWNER:
HERITAGE DEVELOPMENT COMPANY, LLC
2829 NORTH MEADE STREET
APPLETON, WI 54911

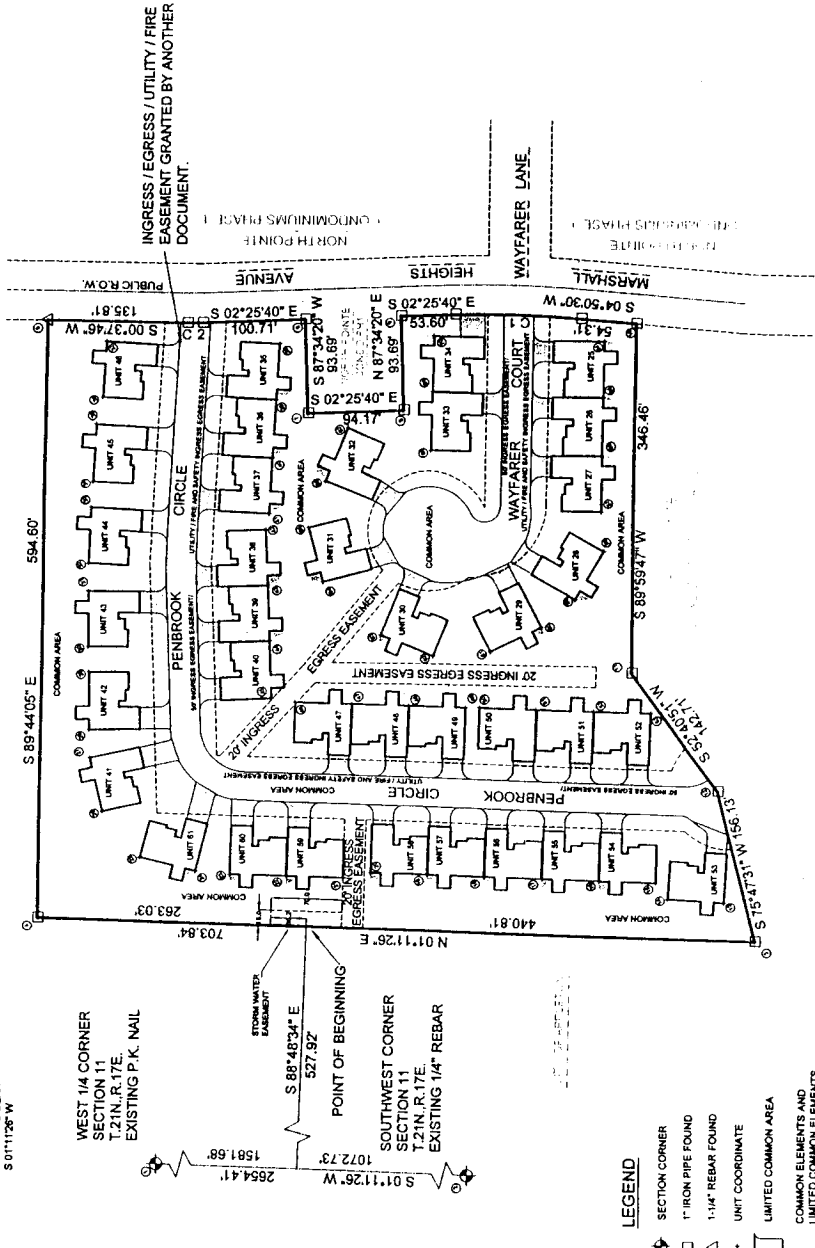
BEARINGS ARE REFERENCED TO
CSM #4023 RECORDED AT THE
OUTAGAMIE COUNTY REGISTER OF
DEEDS, HAVING THE WEST LINE OF THE
SOUTHWEST 1/4 OF SECTION 11
RECORDED AND REBAR
S 91°11'28" W



WEST 1/4 CORNER
SECTION 11
T.21N., R.17E,
EXISTING P.K. NAIL

POINT OF BEGINNING
S 88°48'34" E
527.32'

SOUTHWEST CORNER
SECTION 11
T.21N., R.17E,
EXISTING 1/4" REBAR



NUMBER	Radius	ARC Length	Chord Length	Chord Bearing	Target Bearing-In	Target Bearing-Out
C-1	970.00	123.07	122.90	S 07°16'17" E	S 07°16'17" E	S 04°30'37" W
C-2	280.00	14.84	14.84	S 00°53'37" E	S 00°53'37" E	S 02°28'47" E

LEGEND

- SECTION CORNER
 - 1" IRON PIPE FOUND
 - 1/4" REBAR FOUND
 - UNIT COORDINATE
 - LIMITED COMMON AREA
- COMMON ELEMENTS AND LIMITED COMMON ELEMENTS ARE SHOWN ON THIS PLAT AS "COMMON AREA" AND "LIMITED COMMON AREA"

CONDOMINIUM LEGAL DESCRIPTION

Being part of the Southwest 1/4 of Section 11, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin, more fully described as follows:
Commencing at the West 1/4 of said Section 11,
Thence South 08 degrees 48 minutes 34 seconds East, 327.32 feet to the Point of Beginning;
Thence North 01 degrees 11 minutes 05 seconds East, 263.03 feet;
Thence South 09 degrees 44 minutes 35 seconds East, 564.80 feet;
Thence South 20 degrees 37 minutes 46 seconds West, 135.81 feet;
Thence South 08 degrees 53 minutes 53 seconds East, 107.14 feet and a chord bearing of South 00 degrees 03 minutes 26 seconds;
Thence South 02 degrees 25 minutes 40 seconds East, 100.71 feet;
Thence South 07 degrees 34 minutes 20 seconds West, 93.89 feet;
Thence North 01 degrees 34 minutes 20 seconds East, 84.37 feet;
Thence North 01 degrees 34 minutes 20 seconds East, 53.60 feet;
Thence South 07 degrees 25 minutes 40 seconds East, 53.60 feet;
chord bearing of South 01 degrees 13 minutes 25 seconds West for 122.99 feet and with a subtense angle of 03 degrees 11 minutes 10 seconds;
Thence South 08 degrees 59 minutes 47 seconds West, 345.46 feet;
Thence South 09 degrees 59 minutes 47 seconds West, 345.46 feet;
Thence South 52 degrees 40 minutes 51 seconds West, 142.71 feet;
Thence North 01 degrees 47 minutes 31 seconds West, 136.13 feet;
Thence North 01 degrees 11 minutes 34 seconds East, 440.81 feet to the to the S&W corner of said parcel of land contains 361,006 Square Feet / 8,288 Acres more or less.

Surveyors Certificate

I, Corinne A. Malinas, Registered Land Surveyor, do hereby certify that this plat is a correct representation of the corner and location of each unit and the common elements can be determined from this plat.

NOE #	NORTHING	EASTING	DESCRIPTION	DATE
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NOE #	NORTHING	EASTING	DESCRIPTION	DATE
1	5466.89	9342.39	SEC CORNER	
2	4882.53	9342.39	PROP CORNER	
3	4882.53	9342.39	PROP CORNER	
4	5585.20	9584.15	PROP CORNER	
5	5585.20	10178.74	PROP CORNER	
6	5332.18	10181.75	PROP CORNER	
7	5328.12	10088.14	PROP CORNER	
8	5234.12	10185.74	PROP CORNER	
9	5238.08	10180.34	PROP CORNER	
10	5077.46	9342.39	PROP CORNER	
11	4920.92	9270.88	PROP CORNER	
12	4913.29	9608.13	UNIT CORNER	
13	4889.2	9811.25	UNIT CORNER	
14	4889.2	9811.25	UNIT CORNER	
15	4889.2	9811.25	UNIT CORNER	
16	5026.74	9828.74	UNIT CORNER	
17	5022.22	9830.39	UNIT CORNER	
18	5148.72	9831.06	UNIT CORNER	
19	5290.89	9832.33	UNIT CORNER	
20	5290.89	9832.33	UNIT CORNER	
21	5297.45	9827.83	UNIT CORNER	
22	5343.44	9829.09	UNIT CORNER	
23	5399.42	9830.26	UNIT CORNER	
24	5432.81	9832.93	UNIT CORNER	
25	5487.33	9846.16	UNIT CORNER	
26	5524.24	9892.43	UNIT CORNER	
27	5527.14	9746.93	UNIT CORNER	
28	5530.35	9829.92	UNIT CORNER	
29	5530.35	9829.92	UNIT CORNER	
30	5540.41	9854.4	UNIT CORNER	
31	5540.41	9910.4	UNIT CORNER	
32	5541.05	9938.3	UNIT CORNER	
33	5538.42	9994.24	UNIT CORNER	
34	5537.2	10020.21	UNIT CORNER	
35	5534.58	10076.15	UNIT CORNER	
36	5529.04	10102.19	UNIT CORNER	
37	5526.02	10158.11	UNIT CORNER	
38	5369.25	10191.24	UNIT CORNER	
39	5369.25	10191.24	UNIT CORNER	
40	5361.85	10043.3	UNIT CORNER	
41	5364.47	9989.36	UNIT CORNER	
42	5367.42	9973.86	UNIT CORNER	
43	5365.09	9917.91	UNIT CORNER	
44	5362.75	9861.96	UNIT CORNER	
45	5360.41	9806.01	UNIT CORNER	
46	5357.07	9750.06	UNIT CORNER	
47	5353.73	9694.11	UNIT CORNER	
48	5325.03	9640.16	UNIT CORNER	
49	5188.04	9799.59	UNIT CORNER	
50	5165.7	9799.59	UNIT CORNER	
51	5069.71	9798.58	UNIT CORNER	
52	5043.72	9797.42	UNIT CORNER	
53	4987.73	9796.26	UNIT CORNER	
54	4928.41	10183.42	UNIT CORNER	
55	4928.41	10183.42	UNIT CORNER	
56	5038.54	10074.42	UNIT CORNER	
57	5038.54	9995.42	UNIT CORNER	
58	5035.76	9965.84	UNIT CORNER	
59	5063.63	9907.27	UNIT CORNER	
60	5095.85	9879.16	UNIT CORNER	
61	5145.68	9853.61	UNIT CORNER	
62	5202.18	9848.65	UNIT CORNER	
63	5245.43	9879.16	UNIT CORNER	
64	5245.43	9879.16	UNIT CORNER	
65	5245.43	9879.16	UNIT CORNER	
66	5245.43	9879.16	UNIT CORNER	
67	5288.2	10023.42	UNIT CORNER	
68	5288.2	10075.16	UNIT CORNER	
69	5206.63	10054.65	UNIT CORNER	
70	5205.91	10110.84	UNIT CORNER	
	5205.19	10166.64	UNIT CORNER	

PREPARED BY:
DAVEZ ENGINEERING, INC.
1100 UNIVERSITY AVENUE
MENASHA, WI 54952
THIS INSTRUMENT WAS DRAWN BY
MARLON R. BRUMM
PHASE II NORTH POINTE CONDOMINIUM
962779002
DRAWING NUMBER: 1804
SHEET 1 OF 5

Revised this _____ day of _____

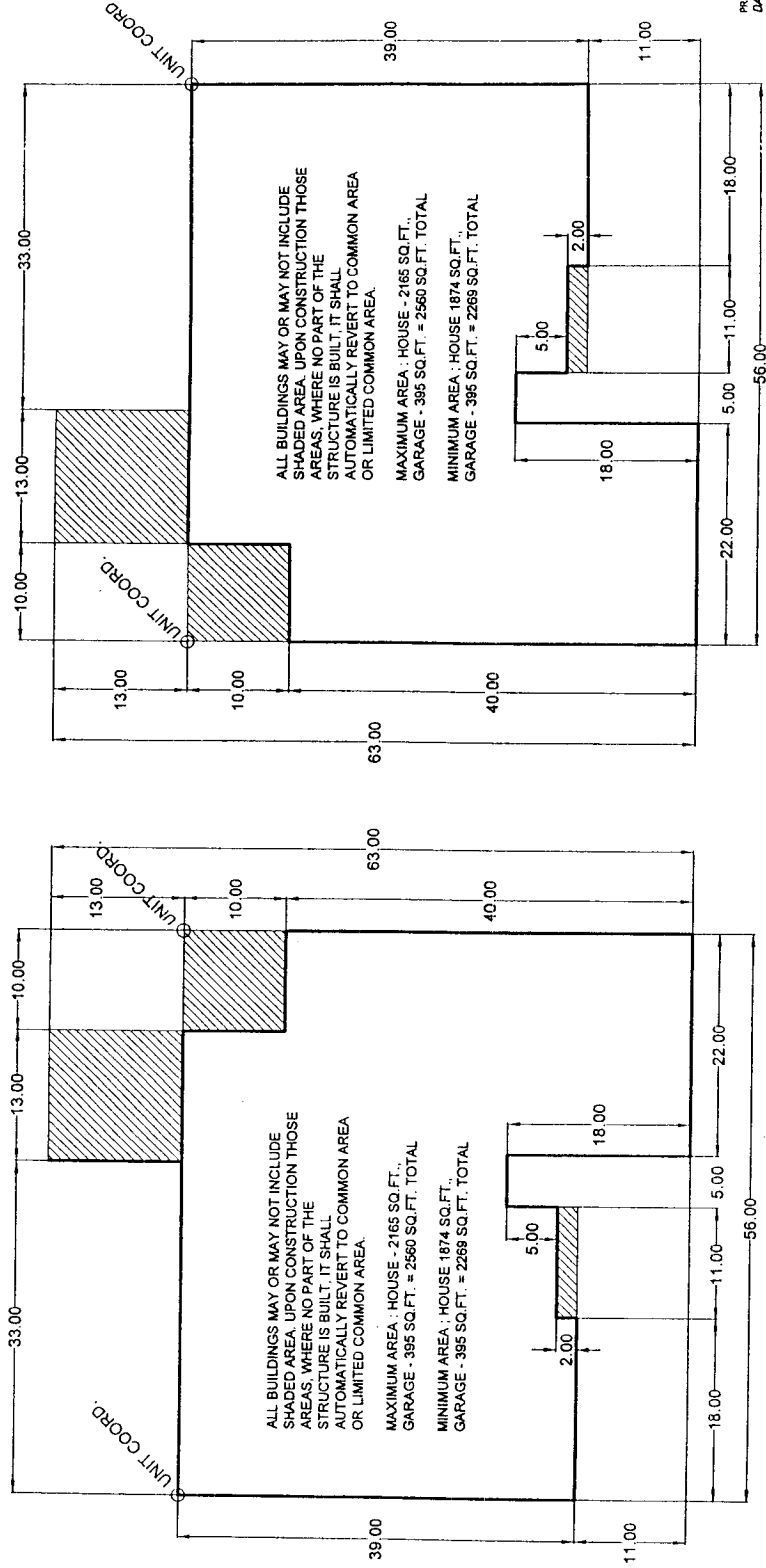
Phase II North Pointe Condominiums

BEING PART OF THE SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 21 NORTH, RANGE 17
EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN

OWNER:
HERITAGE DEVELOPMENT COMPANY, LLC
2829 NORTH MEADE STREET
APPLETON, WI 54911

NOTES:
ROOM SIZES ARE ROUNDED TO THE
NEAREST 1/2" AND MAY VARY IN
ACTUAL CONSTRUCTION.
ALL DIMENSIONS ARE MEASURES
FROM THE EXTERIOR SURFACE OF
THE FOUNDATION

FLOOR / FOUNDATION PLAN



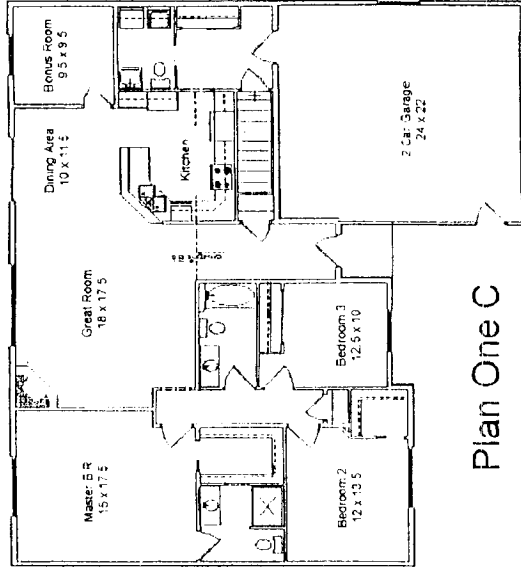
PREPARED BY:
DAVEL ENGINEERING, INC.
111 RACINE STREET
WISCONSIN
THESE PLANS WERE DRAWN BY
MARLAN R. BRUMM
PHASE II NORTH POINTE CONDOMINIUM
06/27/2002
PROJECT NUMBER 184
SHEET 2 OF 6

Reviewed by _____ city of _____

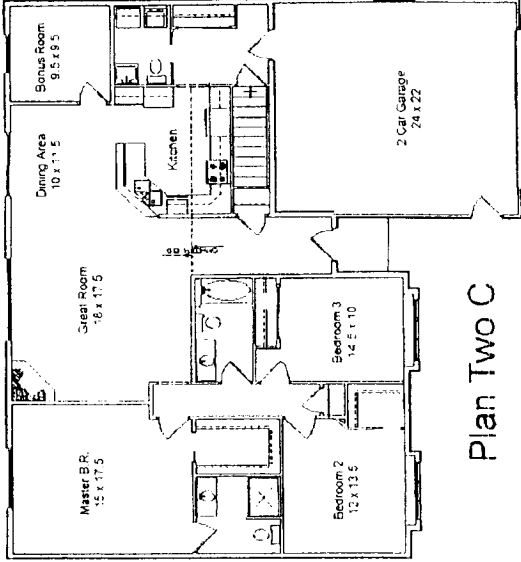
Phase II North Pointe Condominiums

BEING PART OF THE SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 31 NORTH, RANGE 17
EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN

Sunrooms Optional On All Plans



Plan One C



Plan Two C

OWNER:
HERITAGE DEVELOPMENT COMPANY, LLC
2828 NORTH MEADE STREET
APPLETON, WI 54911

NOTE:
ROOM SIZES ARE ROUNDED TO THE
NEAREST 1/2" AND MAY VARY IN
ACTUAL CONSTRUCTION.

PREPARED BY:
DAVELEW ENGINEERING, INC.
1000 W. WISCONSIN STREET
MENASHA, WI 54952
THIS INSTRUMENT WAS DRAWN BY
HARLAN R. BRUMM
PHASE II NORTH POINTE CONDOMINIUM
PROJECT NUMBER 184
SHEET 5 OF 6

Revised this _____ day of _____