

1118153

for Exhibit See Vol. 13  
of Condominiums Page 20

VOL 988 REC 346

AMENDMENT TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP  
AND COVENANTS, CONDITIONS AND RESTRICTIONS OF  
WINDEPOINT ON PIGEON RIVER CONDOMINIUM

THIS AMENDMENT to the Declaration of Condominium Ownership and Covenants, Conditions and Restrictions for Windepoint on Pigeon River Condominium is made by the declarant, Windepoint Development Partnership, a co-partnership consisting of Stone Ventures, Incorporated, a Wisconsin Corporation and R.S. Sheboygan, Inc., a Wisconsin Corporation, pursuant to Section 703.26 of the Condominium Ownership Act and Article II of the Declaration of Windepoint on Pigeon River Condominium recorded for record in Volume 923 of Records on pages 630/58 as document number 1080685 and the Amendment for which is recorded for record in Volume 946 on pages 155/62 as document number 1094285 and the Amendment adding Phase II which is recorded for record in Volume 946 of Records on pages 163/8 as document number 1094286 and the Amendment adding Phase II which is recorded for record in Volume 968 of Records on pages 803/7 as document number 1107291 in the office of the Register of Deeds for Sheboygan County, Wisconsin.

RECITALS

By this Amendment the declarant herein adds Phase IV to the Windepoint on Pigeon River Condominium.

1118153 E00014.00 JR

ARTICLE I.

DESCRIPTION AND IDENTIFICATION OF BUILDINGS

UNITS, COMMON ELEMENTS AND LIMITED COMMON ELEMENTS

Section 1.1 Description of Real Property in Phase IV:

Beginning at a point 638.25 feet South and 505.65 feet East of the Northwest corner of Section 16, T. 15 N., R. 23 E., thence S. 40°00' W. 125.68 feet; thence N. 40°00' W. 101.96 feet; thence Northeasterly 19.63 feet along the arc of a 219.58 foot radius curve to the left, said curve having a chord which bears N. 46°33'40" E. 19.62 feet; thence Northeasterly 88.82 feet along the arc of a 286.24 foot radius curve to the left, said curve having a chord which bears N. 35°04'30" E. 88.80 feet; thence S 50°00' E. 105.79 feet to the point of beginning, containing 11,850 square feet of land and being a part of the NW 1/4 NW 1/4 of Section 16, T. 15 N., R. 23 E., City of Sheboygan, Wisconsin.

Section 1.2 Description of Buildings: Phase IV of Windepoint on Pigeon River Condominium shall consist of One (1) Four (4) unit building. The building in Phase IV shall be Building Five (5). Building Five (5) in Phase IV shall contain two (2) units located on the first floor and two (2) units located on the second floor and shall be of frame construction with no basement and shall include a two (2) stall garage for each unit.

REGISTER'S OFFICE  
SHEBOYGAN COUNTY, WI  
Received for Record the 6<sup>th</sup>  
day of Aug A.D. 1985  
at 3:46 o'clock P.M. and  
Recorded in Vol. 988  
of Records on page 346/51

*Darlene J. Navis*  
Register

1985 AUG 6 PM 3 46

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Section 1.3 Description of Units: Each of the four (4) units situated in Building Five (5) of Phase IV of the project shall be separately designated by an identifying letter (A, B, C and D) as set forth in Exhibit "A". The living area of each unit shall be wholly located on one floor with two (2) units located on each floor. In addition, each unit shall consist of a two (2) stall garage and any area that may be designated for storage outside the living area of the unit. Access to the units shall be through the immediate limited common element to which the unit has access.

Each unit shall have gas-forced heat, gas hot water, separately metered electricity and shall include a dishwasher, garbage disposal, hood fan for a range, and central air conditioning. In addition, the units shall be carpeted throughout, except that there may be vinyl or ceramic tiles in the kitchen, utility, foyer and/or bathroom areas of the unit. Further, the garage portion of said unit shall contain an electric garage door opener. In addition, the unit may include a fireplace.

Section 1.4: With the exception of the matters set forth in this Amendment concerning the description of the buildings, the common elements and the limited common elements in the project, all other matters of such nature shall be unchanged. Exhibit "B" is attached hereto, setting forth the added Phase IV and the building located thereon, the existing Phases I, II and III and the common element described in the declaration and known as the conservancy area.

## ARTICLE II. PROPERTY RIGHTS

Section 2.1 Percentage of Undivided Interest in Common Elements: The fraction of undivided interest owned in the common elements (including the limited common elements, being a part thereof) and facilities appertaining to each unit and its owners in Phase IV is based upon the square footage of the units in said Phase. The square footage of Unit A is 1,969, the square footage of Unit B is 2,191, the square footage of Unit C is 1,996, and the square footage of Unit D is 2,216. To determine the square footage to be used for computation purposes, the square footage is to be rounded off to the nearest one hundred feet, therefore, square footage to be used for the purposes of determining the appropriate fraction pursuant to the formula set forth in Article IV., Section 4.1 of the Declaration is as follows:

|                           |                           |
|---------------------------|---------------------------|
| Unit A- 2,000 square feet | Unit B- 2,200 square feet |
| Unit C- 2,000 square feet | Unit D- 2,200 square feet |

## ARTICLE III. MEMBERS AND THEIR VOTING RIGHTS

Section 3.1 Voting Rights: The voting rights appertaining to each unit shall be determined on the basis of the square footage of the living area of the unit and pursuant to the formula set forth in Article V., Section 5.2 of the Declaration and the rounded square footage for the purpose of determining this fraction for the units in Phase IV is as follows:

|                           |                           |
|---------------------------|---------------------------|
| Unit A- 1,600 square feet | Unit B- 1,800 square feet |
| Unit C- 1,600 square feet | Unit D- 1,800 square feet |

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Dated at Sheboygan, Wisconsin this 2<sup>nd</sup> day of August, 1985.

WINDEPOINT DEVELOPMENT PARTNERSHIP  
A Co-Partnership

STONE VENTURES, INCORPORATED,  
a Wisconsin Corporation

By: [Signature]  
Frederick L. Stone, President

R. S. SHEBOYGAN, INC.

By: [Signature]  
Ralph C. Stayer, President

STATE OF WISCONSIN )  
 ) ss.  
SHEBOYGAN COUNTY )

Personally came before me this 2<sup>nd</sup> day of August, 1985, Frederick L. Stone, President of the above named Corporation, to me known to be the person who executed the foregoing instrument, and to me known to be such President of said Corporation, and acknowledged that he executed the foregoing instrument as such officer as the act of said Corporation, by its authority.

[Signature]  
Notary Public, Sheboygan County, Wisconsin  
My Commission: Expires 8/28/88

STATE OF WISCONSIN )  
 ) ss.  
SHEBOYGAN COUNTY )

Personally came before me this 2<sup>nd</sup> day of August, 1985, Ralph C. Stayer, President of the above named Corporation, to me known to be the person who executed the foregoing instrument, and to me known to be such President of said Corporation, and acknowledged that he executed the foregoing instrument as such officer as the act of said Corporation, by its authority.

[Signature]  
Notary Public, Sheboygan County, Wisconsin  
My Commission: Expires 8/28/88

This Instrument was Drafted by:  
Attorney John N. Gunderson  
Chase, Olsen, Kloet and Gunderson

CONSENT OF MORTGAGEES

The following mortgagees hereby consent to the addition of Phase IV to the condominium project known as Windepoint on Pigeon River Condominium.

FIRST INTERSTATE BANK OF WISCONSIN

By: Thomas N. Schueller  
Thomas N. Schueller

By: Ralph Fredrickson  
Ralph Fredrickson

STATE OF WISCONSIN )  
: ss.  
SHEBOYGAN COUNTY )

Personally came before me this 2nd day of August, 1985, Thomas N. Schueller and Ralph Fredrickson the Vice President and Vice President, respectfully, of the above named Corporation, to me known to be the persons who executed the foregoing instrument, and to me known to be such Vice President and Vice President of said Corporation, and acknowledged that they executed the foregoing instrument as such officers as the act of said Corporation, by its authority.

Geraldine A. Schmidt  
Geraldine A. Schmidt  
Notary Public, Sheboygan County, Wisconsin  
My Commission: Expires 2/16/86

WINDEPOINT LAND HOLDINGS ASSOCIATES  
A Wisconsin Limited Partnership

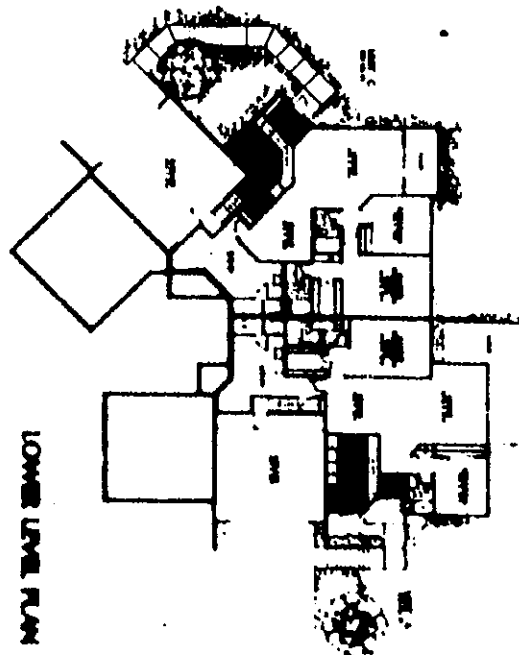
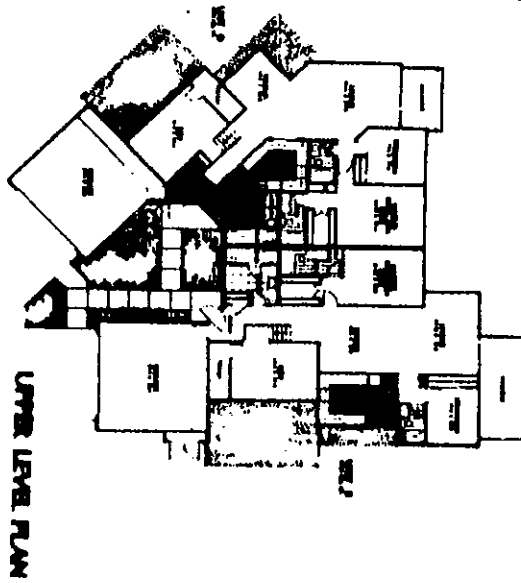
By: Frederick L. Stone  
Frederick L. Stone, General Partner

STATE OF WISCONSIN )  
: ss  
SHEBOYGAN COUNTY )

Personally came before me this 2<sup>nd</sup> day of August, 1985, the above named Frederick L. Stone, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Richard Bassuener  
Richard Bassuener  
Notary Public, Sheboygan County, Wisconsin  
My Commission: Expires 2/16/86

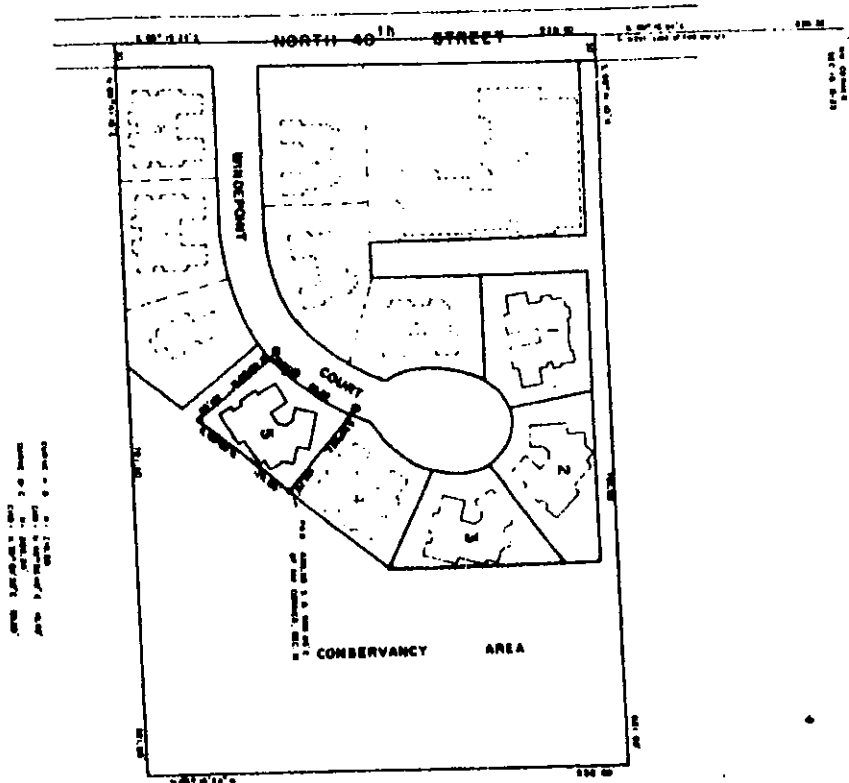
This Instrument was Drafted by  
Atty. John N. Gunderson  
Chase, Olsen, Kloet & Gunderson



W. J. M. J.

W. J. M. J.

W. J. M. J.



|   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |     |
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1. RECEIVED 1964 10 10 10

**Page 1 of 2**

WIND POINT - ON - PIGEON RIVER  
PAGE IV

**PLATE 29**

[illegible]

Wm. L. G. 1888

[illegible]

1. WORKER CERTIFY THAT THIS PLAT IS A TRUE REPRESENTATION OF THE COMPOSITION, DEFICIENCIES AND CORRECTIVE MEASURES OF THE COMPOSITION DEFICIENCIES AND CORRECTIVE MEASURES OF EACH CELL AND CORRECTED DEFICIENCIES TO THE BEST OF HIS KNOWLEDGE AND ABILITY.

EXHIBIT "B"