

FIRST AMENDMENT TO CONDOMINIUM DECLARATION
OF
MARINA COVE CONDOMINIUM
(Phase II)

THIS FIRST AMENDMENT TO CONDOMINIUM DECLARATION of Marina Cove Condominium (Phase II) (this "Amendment") is made this 7th day of MAY, 1994, by ALLESEE DEVELOPMENT INCORPORATED, a Wisconsin Corporation (hereinafter "Declarant"), pursuant to the Condominium Declaration for MARINA COVE CONDOMINIUM, recorded on the December 16, 1993, in the Office of the Register of Deeds for Racine County, Wisconsin, in Volume 2377, at Page 88, as Document No. 1447341 (the "Declaration"), and pursuant to the Condominium Ownership Act of the State of Wisconsin, Chapter 703 of the Wisconsin Statutes (hereinafter the "Act").

1. Statement of Declaration.

The purpose of this Amendment is to expand the condominium by adding Phase II and submitting the land hereinafter described and the improvements constructed or to be constructed thereon to the condominium form of ownership as a part of MARINA COVE CONDOMINIUM in the manner provided by the Act and the Declaration.

Declarant hereby declares that it is the owner of the real property described in Section 2 hereof and shown on Sheet 1 of the Phase II First Amendment to Plat Marina Cove Condominium (the "Phase II Condominium Plat") attached hereto, together with all buildings and improvements constructed or to be constructed thereon (the "Property"), which are hereby submitted to the condominium form of ownership as a part of MARINA COVE CONDOMINIUM as provided in the Declaration, and which property shall be held, conveyed, devised, leased, encumbered, used, improved, and in all respects otherwise affected subject to the provisions, conditions, covenants, restrictions and easements of the Declaration of MARINA COVE CONDOMINIUM. All provisions hereof and of the Declaration shall be deemed to run with the land described and shall constitute benefits and burdens to the Declarant, its successors and assigns, and to all parties hereinafter having any interest in the Property.

2. Legal Description.

The real estate described hereinafter and described as Phase II in the Phase II Condominium Plat attached hereto, together

REGISTER OF DEEDS
RACINE COUNTY, WI

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with all buildings and improvements constructed or to be constructed thereon, are hereby annexed to MARINA COVE CONDOMINIUM and are subjected to the provisions of the Declaration. The real estate subjected to the provisions of the Declaration hereby is described as follows:

Being a part of Parcel 2 of Certified Survey Map No. 1592 being a redivision of Lots 3 and 4 in Marina Shores being a subdivision of a part of the NW 1/4 and SW 1/4 of the NW 1/4 of Section 36, and the NE 1/4 and SE 1/4 of the NE 1/4 of Section 35 T 4 N, R 19 E, in the Village of Waterford, Racine County, Wisconsin, bounded and described as follows: Commencing at the Northwest corner of said NW 1/4 Section 36; thence S 0° 02' 30" W, 622.69 feet along the West line of said NW 1/4 Section to the place of beginning, said place of beginning being a meander point to the Fox River located approximately 86 feet West of said point; thence continuing S 0° 02' 30" W, 308.18 feet along the meander line to the Fox River and also the West line of said NW 1/4 Section; said point lies approximately 01' feet East of the Fox River; thence S 89° 57' 23" E, 60.00 feet; thence S 60° 59' 55" E, 155.24 feet; thence Northeasterly 48.93 feet along an arc of a circle whose center is to the Southeast, said curve has a chord which bears N 50° 23' 31" E, 47.41 feet; thence N 18° 13' 04" W, 125.00 feet; thence N 37° 27' 50" E, 314.55 feet; thence S 87° 44' 36" W, 304.61 feet to the place of beginning.

From:
191-04-19-36-076-070
New Numbers:
191-04-19-36-303-013
191-04-19-36-303-014
191-04-19-36-303-015
191-04-19-36-303-016
191-04-19-36-303-017
191-04-19-36-303-018
191-04-19-36-303-019
191-04-19-36-303-020
191-04-19-36-303-021
191-04-19-36-303-022
191-04-19-36-303-023
191-04-19-36-303-024

The buildings and units constructed or to be constructed on the real estate shall be described in the building and floor plans which are a part of the Phase II Condominium Plat attached hereto for **MARINA COVE CONDOMINIUM**, depicting the layout, location, perimeters and approximate dimensions of the buildings and units. The unit numbers of units of Phase II of **MARINA COVE CONDOMINIUM** are shown on Sheet 1 of the Phase II Condominium Plat attached hereto. The floor plans of the units in Phase II of **MARINA COVE CONDOMINIUM** are provided on Sheets 2 and 3 of the Phase II Condominium Plat attached hereto.

3. Effect of Amendment.

By this Amendment to the Declaration, One (1) building containing a total of Twelve (12) condominium units are annexed and added to **MARINA COVE CONDOMINIUM** and subjected to the Declaration. All of the provisions, restrictions, covenants, terms and conditions of the Declaration and the Articles and By-Laws of Marina Cove Condominium Association, (the "Association"), and such restrictions, rules and regulations as may be promulgated thereunder shall be applicable to the Property and units hereby annexed to **MARINA COVE CONDOMINIUM**.

By reason of this Amendment and the annexation of Twelve (12) additional condominium units to **MARINA COVE CONDOMINIUM**, as of the effective date hereof, the original Declaration is amended in the following respects:

3.1 Number. There are a total of Twenty-four (24) residential condominium units in **MARINA COVE CONDOMINIUM**.

4. OWNERSHIP OF UNIT AND PERCENTAGE OF OWNERSHIP IN COMMON ELEMENTS AND FACILITIES AND LIMITED COMMON ELEMENTS.

Each unit owner shall own a fee simple interest in his or her condominium unit. Each unit owner shall also own an undivided interest in the common elements and facilities and limited common elements as a tenant in common with all other unit owners and, except as otherwise limited in this Declaration, shall have the right to use and occupy the common elements and facilities and limited common elements for all purposes incident to the use and occupancy of his or her unit as a place of residence, and such other incidental uses permitted by this Declaration, which rights shall be appurtenant to and run with his or her unit.

The percentage of each undivided ownership interest in the common elements and facilities and limited common elements relating to each unit and its owner for all purposes, including voting and proportionate payment of common expenses, shall be determined by dividing the number one (1) by the number Twenty-four (24).

The percentage of such ownership of the common elements and facilities and limited common elements shall be subject to change and adjustment in the event of annexation of additional properties and improvements to the Condominium, as provided in Section 22 herein, and new percentages shall be shown in any amendment to this Declaration. The percentage of ownership interest in the common elements for all unit owners upon annexation to the Condominium as set forth in Section 22 herein shall be determined by dividing the number one (1) by the total number of units then comprising MARINA COVE CONDOMINIUM.

5. Amendment of Condominium Plat.

The Condominium Plat for MARINA COVE CONDOMINIUM is hereby amended by adding the Phase II First Amendment to Plat Marina Cove Condominium, Sheets 1-3 thereto, in the form attached hereto and filed herewith in the Condominium Plat records of Racine County.

6. Effective Date.

The effective date of this Amendment shall be the date it is recorded in the Office of the Register of Deeds for Racine County, Wisconsin.

7. Miscellaneous.

All terms not specifically defined herein shall have the same meanings as provided in the Declaration. Except as modified by this Amendment, the Declaration remains in full force and effect and is hereby ratified and approved for all purposes for all units in the Condominium as amended.

IN WITNESS WHEREOF, this document has been executed by duly authorized officers of Declarant, as of the date first set forth above.

ALLESEE DEVELOPMENT INCORPORATED
a Wisconsin Corporation

By: David J. Allesee
David J. Allesee, President

By: Shirley A. Allesee
Shirley A. Allesee, Secretary

Ret.
Drafted By:
THOMAS C. KIRCHER
Attorney at Law
205 North Milwaukee Street
P.O. Box 88
Waterford, WI 53185
(414) 534-6611

STATE OF WISCONSIN)
) SS
RACINE COUNTY)

Personally came before me this 6th day of May, 1994, the above named David J. Allesee and Shirley A. Allesee, to me known to be the persons who executed the foregoing instrument and acknowledged that they executed the same.

Avis A Beckers
Notary Public, State of Wisconsin
My Commission expires 10/23/95
Avis A Beckers

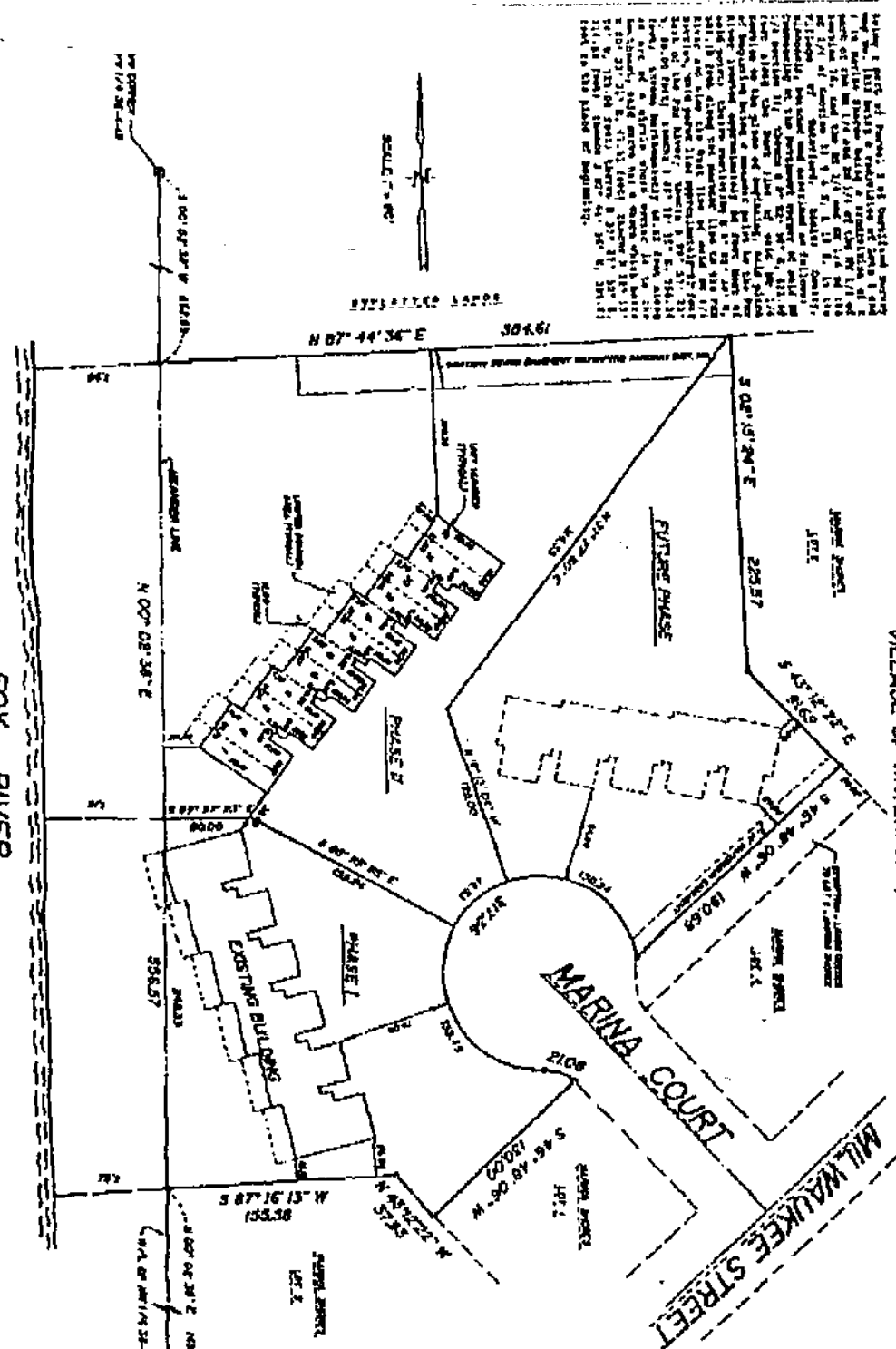
CONDOMINIUM PLAT

MARINA COVE CONDOMINIUM - PHASE II

VILLAGE OF WATERFORD, RACINE COUNTY, WISCONSIN

Being a plat of property, it is defined as being a tract of land, divided into lots, blocks, or units, for the purpose of sale, lease, or conveyance, and is a part of the land of the State of Wisconsin, and is subject to the provisions of the laws of this State relating to the same.

ALLEN COV. CASE II



DECLARANT -
 ALLESEE DEVELOPMENT INC.
 A WISCONSIN CORPORATION
 5800 W. WISCONSIN BLVD.
 WATERFORD, WI 53185



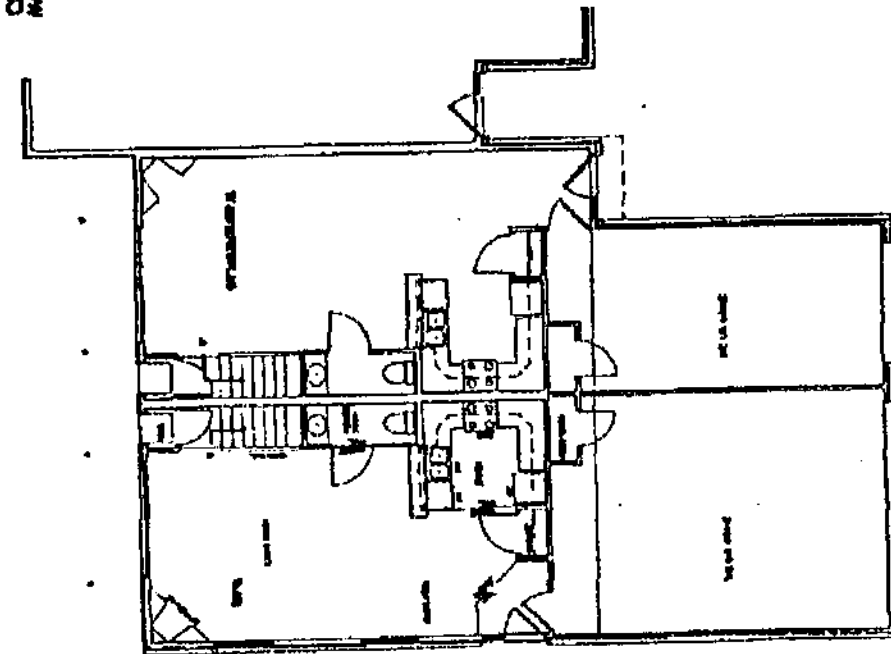
I, Stanley J. Potylinski, do hereby certify that I have surveyed the above described property and that said survey is an accurate representation of the exterior boundary lines and the location of the buildings and improvements upon the said property.

This condominium plat is a correct representation of the MARINA COVE CONDOMINIUM - PHASE II and the location and location of each unit and the common elements are determined from the plat. The common elements are defined to be all of the [indicated] property except the [indicated] units described in this plat. The undersigned surveyor makes no certification as to the accuracy of the [indicated] floor plans or the [indicated] [indicated] and the [indicated] in the plat or the [indicated] dimensions of floor area thereof.

Stanley J. Potylinski, ELS 3-195

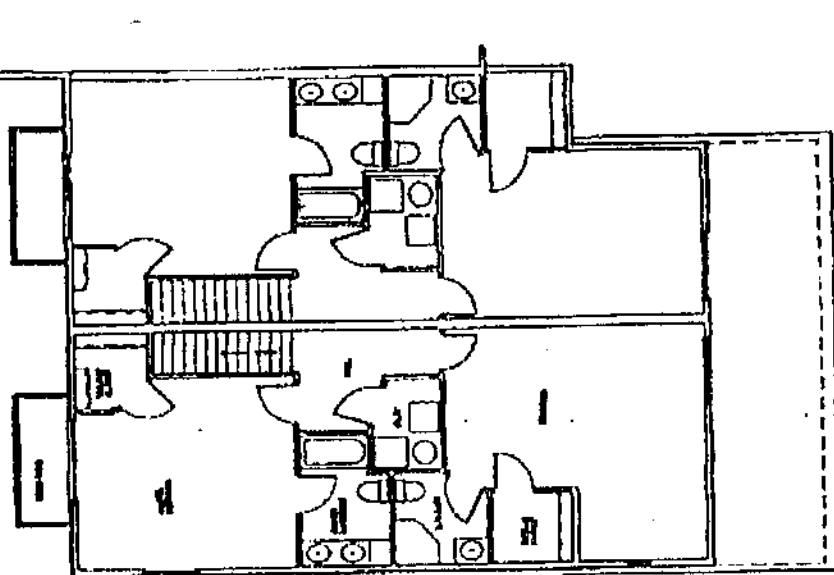
METROPOLITAN ENGINEERS, INC.
 5800 WISCONSIN BLVD.
 WATERFORD, WI 53185

CONDOMINIUM PLAN
MAYRA COLE CO-OP CONDOMINIUM - PHASE 1



SCALE
1" = 4'-0"

LEGAL FIRST FLOOR PLAN
2018



SCALE
1" = 4'-0"

LEGAL SECOND FLOOR PLAN
2018

SHEET 1 OF 9

