REEL 1933 PAGE 0113

1965551

# FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM

# OF

# ROSEWOOD VILLAGE II CONDOMINIUMS

THIS FIRST AMENDMENT to Declaration of condominium of Rosewood Village II Condominiums is made by Bielinski Bros. Builders, Inc., a Wisconsin corporation (hereinafter "Declarant"), pursuant to and in accordance with the provisions of the Condominium Ownership Act created by Chapter 703 of the Wisconsin Statutes and the Declaration of Condominium of Rosewood Village II Condominiums dated December 21, 1993, and recorded in the Office of the Register of Deeds for Waukesha County, Wisconsin on December 27, 1993, as Document No. 1918745 in Reel 1851, Images 0329-0356, hereinafter referred to as the "Declaration".

**WITNESSETH:**

In Article XIII of the Declaration, Declarant reserves the right to expand the Condominium by subjecting to the Declaration parts or all of the real estate described in Exhibit E of the Declaration (the "Expansion Real Estate") and also by constructing thereon, either before or after such expansion, no more than an additional twenty-four (24) units.

Declarant now desires to subject to the Declaration a portion of the Expansion Real Estate the Phase II property and to construct thereon one (1) building consisting of four (4) units.

The Phase II property and the additional building and improvements thereon, together with the Condominium created under the Declaration, shall be referred to herein jointly as the "Condominium". As used herein, the term "Unit Owner" shall mean the owner of a Unit and any building previously declared or declared herein, unless otherwise limited.

NOW, THEREFORE, Declarant, the fee owner of the Phase II Property, pursuant to Article XIII of the Declaration, hereby amends the Declaration by submitting the Phase II Property described in Exhibit 1-B-2 attached hereto and the additional building and improvements to the Condominium Ownership Act and the Declaration as though fully set forth herein at the time of recording the Declaration, subject to taxes and assessments not yet due and payable, municipal and zoning ordinances, recorded easements and restrictions, any other easements and/or rights in favor of gas, sanitary sewers, storm sewers, electric, telephone and water utilities, all other matters of record and the following restrictions and conditions:

1. Article I of the Declaration is hereby amended by striking the number "twelve (12)" therefrom and replacing it with the number "sixteen (16)".

2. Article V of the Declaration is hereby amended by striking Section 1 and replacing it with the following:

> "1. Ownership. The ownership in each Unit shall include a 1/16th undivided interest in the Common Elements."

3. Exhibit A of the Declaration is amended by adding the legal description for Phase II set forth on Exhibit 1-A attached hereto.

4. Exhibit B of the Declaration is amended to include Exhibit 1-B-1 and 1-B-2 attached hereto.

5. Exhibit C of the Declaration is hereby amended by adding to it the following:

All addresses are Waukesha, Wisconsin 53186:

| Unit No. | Unit Address | Unit Type |
|---|---|---|
| 1922A | 1922A Springbrook North | Ranch |
| 1922B | 1922B Springbrook North | Two Story |
| 1922C | 1922C Springbrook North | Two Story |
| 1922D | 1922D Springbrook North | Ranch |

6. Exhibit E of the Declaration is amended by deleting said Exhibit E and Exhibits 1-E-1 and 1-E-2 attached hereto is substituted therefor.

7. By constructing the new building and submitting the Phase II Property, Declarant does not waive any of the rights to it reserved in Article XIII of the Declaration nor does it represent that such additions are the full extent of the exercise of its rights thereunder. However, DECLARANT SHALL BE UNDER NO OBLIGATION AND MAKES NO REPRESENTATION THAT IT WILL FURTHER EXPAND OR CONSTRUCT ANY PART OR ALL OF THE EXPANSION REAL ESTATE AS SUCH RIGHTS ARE RESERVED.

8. Except as otherwise stated herein, the provisions of the Declaration shall be deemed to extend to Units in all buildings as though all had been fully set forth therein at the time of recording the Declaration.

Executed at Waukesha, Wisconsin, this 10th day of May, 1994.

BIELINSKI BROS. BUILDERS, INC.

By: _____
Harry Bielinski, President

ATTEST:

_____
Frank Bielinski, Secretary

STATE OF WISCONSIN )
) SS.
COUNTY OF WAUKESHA )

Personally came before me this 10th day of May, 1994, the above-named Harry Bielinski and Frank Bielinski, Officers of Bielinski Bros. Builders, Inc., to me known to be the persons who executed the foregoing instrument and acknowledged the same.

_____
Notary Public, Waukesha Co., WI
My Commission 11-24-96

NOTARY PUBLIC
GLORIA J. RONGSTAD
STATE OF WISCONSIN

THIS INSTRUMENT DRAFTED BY AND SHOULD BE RETURNED TO:

Attorney Richard R. Kobriger
Cramer, Multhauf & Hammes
1601 E. Racine Avenue, Suite 200
P.O. Box 558
Waukesha, WI 53187-0558

lab\bbb\rosewood\condo1.amd

**EXHIBIT 1-A**

**LEGAL DESCRIPTION: FOR PHASE TWO**

All that part of Lot 2 of Certified Survey Map No. 7126 as recorded in Volume 60 of Certified Survey Maps on pages 124-126 as Document No. 1863432 and being a part of the Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4) and the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of Section 12, Town 6 North, Range 19 East, City of Waukesha, Waukesha County, Wisconsin, bounded and described as follows: Beginning at the northwest corner of said Lot 2; thence South 06°40'00" East along the west line of said Lot 2, 152.368 feet to the north right-of-way line of Springbrook North; thence northeasterly 31.605 feet along said north right-of-way line and along the arc of a curve of radius 936.644 feet, center lies to the south, chord of said arc bears North 84°18'00" East 31.604 feet; thence North 85°16'00" East along said north right-of-way line 66.000 feet; thence northeasterly 68.890 feet along said north right-of-way line and along the arc of a curve of radius 1273.263 feet, center lies to the south chord of said arc bears North 86°49'00" East 68.882 feet; thence North 01°38'00" West 142.283 feet to the north line of said Lot 2; thence South 88°56'53" West along the north line of said Lot 2, 179.664 feet to the place of beginning. Containing 25,300 square feet (0.581 acres) of land.

EXHIBIT 1-B-1

REEL 1933 PAGE 0117

# FIRST AMENDMENT TO CONDOMINIUM PLAT OF SURVEY

# ROSEWOOD VILLAGE II CONDOMINIUMS

CITY OF WAUKESHA, WAUKESHA COUNTY, WISCONSIN.

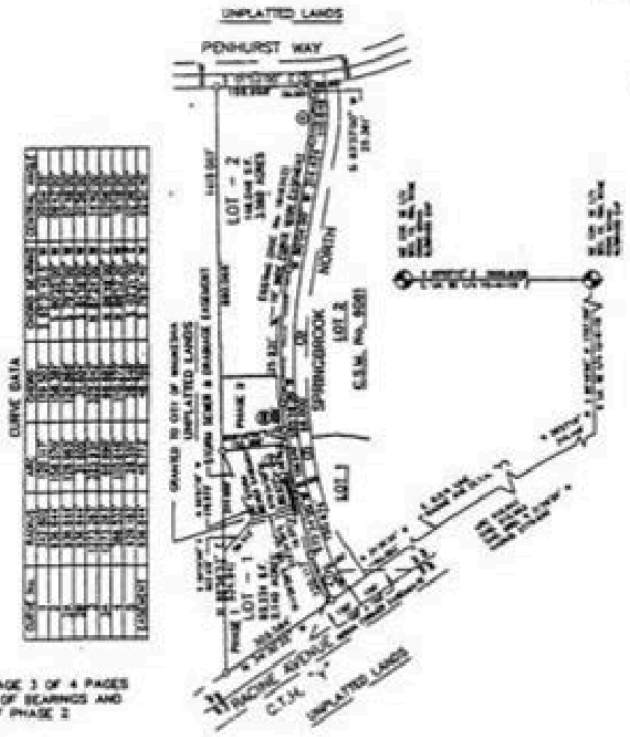
LEGAL DESCRIPTION SEE PAGE 2 OF 4 PAGES

Reference Bearing: The west line of the SE 1/4 of section 13, T6N, R19E, was used as the Reference Bearing and had an assumed bearing of North 00°02'12" West.

GRAPHIC SCALE

( IN FEET )

1 inch = 200 ft.




NOTE: SEE PAGE 3 OF 4 PAGES FOR DETAIL OF BEARINGS AND DISTANCES OF PHASE 2.

CERTIFICATE OF SURVEYOR:

I, John W. Johnke, a registered land surveyor, authorized to practice that profession in the State of Wisconsin, do hereby certify that there is shown in the foregoing condominium Plat of Survey for the ROSEWOOD VILLAGE II CONDOMINIUMS, a correct representation of the condominium described in the Declaration. The identification and location of each and the common elements either as constructed or proposed can be determined from the Plat of Survey and the other documents and drawings attached.

JOHN W. JOHNKE - WIS. Reg. No. S-917

Dated this 12th day of May, 1994

STATE OF WISCONSIN )
COUNTY OF WAUKESHA ) ss.

The above certificate subscribed and sworn to me this 12th day of May, 1994

JEROME G. WEGNER
My commission expires September 7, 1997

INSTRUMENT DRAFTED BY: Kenneth L. Thomas

FILE No. WAUKESHA 717-PHII

PAGE 1 OF 4 PAGES

# FIRST AMENDMENT TO CONDOMINIUM PLAT OF SURVEY
# ROSEWOOD VILLAGE II CONDOMINIUMS
CITY OF WAUKESHA, WAUKESHA COUNTY, WISCONSIN.

## PHASE 2

ADDRESS: 1922, SPRINGBROOK NORTH
CITY OF WAUKESHA, WAUKESHA COUNTY, WISCONSIN

LEGAL DESCRIPTION:

SEE PAGE 2 OF 4 PAGES FOR LEGAL DESCRIPTION

Reference Bearing: The east line of the SE 1/4 of section 12, T6N, R19E, was used as the Reference Bearing and has an assumed bearing of North 00°02'12" West.

SCALE 1"=50'

CERTIFICATE OF SURVEYOR:

I, John W. Johnke, a registered land surveyor, authorized to practice that profession in the State of Wisconsin, do hereby certify that there is shown in the foregoing condominium Plat of Survey for the ROSEWOOD VILLAGE II CONDOMINIUMS, 1922, SPRINGBROOK NORTH, a correct representation of the condominium described in the Declaration. The identification and location of each and the common elements either as constructed or proposed can be determined from the Plat of Survey and the other documents and drawings attached.

GRAPHIC SCALE

( IN FEET )
( 1 inch = 50 ft.

JOHN W. JOHNKE, Wis. Reg. No. S-917
Dated this 12th day of May, 1994

STATE OF WISCONSIN
COUNTY OF WAUKESHA } ss.

The above certificate subscribed and sworn to me this 12th day of May 1994

JEROME G. WEGNER
My commission expires September 7, 1997

UNPLATTED LANDS

LOT - 1
(PHASE 1)

REFER TO PAGE 3 OF 4 PAGES OF CONDOMINIUM PLATS OF SURVEY FOR ROSEWOOD VILLAGE II CONDOMINIUMS RECORDED IN VOL. 2 OF CONDOMINIUM PLATS ON PAGES 173 - 178 AS DOCUMENT No. 1918744 FOR THE PLAT OF SURVEY FOR PHASE 1

EXPANSION REAL ESTATE
PART OF LOT - 2
SEE PAGE 2 & 4 OF 4

NOTE:
SEE PAGE 1 OF 4 FOR COMPLETE LOT DIMENSIONS & EASEMENTS

SPRINGBROOK
66' R.O.W.
NORTH

LOTS 1 & 2 C.S.M. No. 6061
ROSEWOOD VILLAGE
EXISTING CONDOMINIUMS

REFER TO PAGE 5 & 6 OF 6 PAGES CONDOMINIUM PLATS OF SURVEY FOR ROSEWOOD VILLAGE II CONDOMINIUMS RECORDED IN VOL. 2 OF CONDOMINIUM PLATS ON PAGES 173 - 178 AS DOCUMENT No. 1918744 FOR THE FLOOR PLANS OF BUILDINGS 1900, 1910 & 1920

NOTE:
The Limited Common Elements consists of the outside deck, patio or porche, if any, immediately adjacent and appurtenant to each unit to which it has access by a door from the Unit and the driveway immediately adjacent and appurtenant to the garage door to each unit.

CURVE DATA

| CURVE No. | CHORD | LINE | RADIUS | CHORD BEARING | CENTRAL ANGLE |
|---|---|---|---|---|---|
| C8 | 17.67' | 17.70' | 15.00' | S 34°49'09" E | 67°34'00" |
| C9 | 17.67' | 17.70' | 15.00' | S 32°44'51" W | 67°34'00" |
| C10 | 17.67' | 17.70' | 15.00' | S 34°49'09" E | 67°34'00" |

EXISTING 1 & 2 ST. 4 UNIT CONDOMINIUMS No. 1922

BUILDING DETAIL (TYPICAL)
SCALE 1" = 30'

NOTE: The location and size of the underground structures and utilities shown hereon have been located to a reasonable degree of accuracy, but the Engineer does not guarantee their exact location or the location of others not shown. Contact Diggers Hotline, Inc.

INSTRUMENT DRAFTED BY Kenneth L. Thomas

FILE No. WAUKESHA 717-PH2

# FIRST AMENDMENT TO CONDOMINIUM PLAT OF SURVEY

## ROSEWOOD VILLAGE II CONDOMINIUMS

CITY OF WAUKESHA, WAUKESHA COUNTY, WISCONSIN.

EXPANSION REAL ESTATE

LEGAL DESCRIPTION: SEE PAGE 2 OF 4 PAGES

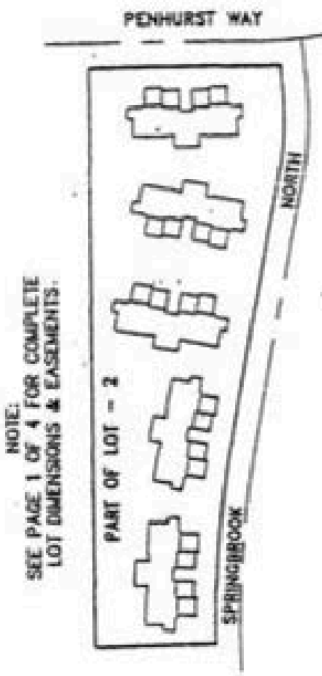
SCALE 1"=100'

Reference Bearing: The west line of the SE 1/4 of section 13, T6N, R19E, was used as the Reference Bearing and has an assumed bearing of North 00°02'12" West.

GRAPHIC SCALE

( IN FEET )

1 inch = 100 ft.




CERTIFICATE OF SURVEYOR:

I, John W. Johnke, a registered land surveyor, authorized to practice that profession in the State of Wisconsin, do hereby certify that there is shown in the foregoing condominium Plat of Survey for the ROSEWOOD VILLAGE II CONDOMINIUMS, a correct representation of the condominium described in the Declaration. The identification and location of each and the common elements either as constructed or proposed can be determined from the Plat of Survey and the other documents and drawings attached.

JOHN W. JOHNKE, S-917

Dated this 12th day of May, 1994

STATE OF WISCONSIN
COUNTY OF WAUKESHA } ss.

The above certificate subscribed and sworn to me this 12th day of May, 1994

JEROME C. WEGNER

My commission expires September 7, 1997

DRAFTSMAN DRAFTED BY Kenneth L. Thomas

FILE No. WAUKESHA 717-PH2

**EXHIBIT 1-E-2**

**LEGAL DESCRIPTION: EXPANSION REAL ESTATE**

Lot 2 of Certified Survey Map No. 7126 recorded in Volume 60 of Certified Survey maps on pages 124-126 as Document No. 1863432, being a part of the NW 1/4 of the NE 1/4 and the NE 1/4 of the SW 1/4 of Section 12, T6N, R19E, City of Waukesha, Waukesha County, Wisconsin.

Excepting Therefrom:
All that part of Lot 2 of Certified Survey Map No. 7126 as recorded in Volume 60 of Certified Survey Maps on pages 124-126 as Document No. 1863432 and being a part of the Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4) and the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of Section 12, Town 6 North, Range 19 East, City of Waukesha, Waukesha County, Wisconsin, bounded and described as follows: Beginning at the northwest corner of said Lot 2; thence South 06°40'00" East along the west line of said Lot 2, 152.368 feet to the north right-of-way line of Springbrook North; thence northeasterly 31.605 feet along said north right-of-way line and along the arc of a curve of radius 936.644 feet, center lies to the south, chord of said arc bears North 84°18'00" East 31.604 feet; thence North 85°16'00" East along said north right-of-way line 66.000 feet; thence northeasterly 68.890 feet along said north right-of-way line and along the arc of a curve of radius 1273.263 feet, center lies to the south chord of said arc bears North 86°49'00" East 68.882 feet; thence North 01°38'00" West 142.283 feet to the north line of said Lot 2; thence South 88°56'53" West along the north line of said Lot 2, 179.664 feet to the place of beginning. Containing 25,300 square feet (0.581 acres) of land.

1965551

REGISTER'S OFFICE
WAUKESHA COUNTY, WIS } SS
RECORDED ON

94 MAY 19 AM 9:18
REEL 1933 IMAGE 0113
REGISTER OF DEEDS

REEL 1933 IMAGE 0120

# SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM

# OF 1982085

# ROSEWOOD VILLAGE II CONDOMINIUMS

THIS SECOND AMENDMENT to Declaration of condominium of Rosewood Village II Condominiums is made by Bielinski Bros. Builders, Inc., a Wisconsin corporation (hereinafter "Declarant"), pursuant to and in accordance with the provisions of the Condominium Ownership Act created by Chapter 703 of the Wisconsin Statutes and the Declaration of Condominium of Rosewood Village II Condominiums dated December 21, 1993, and recorded in the Office of the Register of Deeds for Waukesha County, Wisconsin on December 27, 1993, as Document No. 1918745 in Reel 1851, Images 0329-0356, hereinafter referred to as the "Declaration".

**WITNESSETH:**

In Article XIII of the Declaration, Declarant reserves the right to expand the Condominium by subjecting to the Declaration parts or all of the real estate described in Exhibit E of the Declaration (the "Expansion Real Estate") and also by constructing thereon, either before or after such expansion, no more than an additional twenty-four (24) units.

Declarant now desires to subject to the Declaration a portion of the Expansion Real Estate the Phase III property and to construct thereon one (1) building consisting of four (4) units.

The Phase III property and the additional building and improvements thereon, together with the Condominium created under the Declaration, and the additional property, building and improvements added in the First Amendment to Declaration of Condominium recorded in May 19, 1994 as Document No. 1965551, shall be referred to herein jointly as the "Condominium". As used herein, the term "Unit Owner" shall mean the owner of a Unit in any building previously declared or declared herein, unless otherwise limited.

NOW, THEREFORE, Declarant, the fee owner of the Phase III Property, pursuant to Article XIII of the Declaration, hereby amends the Declaration by submitting the Phase III Property described in Exhibit 2-B-2 attached hereto and the additional building and improvements to the Condominium Ownership Act and the Declaration as though fully set forth herein at the time of recording the Declaration, subject to taxes and assessments not yet due and payable, municipal and zoning ordinances, recorded easements and restrictions, any other easements and/or rights in favor of gas, sanitary sewers, storm sewers, electric, telephone and water utilities, all other matters of record and the following restrictions and conditions:

85083

1. Article I of the Declaration and paragraph 1 of the First Amendment to Declaration are hereby amended by striking the numbers "twelve (12)" and "sixteen (16)" therefrom and replacing them with the number "twenty (20)".

2. Article V of the Declaration is hereby amended by striking Section 1 and replacing it with the following:

> "1. Ownership. The ownership in each Unit shall include a 1/20th undivided interest in the Common Elements."

3. Exhibit A of the Declaration is amended by adding the legal description for Phase III set forth on Exhibit 2-A attached hereto.

4. Exhibit B of the Declaration is amended to include Exhibit 2-B-1 and 2-B-2 attached hereto.

5. Exhibit C of the Declaration is hereby amended by adding to it the following:

All addresses are Waukesha, Wisconsin 53186:

| Unit No. | Unit Address | Unit Type |
|---|---|---|
| 1924A | 1924A Springbrook North | Ranch |
| 1924B | 1924B Springbrook North | Two Story |
| 1924C | 1924C Springbrook North | Two Story |
| 1924D | 1924D Springbrook North | Ranch |

6. Exhibit E of the Declaration is amended by deleting said Exhibit E and Exhibits 2-E-1 and 2-E-2 attached hereto are substituted therefor.

7. By constructing the new building and submitting the Phase III Property, Declarant does not waive any of the rights to it reserved in Article XIII of the Declaration nor does it represent that such additions are the full extent of the exercise of its rights thereunder. However, DECLARANT SHALL BE UNDER NO OBLIGATION AND MAKES NO REPRESENTATION THAT IT WILL FURTHER EXPAND OR CONSTRUCT ANY PART OR ALL OF THE EXPANSION REAL ESTATE AS SUCH RIGHTS ARE RESERVED.

8. Except as otherwise stated herein, the provisions of the Declaration shall be deemed to extend to Units in all buildings as though all had been fully set forth therein at the time of recording the Declaration.

Executed at Waukesha, Wisconsin, this 14th day of July, 1994.

BIELINSKI BROS. BUILDERS, INC.

By: _____
Harry Bielinski, President

ATTEST:

_____
Frank Bielinski, Secretary

STATE OF WISCONSIN )
) SS.
COUNTY OF WAUKESHA )

Personally came before me this 14th day of July, 1994, the above-named Harry Bielinski and Frank Bielinski, Officers of Bielinski Bros. Builders, Inc., to me known to be the persons who executed the foregoing instrument and acknowledged the same.

_____
Notary Public, Waukesha Co., WI
My Commission 11-24-96

NOTARY PUBLIC
GLORIA J. RONGSTAD
STATE OF WISCONSIN

THIS INSTRUMENT DRAFTED BY AND SHOULD BE RETURNED TO:

Attorney Richard R. Kobriger
Cramer, Multhauf & Hammes
1601 E. Racine Avenue, Suite 200
P.O. Box 558
Waukesha, WI 53187-0558

lab\bbb\rosewood\condo2.amd

1982085

94 JUL 22 AM 9:21
REEL 1965 IMAGE 0153
REGISTER OF DEEDS

**EXHIBIT 2-A**

**LEGAL DESCRIPTION: FOR PHASE THREE**

All that part of Lot 2 of Certified Survey Map No. 7126 as recorded in Volume 60 of Certified Survey Maps on pages 124-126 as Document No. 1863432 and being a part of the Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4) and the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of Section 12, Town 6 North, Range 19 East, City of Waukesha, Waukesha County, Wisconsin, bounded and described as follows: Commencing at the northwest corner of said Lot 2; thence North 88°56'53" East along the north line of said Lot 2, 179.664 feet to the place of beginning of the lands hereinafter described; thence South 01°38'00" East 142.283 feet to the north right-of-way line of Springbrook North; thence southeasterly 164.336 feet along said north right-of-way line and along the arc of a curve of radius 1273.263 feet, center lies to the south, chord of said arc bears South 87°56'09" East 164.222 feet; thence North 05°45'42" East 152.278 feet to the north line of said Lot 2; thence South 88°56'53" West along the north line of said Lot 2, 183.489 feet to the place of beginning. Containing 25,240 square feet (0.579 acres) of land.

# SECOND AMENDMENT TO CONDOMINIUM PLAT OF SURVEY

# ROSEWOOD VILLAGE II CONDOMINIUMS

CITY OF WAUKESHA, WAUKESHA COUNTY, WISCONSIN.

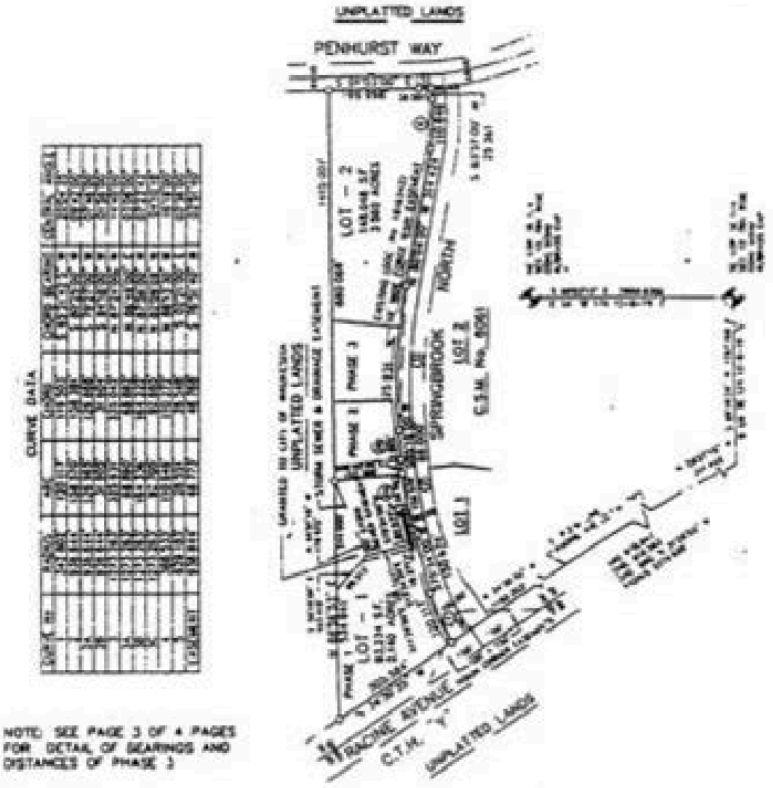
LEGAL DESCRIPTION: SEE PAGE 2 OF 4 PAGES

Reference Bearing: The east line of the SE 1/4 of section 12 T6N, R19E, was used as the Reference Bearing and has an assumed bearing of North 00°03'12" West

GRAPHIC SCALE

( IN FEET )

1 inch = 200 ft.




NOTE: SEE PAGE 3 OF 4 PAGES FOR DETAIL OF BEARINGS AND DISTANCES OF PHASE 3

CERTIFICATE OF SURVEYOR:

I, John W. Johnke, a registered land surveyor, authorized to practice that profession in the State of Wisconsin, do hereby certify that there is shown in the foregoing condominium Plat of Survey for the ROSEWOOD VILLAGE II CONDOMINIUMS, a correct representation of the condominium described in the Declaration. The identification and location of each and the common elements either as constructed or proposed can be determined from the Plat of Survey and the other documents and drawings attached.

John W. Johnke

John W. Johnke - Wis. Reg. No. S-917

Dated this 14th day of July, 1994

STATE OF WISCONSIN
COUNTY OF WAUKESHA } ss.

The above certificate subscribed and sworn to me this 14th day of July, 1994

Geraldine E. Chaltry

GERALDINE E. CHALTRY

My commission expires September 7, 1997

INSTRUMENT DRAFTED BY Kenneth L. Thomas

FILE No. WAUKESHA 717-PH 2



EXHIBIT 2-B-1

# SECOND AMENDMENT TO CONDOMINIUM PLAT OF SURVEY
# ROSEWOOD VILLAGE II CONDOMINIUMS
CITY OF WAUKESHA, WAUKESHA COUNTY, WISCONSIN.
## PHASE 3

ADDRESS: 1924, SPRINGBROOK NORTH
CITY OF WAUKESHA, WAUKESHA COUNTY, WISCONSIN

LEGAL DESCRIPTION:

SEE PAGE 2 OF 4 PAGES FOR LEGAL DESCRIPTION

Reference Bearing: The west line of the SE 1/4 of section 13, T8N, R19E, was used as the Reference Bearing and has an assumed bearing of north 00°52'12" West.

CERTIFICATE OF SURVEYOR:

I, John W. Johnke, a registered land surveyor, authorized to practice that profession in the State of Wisconsin, do hereby certify that there is shown in the foregoing condominium Plat of Survey for the ROSEWOOD VILLAGE II CONDOMINIUMS, 1924, SPRINGBROOK NORTH, is correct representation of the condominium described in the Declaration. The identification and location of each and the common elements either as constructed or proposed can be determined from the Plat of Survey and the other documents and drawings attached.

JOHN W. JAHNKE / Wis. Reg. No. S-917
Dated this 14th day of July 1994

STATE OF WISCONSIN
COUNTY OF WAUKESHA } ss.

The above certificate subscribed and sworn to me this 14th day of July 1994

GERALDINE C. CHALTRY
My commission expires September 7, 1997

N
W E
S
SCALE 1"=50'

GRAPHIC SCALE
( IN FEET )
1 inch = 50 ft.

WISCONSIN REGISTERED LAND SURVEYOR

NOTARY PUBLIC GERALDINE C. CHALTRY STATE OF WISCONSIN

UNPLATTED LANDS

PART OF LOT - 2
(PHASE 2)

REFER TO PAGE 3 OF 4 PAGES OF CONDOMINIUM PLATS OF SURVEY FOR ROSEWOOD VILLAGE II CONDOMINIUMS RECORDED IN VOL. 2 OF CONDOMINIUM PLATS ON PAGES 213 - 216 AS DOCUMENT No. 1965550 FOR THE PLAT OF SURVEY FOR PHASE 2

EXPANSION REAL ESTATE
PART OF LOT - 2
SEE PAGE 2 & 4 OF 4

SPRINGBROOK NORTH
60' R.O.W.

NOTE:
SEE PAGE 1 OF 4 FOR COMPLETE LOT DIMENSIONS & EASEMENTS

LOTS 1 & 2 C.S.M. No. 6061
ROSEWOOD VILLAGE
EXISTING CONDOMINIUMS

REFER TO PAGE 5 & 6 OF 6 PAGES CONDOMINIUM PLATS OF SURVEY FOR ROSEWOOD VILLAGE II CONDOMINIUMS RECORDED IN VOL. 2 OF CONDOMINIUM PLATS ON PAGES 173 - 178 AS DOCUMENT No. 1918744 FOR THE FLOOR PLANS OF BUILDING 1924

NOTE:
The Limited Common Elements consists of the outside deck, patio or porch, if any, immediately adjacent and appurtenant to each unit to which it has access by a door from the Unit and the driveway immediately adjacent and appurtenant to the garage door to each unit.

CURVE DATA

| CURVE No. | RADIUS | ARC | CHORD | CHORD BEARING | CENTRAL ANGLE |
|---|---|---|---|---|---|
| C6 | 1214.93' | 164.33' | 164.20' | N 87°56'00" W | 7°44'54" |

EXISTING 1 & 2 ST. 4 CONDOMINIUMS No. 1924

BUILDING DETAIL (TYPICAL)
SCALE 1" = 30'

NOTE: The location and size of the underground structures and utilities shown hereon have been located to a reasonable degree of accuracy, but the Engineer does not guarantee their exact location or the location of others not shown.
Contact Diggers Hotline, Inc.

INSTRUMENT DRAFTED BY Kenneth L. Thomas

FILE No. WAUKESHA 717-PH 3

PAGE 3 OF 4 PAGES

EXHIBIT 2-B-2

REEL 1965 IMAGE 0159

SECOND AMENDMENT TO CONDOMINIUM PLAT OF SURVEY

# ROSEWOOD VILLAGE II CONDOMINIUMS

CITY OF WAUKESHA, WAUKESHA COUNTY, WISCONSIN.

## EXPANSION REAL ESTATE

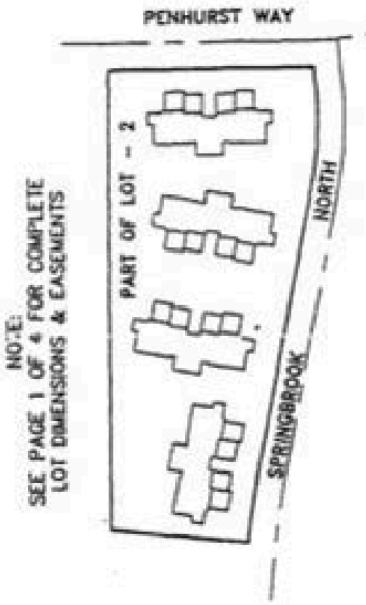
LEGAL DESCRIPTION: SEE PAGE 2 OF 4 PAGES

SCALE 1"=100'

Reference Bearing: The west line of the SE 1/4 of section 13, T6N, R19E, was used as the Reference Bearing and has an assumed bearing of North 00°02'12" West.

GRAPHIC SCALE

( IN FEET )
1 inch = 100 ft.




NOTE:
SEE PAGE 1 OF 4 FOR COMPLETE LOT DIMENSIONS & EASEMENTS

CERTIFICATE OF SURVEYOR:

I, John W. Johnke, a registered land surveyor, authorized to practice that profession in the State of Wisconsin, do hereby certify that there is shown in the foregoing condominium Plat of Survey for the ROSEWOOD VILLAGE II CONDOMINIUMS, a correct representation of the condominium described in the Declaration. The identification and location of each and the common elements either as constructed or proposed can be determined from the Plat of Survey and the other documents and drawings attached.

JOHN W. JOHNKE - Wis. Reg. No. S-917
Dated this 14th day of July, 1994

STATE OF WISCONSIN
COUNTY OF WAUKESHA } ss.

The above certificate subscribed and sworn to me this 14th day of July 1994

GERALDINE E. CHALTRY
My commission expires September 7, 1997

NOTARY PUBLIC
GERALDINE E. CHALTRY
STATE OF WISCONSIN

INSTRUMENT DRAFTED BY Kenneth L. Thomas

FILE No. WAUKESHA 717-PH 3

PAGE 4 OF 4 PAGES

EXHIBIT 2-E-1

**EXHIBIT 2-E-2**

LEGAL DESCRIPTION: **EXPANSION REAL ESTATE**

Lot 2 of Certified Survey Map No. 7126 recorded in Volume 60 of Certified Survey maps on pages 124-126 as Document No. 1863432, being a part of the NW 1/4 of the NE 1/4 and the NE 1/4 of the SW 1/4 of Section 12, T6N, R19E, City of Waukesha, Waukesha County, Wisconsin.

Excepting Therefrom:
All that part of Lot 2 of Certified Survey Map No. 7126 as recorded in Volume 60 of Certified Survey Maps on pages 124-126 as Document No. 1863432 and being a part of the Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4) and the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of Section 12, Town 6 North, Range 19 East, City of Waukesha, Waukesha County, Wisconsin, bounded and described as follows: Beginning at the northwest corner of said Lot 2; thence South 06°40'00" East along the west line of said Lot 2, 152.368 feet to the north right-of-way line of Springbrook North; thence northeasterly 31.605 feet along said north right-of-way line and along the arc of a curve of radius 936.644 feet, center lies to the south, chord of said arc bears North 84°18'00" East 31.604 feet; thence North 85°16'00" East along said north right-of-way line 66.000 feet; thence northeasterly 68.890 feet along said north right-of-way line and along the arc of a curve of radius 1273.263 feet, center lies to the south chord of said arc bears North 86°49'00" East 68.882 feet; thence North 01°38'00" West 142.283 feet to the north line of said Lot 2; thence South 88°56'53" West along the north line of said Lot 2, 179.664 feet to the place of beginning. Containing 25,300 square feet (0.581 acres) of land.

Further Excepting Therefrom:

All that part of Lot 2 of Certified Survey Map No. 7126 as recorded in Volume 60 of Certified Survey Maps on pages 124-126 as Document No. 1863432 and being a part of the Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4) and the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of Section 12, Town 6 North, Range 19 East, City of Waukesha, Waukesha County, Wisconsin, bounded and described as follows: Commencing at the northwest corner of said Lot 2; thence North 88°56'53" East along the north line of said Lot 2, 179.664 feet to the place of beginning of lands hereinafter described; thence South 01°38'00" East 142.283 feet to the north right-of-way line of Springbrook North; thence southeasterly 164.336 feet along said north right-of-way line and along the arc of a curve of radisus 1273.263 feet, center lies to the south, chord of said arc bears South 87°56'09" East 164.222 feet; thence North 05°45'42" East 152.278 feet to the north line of said Lot 2; thence South 88°56'53" West along the north line of said Lot 2, 183.489 feet to the place of beginning. Containing 22,240 square feet (0.579 acres) of land.

REEL 1989 IMAGE 0608
1995325

# THIRD AMENDMENT TO DECLARATION OF CONDOMINIUM

# OF

# ROSEWOOD VILLAGE II CONDOMINIUMS

THIS THIRD AMENDMENT to Declaration of condominium of Rosewood Village II Condominiums is made by Bielinski Bros. Builders, Inc., a Wisconsin corporation (hereinafter "Declarant"), pursuant to and in accordance with the provisions of the Condominium Ownership Act created by Chapter 703 of the Wisconsin Statutes and the Declaration of Condominium of Rosewood Village II Condominiums dated December 21, 1993, and recorded in the Office of the Register of Deeds for Waukesha County, Wisconsin on December 27, 1993, as Document No. 1918745 in Reel 1851, Images 0329-0356, hereinafter referred to as the "Declaration".

**WITNESSETH:**

In Article XIII of the Declaration, Declarant reserves the right to expand the Condominium by subjecting to the Declaration parts or all of the real estate described in Exhibit E of the Declaration (the "Expansion Real Estate") and also by constructing thereon, either before or after such expansion, no more than an additional twenty-four (24) units.

Declarant now desires to subject to the Declaration a portion of the Expansion Real Estate the Phase IV property and to construct thereon four (4) buildings consisting of sixteen (16) units.

The Phase IV property and the additional building and improvements thereon, together with the Condominium created under the Declaration, and the additional property, building and improvements added in the First Amendment to Declaration of Condominium recorded on May 19, 1994 as Document No. 1965551, and the Second Amendment to Declaration of Condominium recorded on July 22, 1994 as Document No. 1982085 shall be referred to herein jointly as the "Condominium". As used herein, the term "Unit Owner" shall mean the owner of a Unit in any building previously declared or declared herein, unless otherwise limited.

NOW, THEREFORE, Declarant, the fee owner of the Phase IV Property, pursuant to Article XIII of the Declaration, hereby amends the Declaration by submitting the Phase IV Property described in Exhibit 3-B-2 attached hereto and the additional building and improvements to the Condominium Ownership Act and the Declaration as though fully set forth herein at the time of recording the Declaration, subject to taxes and assessments not yet due and payable, municipal and zoning ordinances, recorded easements and restrictions, any other easements and/or rights in favor of gas, sanitary sewers, storm sewers, electric, telephone and water utilities, all other matters of record and the following restrictions and conditions:

1. Article I of the Declaration, paragraph 1 of the First Amendment to Declaration, in paragraph 1 of the Second Amendment to Declaration are hereby amended by striking the numbers "twelve (12)", "sixteen (16)", and "twenty-four (24)" therefrom and replacing them with the number "thirty-six (36)".

2. Article V of the Declaration, paragraph 2 of the First Amendment to Declaration, and paragraph 2 of the Second Amendment to Declaration are hereby amended by striking Section 1 and replacing it with the following:

> "1. Ownership. The ownership in each Unit shall include a 1/36th undivided interest in the Common Elements."

3. Exhibit A of the Declaration is amended by adding the legal description for Phase IV set forth on Exhibit 3-A attached hereto.

4. Exhibit B of the Declaration is amended to include Exhibit 3-B-1 and 3-B-2 attached hereto.

5. Exhibit C of the Declaration is hereby amended by adding to it the following:

All addresses are Waukesha, Wisconsin 53186:

| Unit No. | Unit Address | Unit Type |
|---|---|---|
| 1926A | 1926A Springbrook North | Ranch |
| 1926B | 1926B Springbrook North | Two Story |
| 1926C | 1926C Springbrook North | Two Story |
| 1926D | 1926D Springbrook North | Ranch |
| 1928A | 1928A Springbrook North | Ranch |
| 1928B | 1928B Springbrook North | Two Story |
| 1928C | 1928C Springbrook North | Two Story |
| 1928D | 1928D Springbrook North | Ranch |
| 1930A | 1930A Springbrook North | Ranch |
| 1930B | 1930B Springbrook North | Two Story |
| 1930C | 1930C Springbrook North | Two Story |
| 1930D | 1930D Springbrook North | Ranch |
| 1820A | 1820A Penhurst Way | Ranch |
| 1820B | 1820B Penhurst Way | Two Story |
| 1820C | 1820C Penhurst Way | Two Story |
| 1820D | 1820D Penhurst Way | Ranch |

6. Except as otherwise stated herein, the provisions of the Declaration shall be deemed to extend to Units in all buildings as though all had been fully set forth therein at the time of recording the Declaration.

Executed at Waukesha, Wisconsin, this 22nd day of September, 1994.

BIELINSKI BROS. BUILDERS, INC.

By: _____
Harry Bielinski, President

ATTEST:

_____
Frank Bielinski, Secretary

STATE OF WISCONSIN )
) SS.
COUNTY OF WAUKESHA )

Personally came before me this 22nd day of September, 1994, the above-named Harry Bielinski and Frank Bielinski, Officers of Bielinski Bros. Builders, Inc., to me known to be the persons who executed the foregoing instrument and acknowledged the same.

_____
Notary Public, Waukesha Co., WI
My Commission 11-24-96

THIS INSTRUMENT DRAFTED BY AND SHOULD BE RETURNED TO:

Attorney Richard R. Kobriger
Cramer, Multhauf & Hammes
1601 E. Racine Avenue, Suite 200
P.O. Box 558
Waukesha, WI 53187-0558

lab\bbb\rosewood\condo3.amd

NOTARY PUBLIC GLORIA J. RONGSTAD STATE OF WISCONSIN

1995325

REGISTER'S OFFICE } SS
WAUKESHA COUNTY, WIS }

94 SEP 23 AM 8:07

REEL 1989 IMAGE 0608

_____
REGISTER OF DEEDS

**EXHIBIT 3-A**

**LEGAL DESCRIPTION: FOR PHASE FOUR**

All that part of Lot 2 of Certified Survey Map No. 7126 as recorded in Volume 60 of Certified Survey Maps on pages 124-126 as Document No. 1863432 and being a part of the Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4) and the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of Section 12, Town 6 North, Range 19 East, City of Waukesha, Waukesha County, Wisconsin, bounded and described as follows: Commencing at the northwest corner of said Lot 2; thence North 88°56'53" East along the north line of said Lot 2, 363.153 feet to the place of beginning of the lands hereinafter described: thence South 05°45'42" West 152.278 feet to the north right-of-way line of Springbrook North, thence southeasterly 92.705 feet along said north right-of-way line and along the arc of a curve of radius 1273.263 feet, center lies to the south, chord of said arc bears South 82°09'09" East 92.685 feet, thence South 84°04'00" East 314.424 feet along said north right-of-way line thence southeasterly 110.646 feet along said north right-of-way line and along the arc of a curve of radius 388.533 feet, center lies to the north, chord of said arc bears South 88°13'30" East 110.272 feet, thence North 83°37'00" East 25.361 feet, along said north right-of-way line to the southeast corner of said Lot 2 and the west right-of-way line of Penhurst Way, thence northwesterly 28.551 along said west right-of-way line and along the arc of a curve of radius 629.183 feet, center lies to the east, chord of said arc bears North 02°21'00" West 28.548 feet, thence North 01°03'00" West 199.998 feet along said west right-of-way line to the northeast corner of said Lot 2, thence South 88°56'53" West 516.913 feet along the north line of said Lot 2 to the place of beginning. Containing 104,513 square feet (2.400 acres) of land.

# THIRD AMENDMENT TO CONDOMINIUM PLAT OF SURVEY

# ROSEWOOD VILLAGE II CONDOMINIUMS

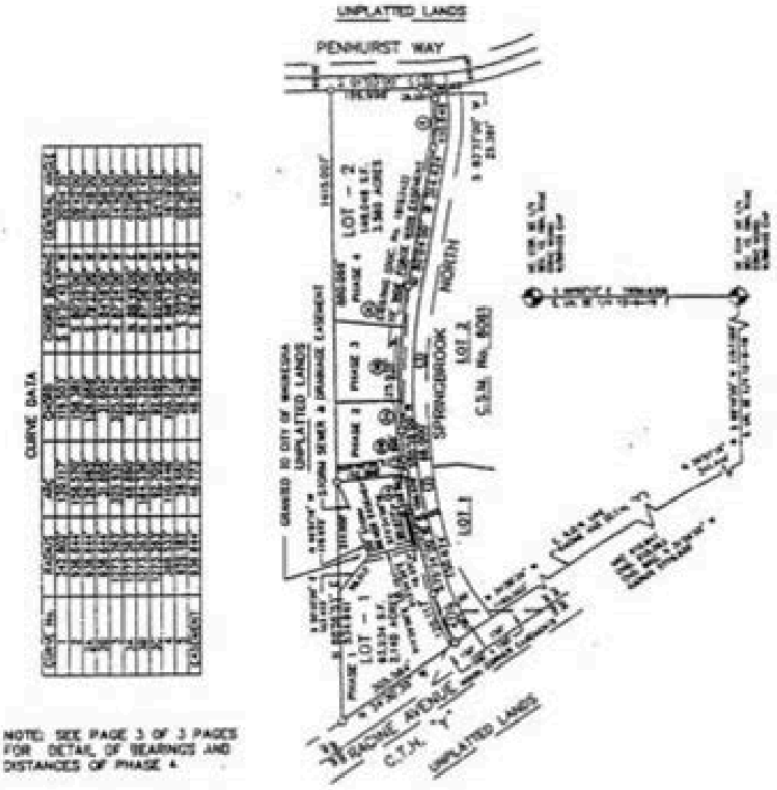
CITY OF WAUKESHA, WAUKESHA COUNTY, WISCONSIN.

LEGAL DESCRIPTION: SEE PAGE 2 OF 3 PAGES

Reference Bearing: The west line of the SE 1/4 of section 12, T8N, R19E, was used as the Reference Bearing and has an assumed bearing of North 00°07'12" West.

GRAPHIC SCALE

( 30 FEET )
1 inch = 200 ft.




NOTE: SEE PAGE 3 OF 3 PAGES FOR DETAIL OF BEARINGS AND DISTANCES OF PHASE 4.

CERTIFICATE OF SURVEYOR:

I, John W. Johnke, a registered land surveyor, authorized to practice that profession in the State of Wisconsin, do hereby certify that there is shown in the foregoing condominium Plat of Survey for the ROSEWOOD VILLAGE II CONDOMINIUMS, a correct representation of the condominium described in the Declaration. The identification and location of each and the common elements either as constructed or proposed can be determined from the Plat of Survey and the other documents and drawings attached.

JOHN W. JAHNKE - Wis. Reg. No. S-917
Dated this 20th day of September, 1994

STATE OF WISCONSIN
COUNTY OF WAUKESHA } ss.

The above certificate subscribed and sworn to me this 20th day of September, 1994

GERALDINE E. CHALLEY
My commission expires September 7, 1997

INSTRUMENT DRAFTED BY Kenneth L. Thomas

FILE No. WAUKESHA 717-MH-4

# THIRD AMENDMENT TO CONDOMINIUM PLAT OF SURVEY
# ROSEWOOD VILLAGE II CONDOMINIUMS
CITY OF WAUKESHA, WAUKESHA COUNTY, WISCONSIN.

## PHASE 4

ADDRESS: 1926, 1928, 1930, SPRINGBROOK NORTH & 1820 PENHURST WAY
CITY OF WAUKESHA, WAUKESHA COUNTY, WISCONSIN

LEGAL DESCRIPTION:

SEE PAGE 2 OF 3 PAGES FOR LEGAL DESCRIPTION

Reference Bearing: The west line of the SE 1/4 of section 13, T6N, R19E, was used as the Reference Bearing and has an assumed bearing of North 00°00'12" West.

CERTIFICATE OF SURVEYOR:

I, John W. Jahnke, a registered land surveyor, authorized to practice that profession in the State of Wisconsin, do hereby certify that there is shown in the foregoing condominium Plat of Survey for the ROSEWOOD VILLAGE II CONDOMINIUMS 1926, 1928, 1930, SPRINGBROOK NORTH and 1820 PENHURST WAY, a correct representation of the condominium described in the Declaration. The identification and location of each and the common elements either as-constructed or proposed can be determined from the Plat of Survey and the other documents and drawings attached.

JOHN W. JAHNKE – Wis. Reg. No. S-917
Dated this 20th day of September, 1994

STATE OF WISCONSIN )
COUNTY OF WAUKESHA ) ss.

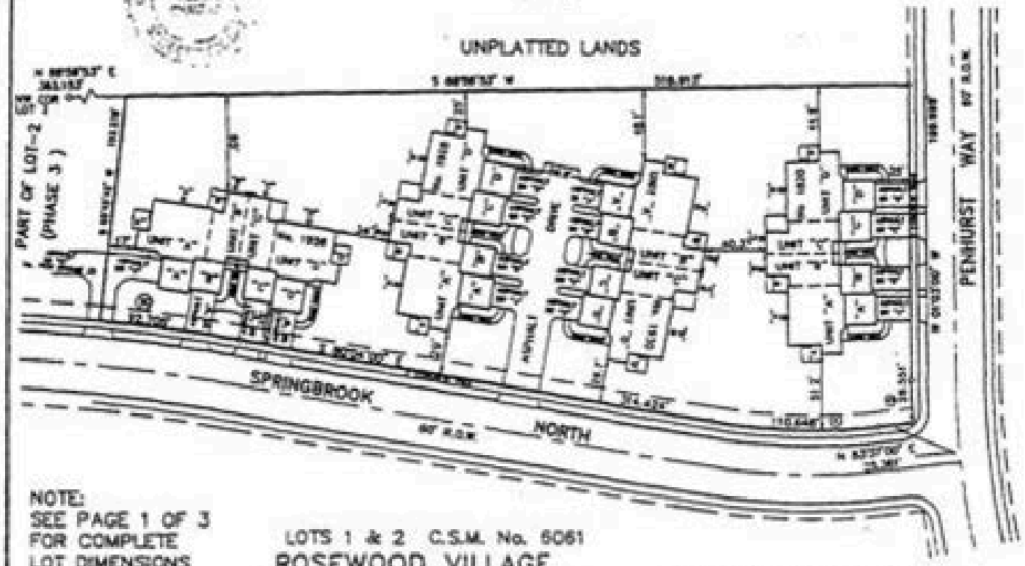
The above certificate subscribed and sworn to me this 20th day of September, 1994

GERALDINE L. CHALTRY
My commission expires: September 7, 1997

GRAPHIC SCALE

( IN FEET )
1 inch = 60 ft.

REFER TO PAGE 3 OF 4 PAGES OF CONDOMINIUM PLATS OF SURVEY FOR ROSEWOOD VILLAGE II CONDOMINIUMS RECORDED IN VOL. 2 OF CONDOMINIUM PLATS ON PAGES 241 – 244 AS DOCUMENT No. 1982993 FOR THE PLAT OF SURVEY FOR PHASE 3




NOTE:
SEE PAGE 1 OF 3 FOR COMPLETE LOT DIMENSIONS & EASEMENTS

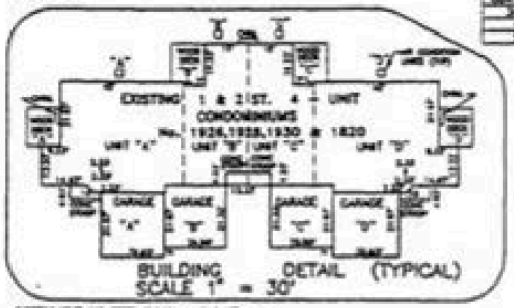
LOTS 1 & 2 C.S.M. No. 6061
ROSEWOOD VILLAGE
EXISTING CONDOMINIUMS

REFER TO PAGE 5 & 6 OF 6 PAGES CONDOMINIUM PLATS OF SURVEY FOR ROSEWOOD VILLAGE II CONDOMINIUMS RECORDED IN VOL. 2 OF CONDOMINIUM PLATS ON PAGES 173 – 178 AS DOCUMENT No. 1918744 FOR THE FLOOR PLANS OF BUILDING 1926,1928,1930 & 1820

NOTE:
The Limited Common Elements consists of the outside deck, patio or porche, if any, immediately adjacent and appurtenant to each unit to which it has access by a door from the Unit and the driveway immediately adjacent and appurtenant to the garage door to each unit.

CURVE DATA

| CURVE No. | RADIUS | ARC | CHORD | CHORD BEARING | CENTRAL ANGLE |
|---|---|---|---|---|---|
| C1 | 1170.00' | 165.39' | 165.25' | S 84°01'06" E | 08°06'00" |
| C2 | 1170.00' | 165.39' | 165.25' | S 76°00'06" E | 08°06'00" |
| C3 | 1170.00' | 165.39' | 165.25' | S 67°54'06" E | 08°06'00" |
| C4 | 1170.00' | 165.39' | 165.25' | S 59°48'06" E | 08°06'00" |




NOTE: The location and size of the underground structures and utilities shown hereon have been located to a reasonable degree of accuracy, but the Engineer does not guarantee their exact location or the location of others not shown.
Contact Diggers Hotline, Inc.

INSTRUMENT DRAFTED BY Kenneth L. Thomas

FILE No. WAUKESHA 717-PH 4

PAGE 3 OF 3 PAGES