



Document No.

FIRST AMENDMENT TO
DECLARATION OF CONDOMINIUM
OF THE PONDS OF GENOA CITY
CONDOMINIUM

Doc # 822000

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CONNIE J WOOLEVER
REGISTER OF DEEDS
WALWORTH COUNTY, WI
Fee Amount: \$30.00
Total Pages: 9

RETURN TO

Attorney Richard W. Torhorst
PO Box 1300
Lake Geneva, WI 53147

Parcel Identification Number (PIN)

FIRST AMENDMENT TO
DECLARATION OF CONDOMINIUM
OF THE PONDS OF GENOA CITY CONDOMINIUM

This amendment to declaration is made this 13th day of September, 2011, by Ponds Development Corp. an Illinois corporation hereinafter referred to as the "Declarant".

WITNESSETH

WHEREAS, the Declaration of Condominium of the Ponds of Genoa City, Condominium was executed by Declarant on November 8, 2006, and recorded in the office of the Register of Deeds for Walworth County, Wisconsin, on November 20, 2006, as Document Number 694149; and

WHEREAS, the Declarant expressly reserved the right to change the location and the size of the units in order to meet market requirements; and

WHEREAS, the Declarant is to record an Amendment to the Declaration describing the change of location and size of units, a description of the units as repositioned and changed in size together with any limited common elements, the change of percentage interest in each unit (determined in accordance with Section 5.01 of the Declaration), and modifications to the Declaration as may be necessary and desirable to accommodate such other provisions of the Declaration as may be affected by the changes in the size or number of units.

NOW, THEREFORE, the Declarant, as the holder of title to the declared but un-built Units, as an amendment to said Declaration, **DECLARES AS FOLLOWS:**

- A. **Change in Declared but un-built Buildings and Units.** The Buildings and Units, previously described in the Declaration of Condominium on Exhibit B relating to Building Numbers 55 and 56 and Unit Numbers 5501, 5502, 5503, 5504, 5601, 5602, 5603, and 5604 shall be deleted and the footprint and floor plans for Buildings 55 and 56 and Units 5501, 5502, 5601, and 5602 are as set forth on Exhibit A sheets 1 through 2 attached hereto.
- B. **Amended Percentage Interest in Voting.**
 - 1. The undivided percentage interest in the Common Elements (including Limited Common Elements) appurtenant to each unit in the Condominium as modified hereby shall be as set forth on Exhibit B attached hereto. Such interests shall be equal as to each unit.
 - 2. There shall be one (1) vote in the Association appurtenant to each residential unit in the modified and expanded Condominium.

- C. **Easements.** The declared area subject to the Condominium Laws and made part of the Condominium shall be subject to and benefited by the easements set forth in Article XV of the Declaration and as shown on the Condominium Plat.
- D. **Option to Expand the Condominium.** The Declarant hereby expressly reserves an option until the tenth (10th) anniversary of the recordation of Declaration to expand the Condominium upon the land described on Exhibit A of the Declaration and depicted on Exhibit B of the Declaration described and depicted as expansion area as provided in Article VI of the Declaration.
- E. **Confirmation of Declaration.** The provisions of the Declaration not specifically amended by this document will remain in full force and effect. The declared area submitted to the Wisconsin Condominium Act and subject to this Declaration shall be subject to the act and the provisions of the Declaration as if originally made part of the Declaration.

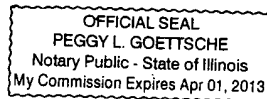
IN WITNESS WHEREOF, the Ponds Development Corp., Declarant has executed this document on the day and year first above written.

PONDS DEVELOPMENT CORP.

By: [Signature]
Name: Scott M. Dixon
Its: President

NOTARY

Name: [Signature]
Notary Public, State of Illinois
My Commission: 04-01-2013



CONSENT OF MORTGAGEE

The undersigned, being the holder of a mortgage executed by Ponds Development Corp. to the undersigned does hereby consent to all of the terms and conditions of the foregoing Declaration, and agrees that its interest in the Property shall be subject in all respects to the terms thereof.

Dated this 13 day of September, 2011.

AMERICAN COMMUNITY
BANK & TRUST

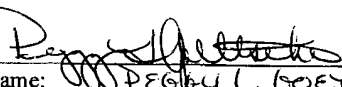
By: 

Name: Andrew Hartlieb

Its: President

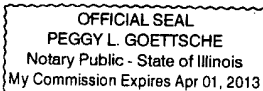
STATE OF ILLINOIS)
)
COUNTY OF MCHENRY) ss.

Personally came before me this 13 day of September 2011, Andrew Hartlieb, as President of American Community Bank & Trust, who acknowledged the foregoing document for the purposes recited therein on behalf of the same.

Name: 

Notary Public, State of Illinois

My Commission: 04-01-2013



CONSENT OF MORTGAGEE

Prime Genoa Properties, LLC, being the holder of a mortgage executed by Ponds Development Corp. to the undersigned, does hereby consent to all of the terms and conditions of the foregoing Declaration, and agrees that its interest in the Property shall be subject in all respects to the terms thereof.

Dated this 13 day of September, 2011.

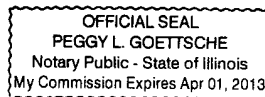
PRIME GENOA PROPERTIES, LLC
By: Prime Commercial Corp.,
Managing Member

By: [Signature]
Name: Scott M. Dixon
Its: President

STATE OF ILLINOIS)
)
COUNTY OF MCHENRY) ss.

Personally came before me this 13 day of September 2011, Scott M. Dixon, as President of Prime Commercial Corp., Managing Member of Prime Genoa Properties, LLC, who acknowledged the foregoing document for the purposes recited therein on behalf of the same.

[Signature]
Name: PEGGY L. GOETTSCHE
Notary Public, State of Illinois
My Commission: 04-01-2013



Document drafted by:

Attorney Richard W. Torhorst

[illegible]

REMOVED FUTURE PHASE INFORMATION -- 8/22/11 APC
REMOVED BUILDING LAYOUTS 43-48 1/7/11 APC

STATE OF FLORIDA)
) S.S.

I hereby certify that this coendymbiont plot is a correct representation of the coendymbiont described and the identification and location of each unit and common elements can be determined from this plot.

Detained at Woodstock, McHenry County.

Entered 12/3 AD, 2010.

VALUATION AND COSTING, B

Design Firm No. 104-00742
11/2/12

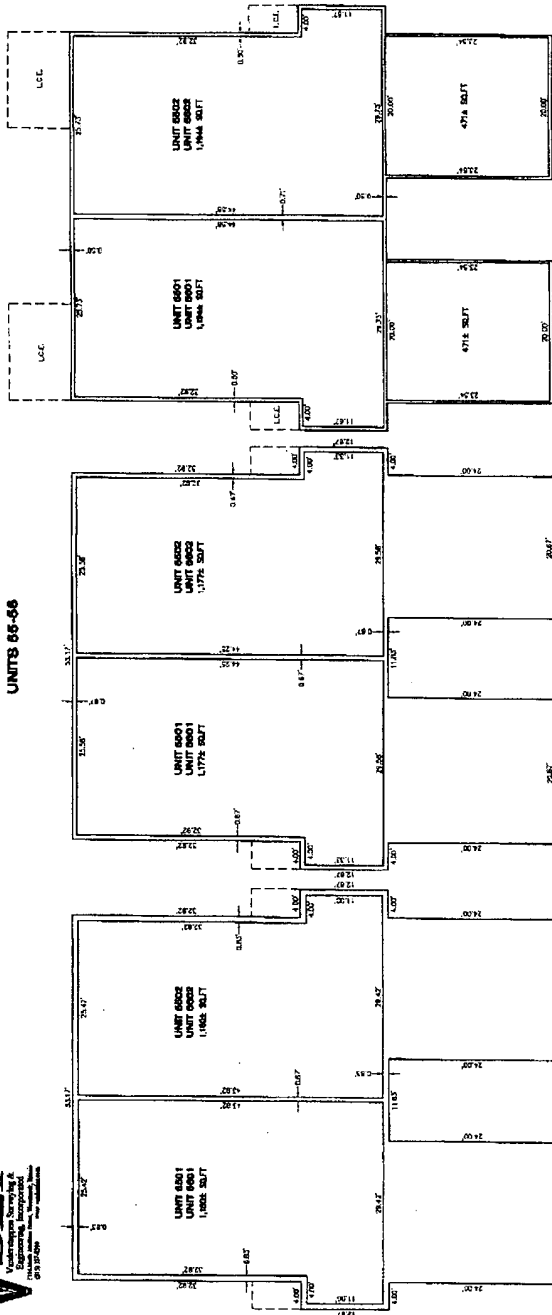
By: [Signature]
 [Name], Booked and [Name]

100-2177

Exhibit "A" Sheet 1

UNIT 8 85-58

ASH
Vulcanizing Sarcophag &
Engineering, Incorporated
7114 South Atlantic Blvd., Westmont, N.C.
919 337-2296 fax 919 337-2298



BASEMENT OPTION

I hereby certify that this concentration
plate is a correct representation of the
concentrations described and the
identification and location of each unit
and common elements can be
determined from this plate.

Dated at Woodlands, Monterey County,
January 12/3 A.D., 1910.

NOTE:
DIMENSION AND AREAS SHOWN ARE
PROPOSED AND BASED ON ARCHITECTURAL
PLANS PROVIDED TO THE SURVEYOR

RECEIVED FUTURE PHASE INFORMATION - 8/27/11 APC

CLINTON ENGINE COMPANY
ENGINE ATTACHE CLINTON, N.Y.
RECEIVED 12-10-1917 DEC. 20 11 A.M.
FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE
WASHINGTON, D.C.

~~CONFIDENTIAL~~

100-443887-100

Exhibit "A" Sheet 2

EXHIBIT "B"
PERCENTAGE OF INTEREST

UNDIVIDED PERCENTAGE INTEREST APPURTENANT TO EACH RESIDENTIAL UNIT

<u>UNIT NUMBER</u>	<u>PERCENTAGE INTEREST</u>
101	2.3255%
102	2.3255%
103	2.3255%
104	2.3255%
201	2.3255%
202	2.3255%
203	2.3255%
204	2.3255%
301	2.3255%
302	2.3255%
303	2.3255%
304	2.3255%
402	2.3255%
403	2.3255%
404	2.3255%
5501	2.3255%
5502	2.3255%
5601	2.3255%
5602	2.3255%
5701	2.3255%
5702	2.3255%
5703	2.3255%
5704	2.3255%
5801	2.3255%
5802	2.3255%
5803	2.3255%
5804	2.3255%
5901	2.3255%
5902	2.3255%
5903	2.3255%
5904	2.3255%
6001	2.3255%
6002	2.3255%
6003	2.3255%
6004	2.3255%
6101	2.3255%

6102	2.3255%
6103	2.3255%
6104	2.3255%
6201	2.3255%
6202	2.3255%
6203	2.3255%
6204	2.3255%

In the event of the Condominiums expanded in the accordance with the declaration, the Percentage Interest shown above and the Percentage Interest for the new Units shall be calculated according to the following formula:

$$\text{Percentage Interest of each Unit} = \frac{100}{\text{Total number of Units}}$$