Amendment to
Declaration of Condominium

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PARCEL IDENTIFICATION NUMBER (PIN)

## AMENDMENT TO DECLARATION OF CONDOMINIUM

THIS AMENDMENT TO DECLARATION OF CONDOMINIUM (the "Amendment"), .* is made this 8th day of June, 2007, by David Rice (the "Declarant").

* Original Condo Declaration was recorded on December 27,2005 as Document No. 9153478.

The following amendments are hereby made:

### ARTICLE V

### PERCENTAGE INTERESTS; VOTING

**5.01. Percentage Interests.** The undivided percentage interest in the Common Elements appurtenant to each Unit shall be divided as follows: Unit 203 (lower) thirty-three and one-third percent (33 1/3%), and Unit 205 (upper) sixty-six and two-thirds percent (66 2/3%).

**5.03. Voting.** Each Unit shall have one vote at meetings of the Association (as defined in Article VI).

### ARTICLE VI

### CONDOMINIUM ASSOCIATION

**6.06. General Assessments.** The Association shall levy monthly general assessments (the "General Assessments") against the Unit Owners for the purpose of maintaining a fund from which Common Expenses may be paid. The General Assessments against the Unit Owners shall be assessed in proportion to their percentage interests in the Common Elements. General Assessments shall be due in advance on the first day of each month, or in such other manner as the Association may set forth in the Bylaws. Any General Assessment not paid when due shall bear interest until paid, as set forth in the Bylaws and, together with interest, collection costs, and reasonable attorney fees, shall constitute a lien on the Unit on which it is assessed if a statement of condominium lien is filed within two (2) years after the assessment becomes due as provided in the Condominium Ownership Act. During the period of Declarant control of the Association under Section 703.15(2)(c) of the Wisconsin Statutes, no General Assessments shall be assessed against any Unit owned by Declarant. During the period of Declarant control, however, the General Assessments payable by any Unit Owner other than Declarant shall not exceed the amount that Unit Owner would be charged if Declarant's Units were subject to full

General Assessments, based on the annual operating budget then in effect. During the period of Declarant control, Declarant shall pay the deficit if the total General Assessments payable by Unit Owners other than Declarant do not cover total Common Expenses. Furthermore, if the Association has established a statutory reserve account under Section 703.163 of the Wisconsin Statutes, (a) no reserve fund assessments shall be levied against any Unit until a certificate of occupancy has been issued for that Unit, and (b) payment of any reserve fund assessments against any Unit owned by Declarant may be deferred until the earlier to occur of (i) the first conveyance of such Unit, or (ii) five years from the date exterior construction of the Building in which the Unit is located has been completed

All other provisions of the original Declaration of Condominium remain unchanged by this Amendment

IN WITNESS WHEREOF, Declarant has caused this instrument to be signed this day 8 of ~~May~~ June, 2007.

David Rice

AUTHENTICATION

Signature of David Rice authenticated this 11th June day of ~~May~~, 2007.

James R. Eby
Member: State Bar of Wisconsin
No. 1007304

This document drafted by
James R. Eby, Attorney at Law
4020 N. Wilson Dr.
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## Legal Description

Benchmark Condominiums, a condominium declared and existing under and by virtue of the Condominium Ownership Act of the State of Wisconsin, according to the declaration of condominium recorded in the Office of the Register of Deeds on December 27, 2005 as Document No. 9153478 and as amended. Located in the City of Milwaukee, Milwaukee County, Wisconsin.