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JOHN LA FAVE
REGISTER OF DEEDS
Milwaukee County, WI
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AMENDMENT #2 TO THE DECLARATION OF RESTRICTIONS AND COVENANTS OF JENNA PRAIRIE ESTATES ADDITION NO. 1

NAME AND RETURN ADDRESS: KAEREK BUILDERS, INC
11600 W. LINCOLN AVENUE
WEST ALLIS, WI 53227

PARCEL IDENTIFICATION NO.: 908-9018 / 908-9022

RESERVED FOR RECORDING DATA

THIS AMENDMENT #2 to the Declaration of Restrictions and Covenants of Jenna Prairie Estates Addition No. 1, (hereafter "Declaration"), is made and entered into this 14 day of October, 2011, by Kaerek Builders, Inc., (hereafter "Developer")

RECITALS:

WHEREAS, the legal description of Jenna Prairie Estates Addition No. 1, is as follows:

> JENNA PRAIRIE ESTATES ADDITION NO. 1, being a subdivision of Parcel 2 of Certified Survey Map No. 6994, Outlot 2 of Certified Survey Map No. 6700 and part of Parcel 1 of Certified Survey Map No. 7136 and lands, all located in the Northeast 1/4, Southeast 1/4, Southwest 1/4 and Northeast 1/4 of the Northeast 1/4 of Section 28, in Township 5 North, Range 22 East, in the City of Oak Creek, Milwaukee County, Wisconsin.

WHEREAS, Developer is the Owner of certain lots located within Jenna Prairie Estates Addition No. 1, and as such, is authorized to amend said Declaration pursuant to paragraph 10 (a) of the same; and,

WHEREAS, Developer wishes to amend the terms and conditions of the "Fencing" provisions set forth in paragraph 3 (d) of said Declaration;

NOW, THEREFORE, for valuable consideration and mutual covenants, the receipt and sufficiency of which is hereby acknowledged, and in accordance with the terms and provisions of paragraph 10 (a) of said Declaration, Developer hereby amends said Declaration as follows:

1. Paragraph 3 (d) of said Declaration is hereby deleted, and replaced with the following:

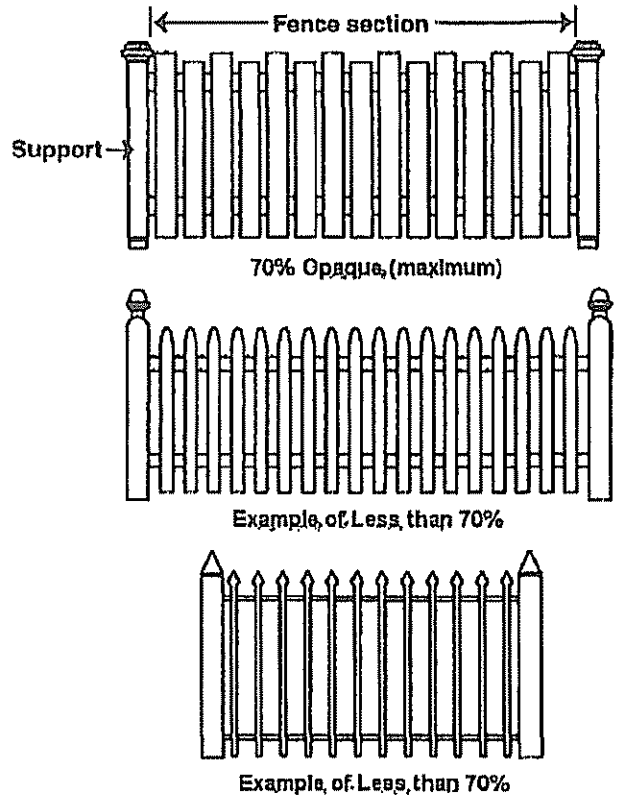
> d. **Fencing.** Residential fences are permitted with limitations and upon the issuance of a building permit, in the side and rear yards of residential districts. If the fence is located in a side yard or a rear yard and is placed on the property line or within ten (10) feet of the property line, the fence shall not exceed a height of four (4) feet. If the fence is located in the rear yard and is further than ten (10) feet from the property line, the fence shall not exceed six (6) feet in height. No fences shall be located closer than two (2) feet to any alley right-of-way. All residential fences shall not have an opacity that exceeds 70%, reference Fence Opacity section 3.d.1. Fence

must be approved by the ACC prior to installation and must comply with the City of Oak Creek codes. No permanent fencing shall be installed in front yard with exception of landscape-type fencing such as ornamental and split-rail. Front yard fencing shall be two-sided corner fencing **only** – not to exceed a maximum of three (3) feet in height and twelve (12) feet in length within either corner direction. Prohibited fence materials comprise of but not limited to: Chain Link, Chicken Wire, Barbed Wire, Snow Fence or Scrap Materials; all other materials to be approved by ACC. Fences shall be maintained in a condition of reasonable repair and appearance by its owner and shall not be allowed to become or remain in a condition of disrepair or danger, or become a nuisance.

d.1. **Fence Opacity**

Fence Opacity

Opacity (the degree to which light or views are blocked) is measured perpendicular to the fence for each fence section between supports.



2. Except as otherwise stated herein, all remaining terms and provisions of said Declaration shall, and do hereby remain in full force and effect without change or modification.

IN WITNESS, this Amendment has been enacted as of the day and year first above written.

KAEREK BUILDERS, INC.

Michael J. Kaerek, President

STATE OF WISCONSIN)
)SS
COUNTY OF MILWAUKEE)

Personally came before me, this 14 day of OCTOBER, 2011, the above named Michael J. Kaerek, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Notary Public
My Commission: 12/11/11

NOTARY PUBLIC
JAN FRANCKI
STATE OF WISCONSIN

Drafted By: Michael J. Kaerek