TIRA GLEN CONDOMINIUMS
DECLARATION OF CONDOMINIUM

Document Number | Document Title

DOCUMENT NUMBER
1079566
DECLARATION - CONDOMINIUM
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Louise I Principe, Register of Deeds
on 12/10/1997 at 3:45 PM
970055295 $32.00
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Recording Area

32

Name and Return Address
BERWICK PROPERTIES
4011 80th Street
Kenosha, WI 53142
Attn: Steve Mills

Title Company
Lakeside Title 262-656-1500
Jean - Bear Realtors Closer

Part of 04-122-13-236-105
Parcel Identification Number (PIN)

JMJ Enterprises
services the condo
262-654-7444

TIRA GLEN CONDOMINIUMS
DECLARATION OF CONDOMINIUM

THIS DECLARATION is made by BERWICK PROPERTIES, INC., a Wisconsin corporation, hereinafter referred to as the "Declarant";

WITNESSETH, THAT:

WHEREAS, the Declarant is the owner in fee simple of certain real estate, hereinafter described, located in the City of Kenosha, Kenosha County, Wisconsin; and

WHEREAS, the Declarant desires and intends by this Declaration to submit and subject said real estate, together with all buildings, structures, improvements and other permanent fixtures of whatsoever kind thereon, and all rights and privileges belonging or in anywise pertaining thereto, to the provisions of the Condominium Ownership Act of the State of Wisconsin as amended from time to time (hereinafter referred to as the "Act"); and

WHEREAS, the Declarant desires to establish certain rights and easements in, over and upon said real estate for the benefit of Declarant and the benefit of all future owners or occupants of the said real estate or any part thereof (which shall be known as Tira Glen Condominiums) and any unit or units thereof or therein contained, and to provide for the harmonious, beneficial and proper use and conduct of the property and all units, together with mutually beneficial restrictions and obligations with respect to the use and maintenance thereof; and

WHEREAS, the Declarant desires and intends that the several unit owners, mortgagees, occupants and other persons hereinafter acquiring any interest in the property shall at all times enjoy the benefits of, and shall hold their interests subject to the rights, easements, privileges and restrictions hereinafter set forth, all of which are declared to be in furtherance of a plan to promote, enhance and protect the common amenities and the cooperative aspect of ownership and to facilitate the proper administration of said property, and are established for the purpose of enhancing and protecting the value, desirability, appearance and aesthetics of the property; and

NOW, THEREFORE, the Declarant, as the holder of title of said real estate hereinafter described, and for the purpose hereinabove set forth, DECLARES AS FOLLOWS:

Section 1. Description of Land. The land which is the subject of this Declaration and upon which the condominium buildings and improvements are and will be located is in Kenosha County, Wisconsin, and is more particularly described as follows:

*Condominum Plat recorded December 10, 1997 as Document No. _____

A parcel of land located in the Northwest 1/4 of Section 13, Town 1 North, Range 22 East, City of Kenosha, Kenosha County, Wisconsin, more particularly described as follows: Lot 105 of Tirabassi Heights except the East 75' of said Lot 105.

Section 2. Name of Condominium. The name by which the condominium shall be identified is Tira Glen Condominiums.

Section 3. Description of Buildings. One building, designated as Building 1, containing six residential units is under construction in the location as shown on the Condominium Plat attached to this Declaration as Exhibit A. The condominium dwelling units in the residential building are called "units", and their boundaries are described in Section 4 of this Declaration. Declarant shall have no liability to any unit owner or mortgagee of a unit for any failure to commence or complete construction of any units, common elements, limited common elements, buildings, or other improvements to the property or condominium.

The residential building has two levels of living space. The building is constructed principally of concrete foundations and/or concrete footings, wood frame, brick, wood and concrete floors. The roofs are asphalt shingle. Each unit is connected to the municipal sewer and water system and has an individual hot water heater and individual heating and air conditioning systems. All utilities will be separately metered except for sewer and water.

Section 4. Description of Units.

A. The residential building has a number designation, and each residential unit has a letter designation, and the location and immediate common area and limited common area to which it has access are shown on the Condominium Plat attached to this Declaration as Exhibit A. Diagrammatic floor plans for the units are set forth on Sheets 2 and 3 of Exhibit A.

B. The boundaries of each unit, including the garage which is part of the unit, shall consist of that part of the cubic area of the building enclosed as follows:

1. Horizontal Boundaries:

a. The upper boundaries of the units shall be the plane of the undecorated, finished ceiling including the first layer of drywall and extended to an intersection with the vertical boundaries; and

b. The lower boundaries of the unit shall be the plane of the undecorated, finished floor extended to an intersection with the vertical boundaries.

2. Vertical Boundaries: The vertical boundaries of the unit shall be

the plane of the undecorated, finished interior of the perimeter walls including the first layer of drywall and extending to intersections with each other and with the upper and lower boundaries.

C. Each unit shall include the inner surfaces of the finished walls, ceilings and floors and all windows, moldings, window frames and doors (including all glass in doors and garage doors) in or appurtenant to a unit and its respective garage.

D. The units consist of and contain the following:

1. Unit A (sometimes referred to as "The Aiken") consists of a living room, dining room, kitchen, two bedrooms, a walk-in closet, two bathrooms, storage areas and a two-stall garage as shown on Sheet 2 of Exhibit A.

2. Unit B (sometimes referred to as "The Browning") consists of a living room, dining room, kitchen, two bedrooms, a walk-in closet, two bathrooms, and one-stall garage as shown on Sheet 2 of Exhibit A.

3. Unit C (sometimes referred to as "The Cummings") consists of a living room, kitchen, one bedroom, a walk-in closet, one bathroom, and a one-stall garage as shown on Sheet 3 of Exhibit A.

4. Unit D (sometimes referred to as "The Dickens") consists of a living room, dining room, kitchen, family room, two bedrooms, a walk-in closet, two bathrooms, storage areas and a two-stall garage as shown on Sheet 3 of Exhibit A.

5. Unit E (sometimes referred to as "The Emerson") consists of a living room, dining room, kitchen, two bedrooms, two walk-in closets, two bathrooms, a pantry and a two-stall garage as shown on Sheet 3 of Exhibit A.

6. Unit F (sometimes referred as to as "The Fairchild") consists of a living room, dining room, kitchen, two bedrooms, a walk-in closet, two bathrooms, a laundry room, a furnace/storage room, and a one-stall garage as shown on Sheet 3 of Exhibit A.

E. The structural portions of each building, any smoke detectors and fire alarms and the exterior surface of the garage door shall be common elements except as stated in Section 4C of this Declaration. Utility lines and plumbing equipment located outside of the units shall be repaired and maintained by and at the expense of the Tira Glen Condominiums Association, Inc. (the "Association"). The heating and air conditioning systems and water heater for each unit shall be considered part of the unit and repaired and maintained by and at the expense of the unit owner.

F. Each unit shall include the garage space as shown on Exhibit A and/or as described in subparagraph D above.

G. If any portion of the common or limited common elements shall encroach upon any unit, or if any unit shall encroach upon any other unit or upon a portion of the common or limited common elements as a result of the construction, reconstruction, or repair of the building, or as the result of settling or shifting of the building, a valid easement for the encroachment and for its maintenance shall exist so long as the building stands. The existing physical boundaries of a unit or common elements constructed or reconstructed in substantial conformity with the Condominium Plat shall be conclusively presumed to be the boundaries of the unit, regardless of the shifting, settlement or lateral movement of the building and regardless of minor variations between the physical boundaries described in this Declaration or shown on the Condominium Plat and the existing physical boundaries of any such unit or common element.

H. It is intended and understood that real estate taxes are to be separately taxed to each unit owner for his unit and his corresponding percentage of ownership in the common elements, as provided in the Act. In the event that for any year, such taxes are not separately taxed to each unit owner, but are taxed on the property as a whole, then each unit owner shall pay his proportionate share thereof in accordance with his respective percentage of ownership interest in the common elements.

I. Each unit owner shall pay for his own natural gas, cable TV, telephone, electricity and other utilities which are separately metered or billed to each user by the respective utility company. Utilities which are not separately metered or billed, such as water and sewer, shall be treated as part of the common expenses.

J. Each unit owner shall be responsible for his own insurance on the contents of his own unit, and his additions and improvements thereto and decorating and furnishings and personal property therein, and his personal property stored elsewhere on the property, and his personal liability, all to the extent not covered by the fire and liability insurance for all of the unit owners obtained as part of the common expenses.

Section 5. Description of Common Elements and Limited Common Elements.

A. The common elements and facilities consist of all of the condominium other than the units themselves.

B. All patios, balconies and the parking spaces adjacent to each garage door shall be part of the common area and not a part of any individual unit; however, as limited common elements, each unit owner shall be entitled to the exclusive use and possession of that patio, balcony and outdoor parking space, direct access to which is provided from the garage of his respective unit. A unit owner shall not paint or otherwise decorate or adorn or change the appearance of any such limited common element, patio or balcony, in any manner contrary to the rules and regulations as may be established by the Association.

Section 6. Interest in Common Areas and Voting Rights.

A. Each unit shall be treated as an individual property capable of independent use in fee simple ownership.

B. Each unit owner shall have an equal, undivided percentage interest in the common and limited common areas and facilities.

C. Each unit shall have one vote on matters submitted by the Association for decision.

D. The management of the common areas and limited common areas shall be controlled by the Association.

E. The owner of a unit, including the Declarant, shall be a member of the Association and subject to its rules and regulations either upon issuance of a final occupancy permit for said unit by the City of Kenosha, or when a particular unit is conveyed by the Declarant to an owner, whichever is sooner.

Section 7. Residential Use and Lease of Unit.

A. All units are restricted to residential use, except that the Declarant reserves the right to use units as sales models until all units in the condominium are sold by Declarant.

B. No owner shall lease or rent his unit for a term of less than six months.

Section 8. Service of Process. Service of process on the Declarant or the Association shall be made upon Stephen C. Mills, 4011 80th Street, Kenosha, Wisconsin 53140, until all units have been sold and conveyed, at which time the Association may designate a successor registered agent by the vote of a majority of a quorum present at any meeting of the Association.

Section 9. Damage or Destruction. In the event eighty percent (80%) or more of the number of units of the property are destroyed or substantially damaged, action by the Association, by vote of seventy-five percent (75%) or more of the common interest taken within ninety (90) days after such damage or destruction, shall be necessary to determine to rebuild, repair, or restore the property as more fully described in the Bylaws of the Association. Damage or destruction to a lesser extent shall be repaired or restored pursuant to an arrangement by the Board of Directors of the Association as provided by said Bylaws.

Section 10. Miscellaneous Matters.

A. All present and future owners and occupants of such owners, employees of owners, or any persons that in any manner use or come upon the property or any part thereof shall be subject to, and shall comply with, the provisions of this Declaration, the Articles and

Bylaws of the Association and the rules and regulations adopted pursuant thereto, as those instruments may be amended from time to time. The acceptance of a deed or conveyance, or the entering into of a lease, or the entering into occupancy of any unit shall constitute an acceptance of the provisions of such instruments, as they may be amended and in effect from time to time, by such owner or occupant. The provisions contained in such instruments shall be covenants running with the land and shall bind any person having at any time any interest or estate in such unit, as though such provisions were recited and fully stipulated in each deed, conveyance, or lease thereof. The enforcement thereof may be by such judicial proceedings as the Board of Directors of the Association may deem appropriate as well as by the provisions of the Wisconsin Condominium Ownership Act.

B. Declarant hereby reserves for the Association, acting by and in the discretion of its Board of Directors, the right to grant to the City of Kenosha, Kenosha County, or public or semi-public utility companies, or any cable TV company serving the property, easements, and rights-of-way for the erection, construction and maintenance of all poles, wires, pipes, cable and conduits for the transmission of electricity, telephone and for other purposes, for sewers, storm water drains, gas mains, water pipes and mains, and similar services, and for performing any public or quasi-public utility function that the Board of Directors may deem fit and proper for the improvement and benefit of the property. Such easements and rights-of-way shall be confined, so far as possible, in underground pipes, cables, or other conduits, with the right to do whatever may be necessary to carry out the purposes for which this easement is created.

C. A perpetual easement is hereby granted for the free and uninterrupted access to the grounds hereinbefore described for any and all legally designated law enforcement agencies and fire departments for the performance of their duties.

D. A perpetual easement is hereby granted for the free and uninterrupted access to the grounds hereinbefore described for any and all legally designated representatives of the United States Postal Service for the performance of their duties.

E. Each unit owner shall have the right to mortgage or encumber his own respective unit, together with his respective ownership interest in the common elements. No unit owner shall have the right or authority to mortgage or otherwise encumber in any manner whatsoever the property or any part thereof, except his own unit and his own respective ownership interest in the common elements as aforesaid.

Section 11. Termination. All of the unit owners may remove this condominium property from the provisions of the Wisconsin Condominium Ownership Act by an instrument to that effect duly executed and recorded in accordance with the provisions of Chapter 703 of the Wisconsin Statutes.

Section 12. Amending Declaration.

A. This Declaration may be amended by the affirmative vote of seventy-five percent

(75%) of all the unit owners and seventy-five percent (75%) of all mortgagees of units in the condominium. The amendment shall be evidenced by an appropriate certificate entitling the same to be recorded. Declarant reserves the right, for himself and his successors and assigns, to amend this Declaration at any time and from time to time, without a vote of unit owners, to reflect the commencement or completion of units. Prior to completion of construction of units, Declarant shall be deemed the owner of the percentage interests in the common elements for all proposed units.

B. No amendment shall change any unit's proportionate share of the common elements, common expenses, or voting rights, unless all owners of the condominium units shall approve thereof by a one hundred percent (100%) vote, nor shall any amendment change the rights of Declarant as contained in this Declaration.

Section 13. Expandable Condominium. Declarant owns additional land described as "Expansion Area" on Exhibit A hereto adjacent to the land which is the subject of this Declaration and more particularly described as follows:

> A parcel of land located in the Northwest 1/4 of Section 13, Town 1 North, Range 22 East, City of Kenosha, Kenosha County, Wisconsin, more particularly described as follows: Lots 106, 107, 108, and the East 75' of Lot 105 of Tirabassi Heights.

Declarant reserves the absolute and unqualified right, for the period of ten (10) years from the date of filing of the Declaration, for Declarant, Declarant's successors and assigns, and on behalf of each unit owner, to amend this Declaration to add a part or all of such land and any buildings constructed thereon to be a part of this condominium, until there is a total of not more than six buildings with six units in each building. Each unit's undivided interest in the common areas, common expenses and common surpluses, if any, shall be equal as set forth in Section 6 of this Declaration. .Declarant and Declarant's agents, assigns and contractors, shall at all times have an easement over, upon and across the common elements of the condominium for purposes of access to and from and the commencement, continuation and completion of construction of improvements to, the Expansion Area set forth on Exhibit A to this Declaration. Nothing contained herein shall be deemed to create an obligation or commitment on the part of the Declarant to add any property or to construct any additional units or common elements as part of this condominium, and neither the Association nor any unit owner shall have any rights in that regard. Declarant may, in his sole discretion, develop some, all, or none of the additional property and proposed building units shown on Exhibit A hereto. Declarant reserves the right to change the design, location and number of buildings, units and common elements to be constructed on the property described as Expansion Area on Exhibit A, provided that the maximum number of units in the condominium does not exceed thirty-six (36). This Declaration may also be amended by Declarant to interchange the types of units prior to the actual conveyance of any such unit and to change the location of any parking space serving a building prior to the initial conveyance of any unit in the building.

Section 14. Declarant's Initial Rights. Until such time as the Board of Directors of the Association provided for in this Declaration is formed, and until thirty (30) days after Declarant shall have consummated the sale of units aggregating seventy-five percent (75%) of all unit ownerships, the Declarant, or Declarant's successors or assigns, shall exercise the powers, rights, duties and functions of the Board of Directors and Association; provided, however, that the Declarant may relinquish such said powers, rights, duties and functions at any time after consummating the sale of units aggregating fifty-one percent (51%) of all unit ownerships. Declarant shall interpret the foregoing.

IN WITNESS WHEREOF, Berwick Properties, Inc. has caused this Declaration to be signed by its duly authorized president this 8th day of December, 1997.

BERWICK PROPERTIES, INC.

By: _____
Stephen C. Mills-President

State of Wisconsin)
) ss.
Kenosha County)

Personally came before me this 8th day of December, 1997, the above named Stephen C. Mills, to me known to be the President of Berwick Properties, Inc., duly authorized to execute the foregoing Declaration of Condominium and to me known to be the person who executed the foregoing Declaration of Condominium and acknowledge the same.

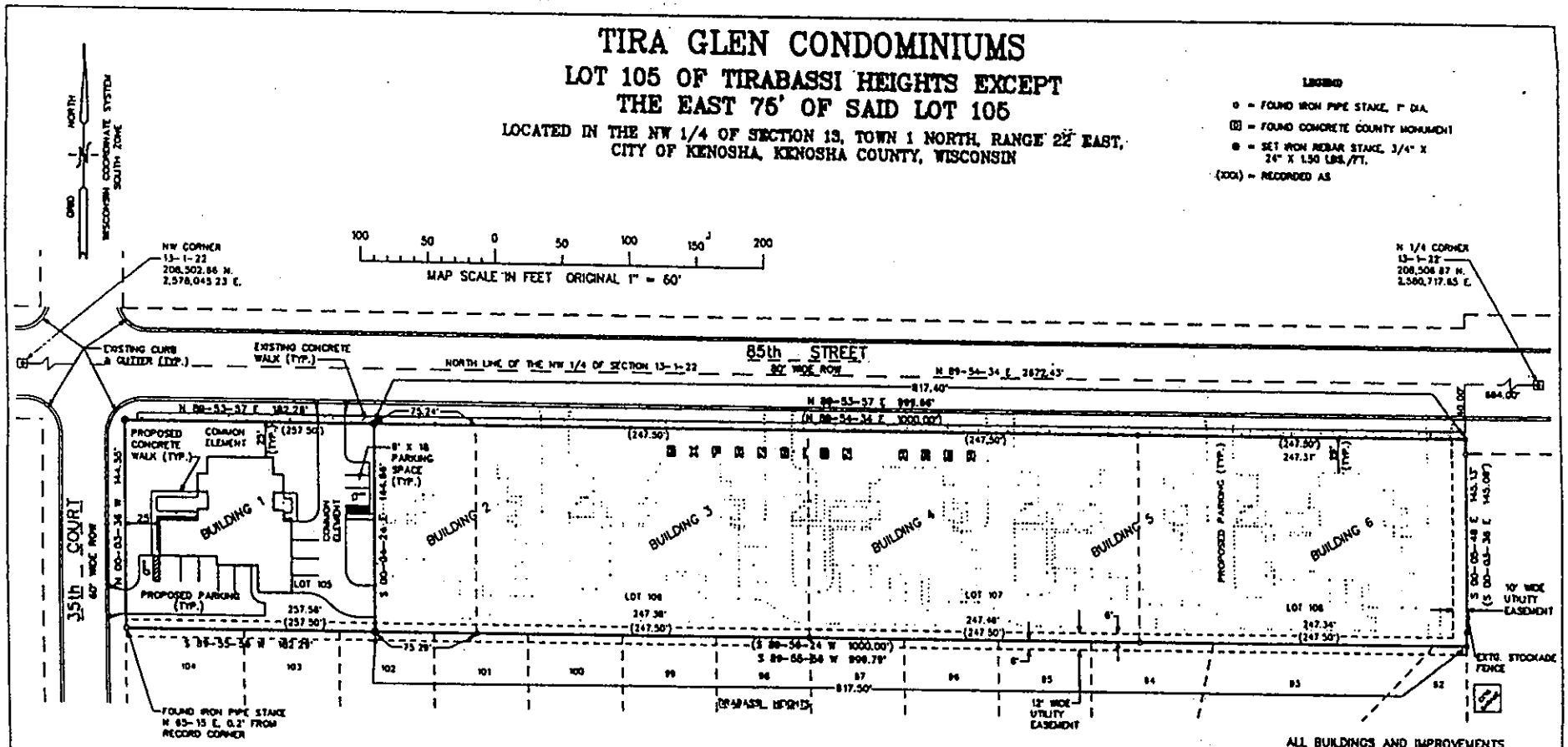
_____
R. William Phenicie
Notary Public, State of Wisconsin
My commission is permanent

This instrument was drafted by:
R. William Phenicie
Lloyd, Phenicie, Lynch & Kelly, S.C.
P.O. Box 700
Burlington, WI 53105

TIRA GLEN CONDOMINIUMS

LOT 105 OF TIRABASSI HEIGHTS EXCEPT THE EAST 75' OF SAID LOT 105

LOCATED IN THE NW 1/4 OF SECTION 13, TOWN 1 NORTH, RANGE 22 EAST, CITY OF KENOSHA, KENOSHA COUNTY, WISCONSIN



"I, PETER S. GORDON, A WISCONSIN REGISTERED LAND SURVEYOR, S-2101, DO HEREBY CERTIFY THAT THIS CONDOMINIUM PLAT IS A CORRECT REPRESENTATION OF THE CONDOMINIUM DESCRIBED AND THE IDENTIFICATION AND LOCATION OF EACH UNIT AND THE COMMON ELEMENTS CAN BE DETERMINED FROM THIS PLAT."

PETER S. GORDON R.L.S. 2101

11/24/97

WISCONSIN PETER S. GORDON S-2101 ELKHORN, WI LAND SURVEYOR

LEGAL DESCRIPTION FOR LANDS DECLARED

A PARCEL OF LAND LOCATED IN THE NORTHWEST 1/4 OF SECTION 13, TOWN 1 NORTH, RANGE 22 EAST, CITY OF KENOSHA, KENOSHA COUNTY, WISCONSIN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: LOT 105 OF TIRABASSI HEIGHTS EXCEPT THE EAST 75' OF SAID LOT 105.

LEGAL DESCRIPTION FOR EXPANSION AREA

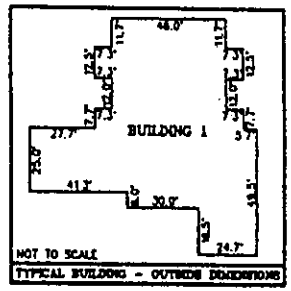
A PARCEL OF LAND LOCATED IN THE NORTHWEST 1/4 OF SECTION 13, TOWN 1 NORTH, RANGE 22 EAST, CITY OF KENOSHA, KENOSHA COUNTY, WISCONSIN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: LOTS 106, 107, 108, AND THE EAST 75' OF LOT 105 OF TIRABASSI HEIGHTS.

NOTE: SEE SHEETS 2 & 3 FOR TYPICAL BUILDING DIAGRAMS.

ALL PATIOS OR DECKS, AND THE PARKING SPACE(S) ADJACENT TO EACH GARAGE DOOR ARE LIMITED COMMON ELEMENT.

ALL OTHER AREAS, EXCEPT THE UNITS, ARE COMMON ELEMENT.

OWNER: BERWICK PROPERTIES, INC.
4011-80th STREET
KENOSHA, WI. 53142



TYPICAL BUILDING - OUTSIDE DIMENSIONS

ALL BUILDINGS AND IMPROVEMENTS SHOWN ON THIS EXHIBIT REPRESENT PROPOSED CONSTRUCTION NOT BEGUN AS OF THE DATE HEREOF.

UNIT DESIGNATIONS ARE B-U WHERE AS B=BUILDING NUMBER AND U=UNIT LETTER. (EXAMPLE: 1-C)

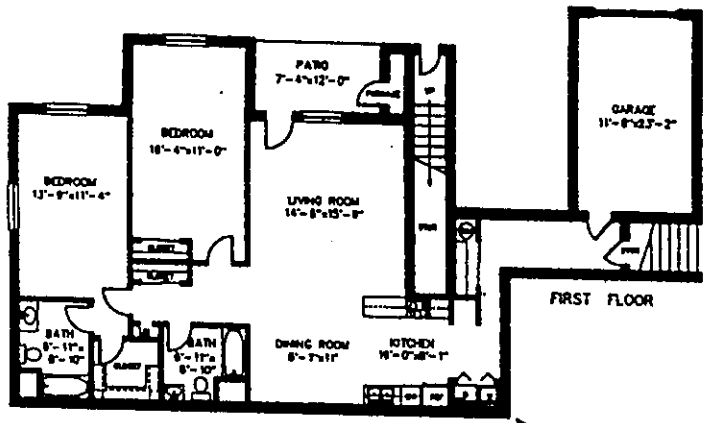
PROJECT 4742
DATE: 10/06/97
REVISED 11/21/97
SHEET 1 OF 3

FARRIS, HANSEN, & ASSOCIATES, INC.
ENGINEERING, ARCHITECTURE, & SURVEYING
7 RIDGWAY COURT P.O. BOX 437
ELKHORN, WISCONSIN 53121
OFFICE: (414) 723-2098
FAX: (414) 723-5866

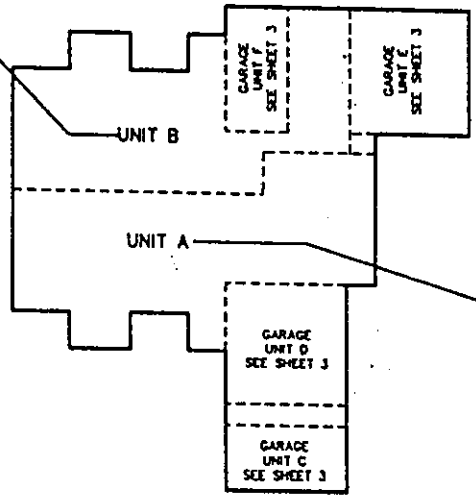
EXHIBIT A-Page 1 of 3

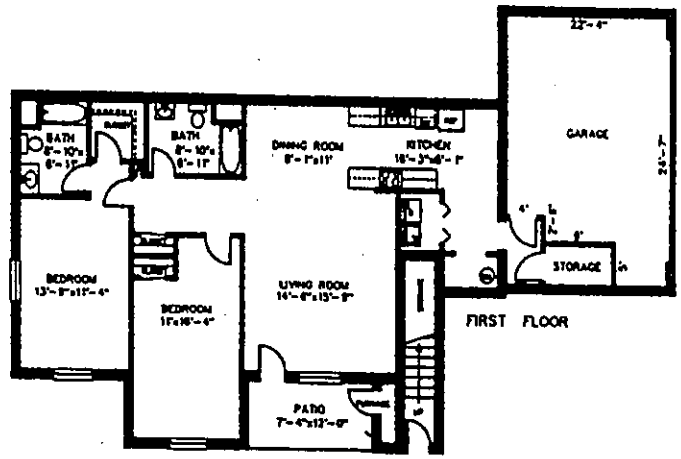
TIRA GLEN CONDOMINIUMS

TYPICAL BUILDING DIAGRAM
FIRST FLOOR



UNIT B
"THE BROWNING"





UNIT A
"THE AIKEN"

NOTE: BUILDINGS AND OTHER IMPROVEMENTS SHOWN ON THIS EXHIBIT REPRESENT PROPOSED CONSTRUCTION.

UNIT DESIGNATIONS ARE B-U WHERE AS B=BUILDING NUMBER AND U=UNIT LETTER. (EXAMPLE: 1-C)

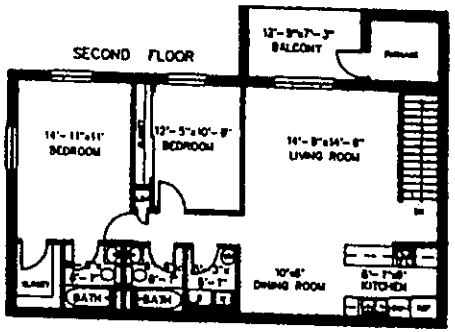
WISCONSIN PETER S. GORDON LAND SURVEYOR

11/24/97

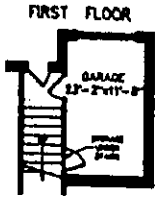
REVISED: 11/21/97
PROJECT NO. 4742
DATE: 10/06/1997
SHEET 2 OF 3

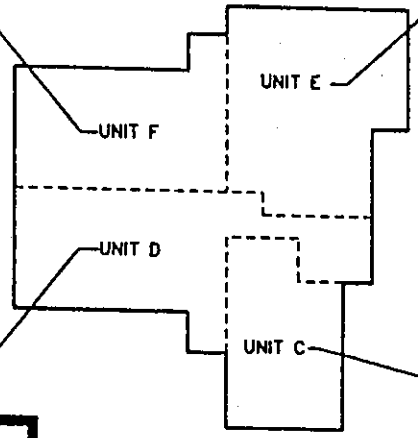
FARRIS, HANSEN, & ASSOCIATES, INC.
ENGINEERING, ARCHITECTURE, & SURVEYING
7 RIDGWAY COURT P.O. BOX 437
ELKHORN, WISCONSIN 53121
OFFICE: (414) 723-2090
FAX: (414) 723-5884

TIRA GLEN CONDOMINIUMS

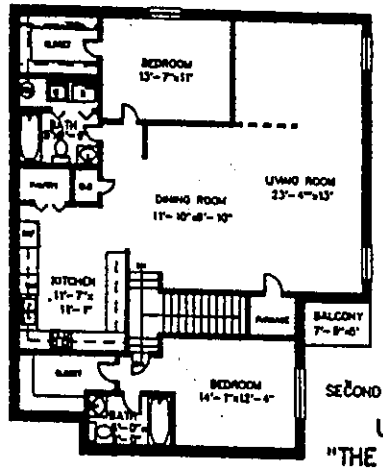


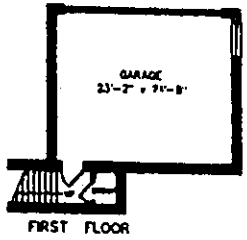
UNIT F
"THE FAIRCHILD"



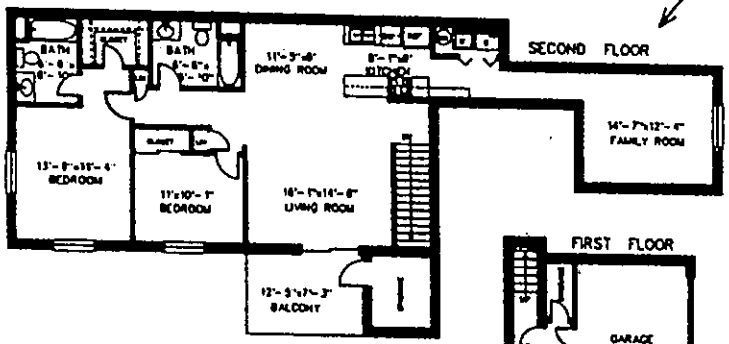


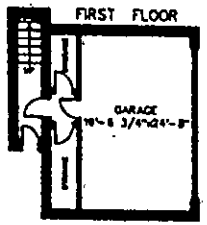
TYPICAL BUILDING DIAGRAM
SECOND FLOOR



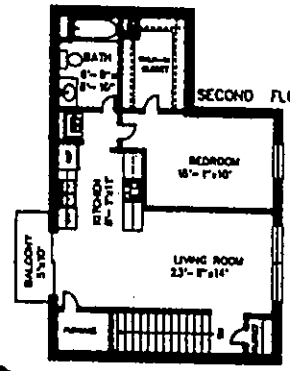


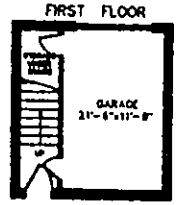
UNIT E
"THE EMERSON"





UNIT D
"THE DICKENS"





UNIT C
"THE CUMMINGS"

NOTE: BUILDINGS AND OTHER IMPROVEMENTS SHOWN ON THIS EXHIBIT REPRESENT PROPOSED CONSTRUCTION.

UNIT DESIGNATIONS ARE B–U WHERE AS B=BUILDING NUMBER AND U=UNIT LETTER. (EXAMPLE: 1–C)

WISCONSIN
PETER B. HANSEN
LAND SURVEYOR

11/21/97

REVISED: 11/21/97
PROJECT NO. 4742
DATE: 10/06/1997
SHEET 3 OF 3

FARRIS, HANSEN, & ASSOCIATES, INC.
ENGINEERING, ARCHITECTURE, & SURVEYING
7 RIDGWAY COURT P.O. BOX 437
ELKHORN, WISCONSIN 53121
OFFICE: (414) 723-3006
FAX: (414) 723-3666

AMENDMENT NUMBER ONE TO DECLARATION OF CONDOMINIUM FOR TIRA GLEN CONDOMINIUMS

Document Number

Document Title

DOCUMENT NUMBER
1094633
AMEND DECLARATION CONDO
RECORDED
at Kenosha County, Kenosha, WI 53140
Louise I Principe, Register of Deeds
on 4/27/1998 at 10:23 AM $22.00
9800187E1 REGDEED3
MAGI

Name and Return Address

Lakeside Title, Inc.

22

Part of 04-4-0122-13-236-105
Part of 04-4-0122-13-236-106
Part of 04-4-0122-13-236-107

Parcel Identification Number (PIN)

AMENDMENT NUMBER ONE
TO
DECLARATION OF CONDOMINIUM
FOR
TIRA GLEN CONDOMINIUMS

This Amendment to Declaration of Condominium is made and entered into by BERWICK PROPERTIES, INC., hereinafter referred to as the "Declarant".

R E C I T A L S:

WHEREAS, on December 8, 1997, the Declarant caused to be executed the Declaration of Condominium for Tira Glen Condominiums; and

WHEREAS, the Declaration of Condominium for Tira Glen Condominiums was recorded on December 10, 1997, as Document No. 1079566 at the office of the Kenosha County Register of Deeds; and Plat of Tira Glen Condominiums recorded as Document No. 1094632 ; and

WHEREAS, pursuant to the provisions of Section 13 of the Declaration of Condominium, the Declarant reserved the right to expand the condominium into and upon a certain area described in the Condominium Declaration and on the Condominium Plat as the "Expansion Area", and has also reserved the right to change the design, location and number of buildings and units to be constructed on the Expansion Area on certain terms and conditions; and

WHEREAS, the undersigned Declarant desires to expand the condominium pursuant to the provisions of the Declaration of Condominium.

D E C L A R A T I O N:

NOW, THEREFORE, Berwick Properties, Inc., as holder of title to the real estate hereinafter described, and for the purposes hereinabove set forth and hereinbefore set forth in the Declaration of Condominium for Tira Glen Condominiums, hereby declares as follows:

1. A portion of the real estate described as "Expansion Area" on Exhibit A to the original Declaration of Condominium for Tira Glen Condominiums and more particularly described on Exhibit A attached hereto, is hereby submitted and subjected to the provisions of the Condominium Ownership Act of the State of Wisconsin and is added to Tira Glen Condominiums and shall hereafter be part thereof. The legal description for the portion of the Expansion Area declared hereunder to be added to Tira Glen Condominiums is as follows:

A parcel of land located in the Northwest 1/4 of Section 13, Town 1 North, Range 22 East, City of Kenosha, Kenosha County, Wisconsin, more particularly described as follows: Commencing at the Northeast corner of Lot 108 of Tirabassi Heights on the Southerly line of 85th Street; thence S 89 deg 53 min 57 sec W, 336.00 feet along said Street and the North line of Lots 108 and 107 to the point of beginning; thence S 00 deg 06 min 03 sec E, 144.93 feet to the south line of Lot 107 of said Subdivision; thence S 89 deg 55 min 56 sec W, 481.48 feet along the south line of Lots 107, Lot 106, and part of Lot 105 to the East line of the declared area for Tira Glen Condominium; thence N 00 deg 04 min 19 sec W, 144.66 feet along said declared area to the South line of said 85th Street; thence N 89 deg 53 min 57 sec E, 481.40 feet to the point of beginning. Containing 69,710 square feet of land (1.60 acres) more or less.

The legal description for the real estate remaining as Expansion Area is as follows:

A parcel of land located in the Northwest 1/4 of Section 13, Town 1 North, Range 22 East, City of Kenosha, Kenosha County, Wisconsin, more particularly described as follows: Beginning at the Northeast corner of Lot 108 of Tirabassi Heights on the Southerly line of 85th Street; thence S 89 deg 53 min 57 sec W, 336.00 feet along said Street and the North line of Lots 108 and 107; thence S 00 deg 06 min 03 sec E, 144.93 feet to the South line of Lot 107 of said Subdivision; thence N 89 deg 55 min 56 sec E, 336.02 feet to the Southeast corner of Lot 108 of said Subdivision; thence N 00 deg 05 min 48 sec W, 145.13 feet to the point of beginning. Containing 48,730 square feet of land (1.12 acres) more or less.

2. Exhibit A (Sheet 1, 2 and 3) attached hereto and made a part hereof consists of a copy of the Condominium Plat describing the design, location and number of buildings and units constructed and to be constructed on the area to be added to the condominium ("Amendment No. 1"), the legal description of the portion of the Expansion Area added to the condominium, the legal description of the remaining Expansion Area, and the typical building diagrams for the Units to be constructed within Amendment No. 1.

3. Condominium Units A through F of Buildings 2, 3 and 4 shall be subject to the use, occupancy and other regulations and all benefits and obligations provided in the Declaration of Condominium and the Bylaws of Tira Glen Condominiums.

4. Except as set forth herein, all provisions of the Declaration of Condominium hereinbefore described are continued in full force and effect.

TIRA GLEN CONDOMINIUMS
AMENDMENT NO. 1
PART OF LOTS 105, 106, AND 107
OF TIRABASSI HEIGHTS SUBDIVISION

LOCATED IN THE NW 1/4 OF SECTION 13, TOWN 1 NORTH, RANGE 22 EAST,
CITY OF KENOSHA, KENOSHA COUNTY, WISCONSIN

NOTE: SEE SHEETS 2 & 3 FOR TYPICAL BUILDING DIAGRAMS.

ALL PATIOS OR DECKS, AND THE PARKING SPACE(S) ADJACENT TO EACH GARAGE DOOR ARE LIMITED COMMON ELEMENT.

ALL OTHER AREAS, EXCEPT THE UNITS, ARE COMMON ELEMENT.

NORTH
GRID
WISCONSIN COORDINATE SYSTEM SOUTH ZONE

MAP SCALE IN FEET ORIGINAL 1" = 60'
100 50 0 50 100 150 200

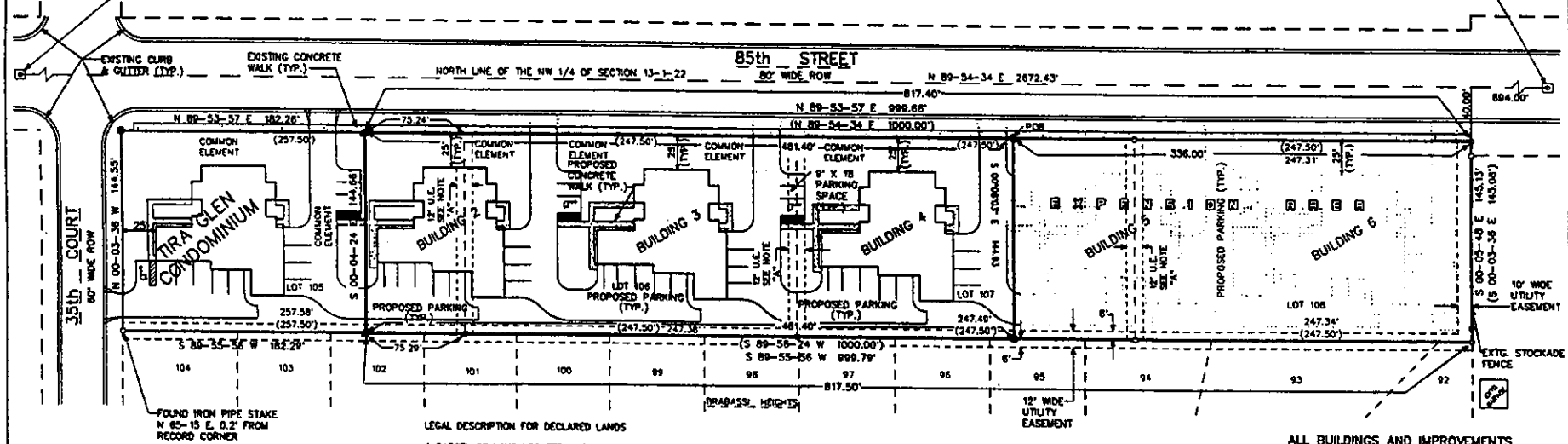
NOTE "A"
12' UTILITY EASEMENT SHOWN ON ORIGINAL PLAT TO BE RELEASED.

LEGEND
- o = FOUND IRON PIPE STAKE, 1" DIA.
- ⊡ = FOUND CONCRETE COUNTY MONUMENT
- ● = SET IRON REBAR STAKE, 3/4" X 24" X 1.50 LBS./FT.
- (XXX) = RECORDED AS
- ◤ = FOUND IRON REBAR STAKE

OWNER: BERWICK PROPERTIES, INC.
4011-80th STREET
KENOSHA, WI. 53142

NW CORNER
13-1-22
208,502.66 N.
2,578,045.23 E.

N 1/4 CORNER
13-1-22
208,506.87 N.
2,580,717.65 E.



"I, PETER S. GORDON, A WISCONSIN REGISTERED LAND SURVEYOR, S-2101, DO HEREBY CERTIFY THAT THIS CONDOMINIUM PLAT IS A CORRECT REPRESENTATION OF THE CONDOMINIUM DESCRIBED AND THE IDENTIFICATION AND LOCATION OF EACH UNIT AND THE COMMON ELEMENTS CAN BE DETERMINED FROM THIS PLAT."

PETER S. GORDON R.L.S. 2101
4/21/1998

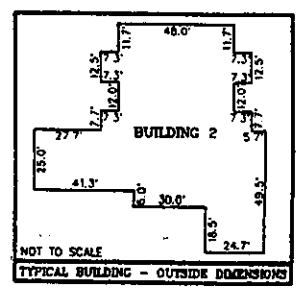
WISCONSIN PETER S. GORDON S-2101 ELKHORN, WI LAND SURVEYOR

LEGAL DESCRIPTION FOR DECLARED LANDS

A PARCEL OF LAND LOCATED IN THE NORTHWEST 1/4 OF SECTION 13, TOWN 1 NORTH, RANGE 22 EAST, CITY OF KENOSHA, KENOSHA COUNTY, WISCONSIN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF LOT 108 OF TIRABASSI HEIGHTS ON THE SOUTHERLY LINE OF 85th STREET; THENCE S 89DEG 53MIN 57SEC W, 336.00 FEET ALONG SAID STREET AND THE NORTH LINE OF LOTS 106 AND 107 TO THE POINT OF BEGINNING; THENCE S 00DEG 06MIN 03SEC E, 144.93 FEET TO THE SOUTH LINE OF LOT 107 OF SAID SUBDIVISION; THENCE S 89DEG 55MIN 56SEC W, 481.48 FEET ALONG THE SOUTH LINE OF LOTS 107, LOT 106, AND PART OF LOT 105 TO THE EAST LINE OF THE DECLARED AREA FOR TIRA GLENN CONDOMINIUM; THENCE N 00DEG 04MIN 19SEC W, 144.86 FEET ALONG SAID DECLARED AREA TO THE SOUTH LINE OF SAID 85th STREET; THENCE N 89DEG 53MIN 57SEC E, 481.40 FEET TO THE POINT OF BEGINNING. CONTAINING 69,710 SQUARE FEET OF LAND (1.60 ACRES) MORE OR LESS.

LEGAL DESCRIPTION FOR EXPANSION AREA

A PARCEL OF LAND LOCATED IN THE NORTHWEST 1/4 OF SECTION 13, TOWN 1 NORTH, RANGE 22 EAST, CITY OF KENOSHA, KENOSHA COUNTY, WISCONSIN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 108 OF TIRABASSI HEIGHTS ON THE SOUTHERLY LINE OF 85th STREET; THENCE S 89DEG 53MIN 57SEC W, 336.00 FEET ALONG SAID STREET AND THE NORTH LINE OF LOTS 106 AND 107; THENCE S 00DEG 06MIN 03SEC E, 144.93 FEET TO THE SOUTH LINE OF LOT 107 OF SAID SUBDIVISION; THENCE N 89DEG 55MIN 56SEC E, 336.02 FEET TO THE SOUTHEAST CORNER OF LOT 108 OF SAID SUBDIVISION; THENCE N 00DEG 05MIN 48SEC W, 145.13 FEET TO THE POINT OF BEGINNING. CONTAINING 48,730 SQUARE FEET OF LAND (1.12 ACRES) MORE OR LESS.



TYPICAL BUILDING - OUTSIDE DIMENSIONS

ALL BUILDINGS AND IMPROVEMENTS SHOWN ON THIS EXHIBIT REPRESENT PROPOSED CONSTRUCTION NOT COMPLETED AS OF THE DATE HEREOF.

UNIT DESIGNATIONS ARE B-U WHERE AS B=BUILDING NUMBER AND U=UNIT LETTER. (EXAMPLE: 2-C)

PROJECT 4742.1
DATE: 04/20/98
SHEET 1 OF 3

FARRIS, HANSEN, & ASSOCIATES, INC.
ENGINEERING, ARCHITECTURE, & SURVEYING
7 RIDGWAY COURT P.O. BOX 437
ELKHORN, WISCONSIN 53121
OFFICE: (414) 723-2098
FAX: (414) 723-5886

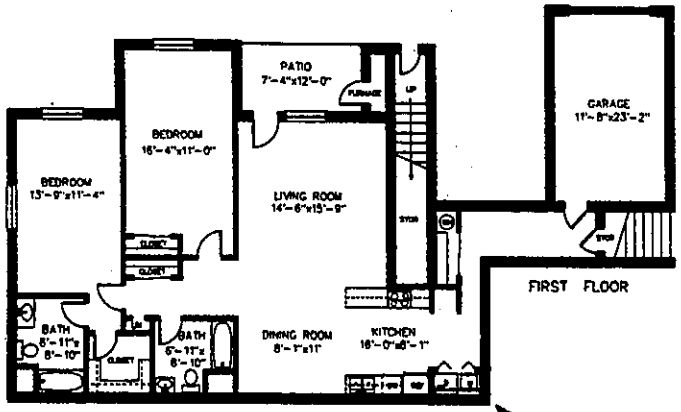
EXHIBIT A-Sheet 1

TIRA GLEN CONDOMINIUMS
AMENDMENT NO. 1

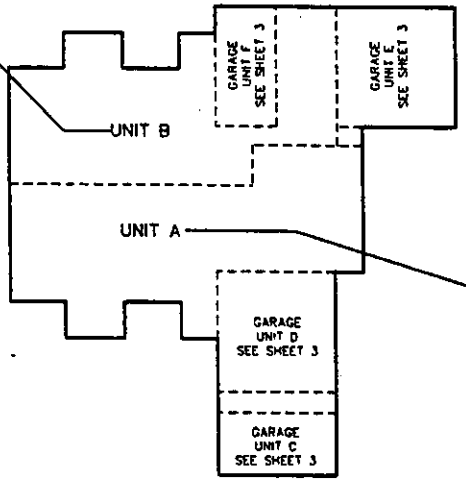
PART OF LOTS 105, 106, AND 107
OF TIRABASSI HEIGHTS SUBDIVISION

LOCATED IN THE NW 1/4 OF SECTION 13, TOWN 1 NORTH, RANGE 22 EAST,
CITY OF KENOSHA, KENOSHA COUNTY, WISCONSIN

TYPICAL BUILDING DIAGRAM
FIRST FLOOR

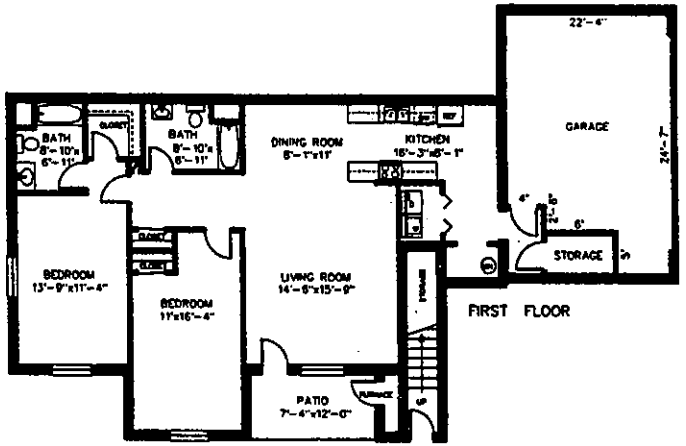


UNIT B
"THE BROWNING"



NOTE: BUILDINGS AND OTHER IMPROVEMENTS SHOWN ON THIS EXHIBIT REPRESENT PROPOSED CONSTRUCTION NOT COMPLETED AS OF THE DATE OF THIS PLAT.

UNIT DESIGNATIONS ARE B-U WHERE AS B=BUILDING NUMBER AND U=UNIT LETTER. (EXAMPLE: 1-C)



UNIT A
"THE AIKEN"

4/21/98

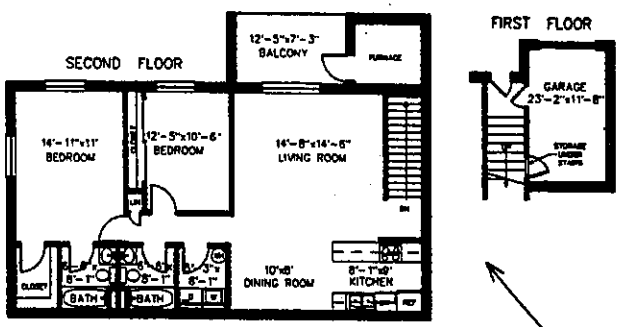
WISCONSIN
PETER S. GORDON
S-2102
ELKHORN, WI
LAND SURVEYOR

PROJECT NO. 4742
DATE: 04/20/1998
SHEET 2 OF 3

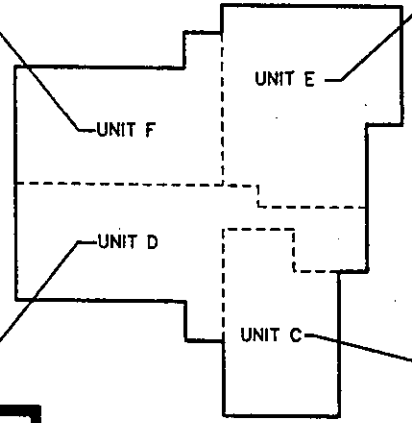
FARRIS, HANSEN, & ASSOCIATES, INC.
ENGINEERING, ARCHITECTURE, & SURVEYING
7 RIDGWAY COURT P.O. BOX 437
ELKHORN, WISCONSIN 53121
OFFICE: (414) 723-2088
FAX: (414) 723-5888

EXHIBIT A-Sheet 2

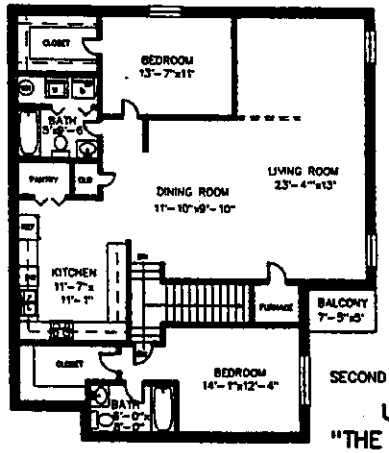
TIRA GLEN CONDOMINIUMS
AMENDMENT NO. 1



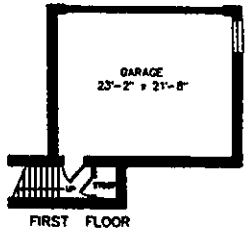
UNIT F
"THE FAIRCHILD"



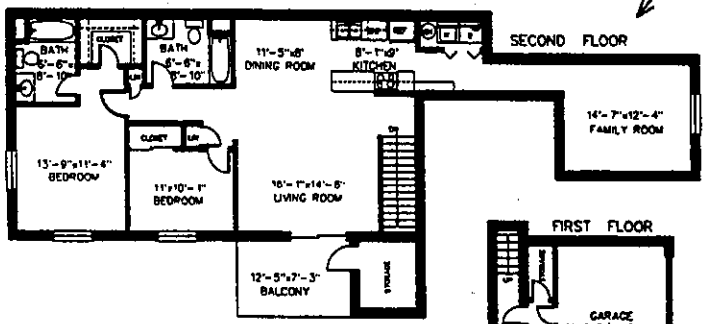
TYPICAL BUILDING DIAGRAM
SECOND FLOOR



SECOND FLOOR
UNIT E
"THE EMERSON"



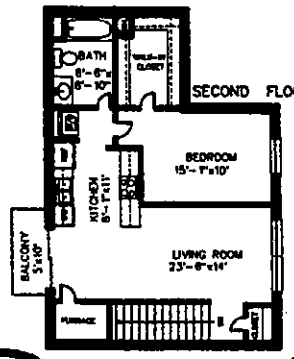
FIRST FLOOR

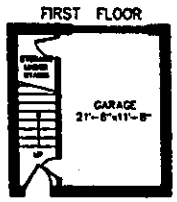


UNIT D
"THE DICKENS"

NOTE: BUILDINGS AND OTHER IMPROVEMENTS SHOWN ON THIS EXHIBIT REPRESENT PROPOSED CONSTRUCTION NOT COMPLETED AS OF THE DATE OF THIS PLAT.

UNIT DESIGNATIONS ARE B-U WHERE AS B=BUILDING NUMBER AND U=UNIT LETTER. (EXAMPLE: 1-C)





UNIT C
"THE CUMMINGS"

4/21/98

WISCONSIN
PETER S. GORDON
S-2102
ELKHORN, WI
LAND SURVEYOR

PROJECT NO. 4742
DATE: 04/20/1998
SHEET 3 OF 3

FARRIS, HANSEN, & ASSOCIATES, INC.
ENGINEERING, ARCHITECTURE, & SURVEYING
7 RIDGWAY COURT P.O. BOX 437
ELKHORN, WISCONSIN 53121
OFFICE: (414) 723-2098
FAX: (414) 723-5866

EXHIBIT A-Sheet 3

AMENDMENT NUMBER TWO TO
DECLARATION OF CONDOMINIUM FOR
TIRA GLEN CONDOMINIUMS

Document Number

Document Title

DOCUMENT NUMBER
1103028

AMEND DECLARATION CONDO
RECORDED
at Kenosha County, Kenosha, WI 53140
Louise I Principe, Register of Deeds
on 7/01/1998 at 2:16 PM $18.00
980030237 REGDEED2
PATC

Recording Area

Name and Return Address

Lakeside Title, Inc.

18 -

Pt. 04-4-0122-13-236-001 (Lot 1)
Pt. 04-4-0122-13-236-002 (Lot 2)
Pt. 04-4-0211-13-236-002 (Lot 3)

Parcel Identification Number (PIN)

THIS PLAT AND DECLARATION ARE BEING RECORDED SOLEY TO REDEFINE THE EXPANSION AREA AS ORIGINALLY STATED ON THE PLAT, DECLARATION AND AMENDMENT NO. 1 PLAT AND AMENDED DECLARATION*

AMENDMENT NUMBER TWO
TO
DECLARATION OF CONDOMINIUM
FOR
TIRA GLEN CONDOMINIUMS

This Amendment to Declaration of Condominium is made and entered into by BERWICK PROPERTIES, INC., hereinafter referred to as the "Declarant".

R E C I T A L S:

WHEREAS, on December 8, 1997, the Declarant caused to be executed the Declaration of Condominium for Tira Glen Condominiums; and

WHEREAS, the Declaration of Condominium for Tira Glen Condominiums was recorded on December 10, 1997, as Document No. 1079566 at the office of the Kenosha County Register of Deeds; and

WHEREAS, the Declaration of Condominium for Tira Glen Condominiums was amended by Amendment Number One to Declaration of Condominium recorded April 27, 1998, as Document No. 1094633 at the office of the Kenosha County Register of Deeds; and

WHEREAS, pursuant to the provisions of Section 12 of the Declaration of Condominium, the Declaration may be amended by the affirmative vote of seventy-five percent (75%) of all the unit owners in the Condominium; and

WHEREAS, the Declarant is the owner of more than seventy-five percent (75%) of the units and proposed units in the Condominium as of the date hereof; and

WHEREAS, the undersigned Declarant desires to amend the Condominium Declaration by providing for additional expansion area and by making other amendments and clarifications thereto.

D E C L A R A T I O N:

NOW, THEREFORE, Berwick Properties, Inc., as holder of title to the real estate hereinafter described as additional expansion area, and for the purposes hereinabove set forth and hereinbefore set forth in the Declaration of Condominium for Tira Glen Condominiums and Amendment No. One thereto, hereby declares as follows:

1. Real estate described as "Additional Expansion Area" on Exhibit A attached hereto (entitled Amendment No. 2 to Tira Glen Condominiums Redefining Platted Expansion Area), is hereby submitted and subjected to the provisions of the Condominium Ownership Act of the State of Wisconsin and is added to Tira Glen Condominiums and shall hereafter be part thereof. The legal description for the Additional Expansion Area declared hereunder to be added to Tira Glen Condominiums is as follows:

Lots 2 and 3 and the East 55 feet of Lot 1 of TIRABASSI HEIGHTS, a subdivision of part of the Northwest and Northeast Quarters of the Northwest Quarter of Section 13, Town 1 North, Range 22 East of the Fourth Principal Meridian, lying and being in the City of Kenosha, County of Kenosha and State of Wisconsin.

Tax Key No.: Part of 04-4-0122-13-236-001 (Lot 1)
04-4-0122-13-236-002 (Lot 2)
04-4-0122-13-236-003 (Lot 3)

The legal description for all of the real estate remaining as Expansion Area is as follows:

A parcel of land located in the Northwest 1/4 of Section 13, Town 1 North, Range 22 East, City of Kenosha, Kenosha County, Wisconsin, more particularly described as follows: Beginning at the Northeast corner of Lot 108 of Tirabassi Heights on the Southerly line of 85th Street; thence S 89 deg 53 min 57 sec W, 336.00 feet along said Street and the North line of Lots 108 and 107 to the East line of the Declared Area for Tira Glen Condominium; thence along said Declared Area, S 00 deg 06 min 03 sec E, 144.93 feet to the South line of Lot 107 of said Subdivision; thence N 89 deg 55 min 56 sec E, 336.02 feet to the Southeast corner of Lot 108 of said Subdivision; thence N 00 deg 05 min 48 sec W, 145.13 feet to the point of beginning. And also, a parcel of land described as follows: Lots 2, 3 and the East 55 feet of Lot 1 of said Tirabassi Heights. Containing a total of 120,915 square feet (2.77 acres) of land, more or less.

2. Exhibit A attached hereto and made a part hereof consists of a copy of the Amendment No. 2 to Tira Glen Condominiums Redefining Platted Expansion Area, describing the location and number of buildings and units constructed and to be constructed in the Declared Area and the Expansion Area, the legal description for the Declared Lands and the legal description for the Expansion Area.

3. The last sentence of the first paragraph of Section 3 of the Declaration of Condominium shall be amended to read as follows: "Declarant shall have no liability to any unit owner or mortgagee of a unit for any failure to commence or complete construction of any proposed units, common elements, limited common elements, buildings, or other improvements to the property or condominium shown to be located in the Expansion Area."

4. The provisions of the second sentence of Section 13 of the Declaration of Condominium, reserving the absolute and unqualified right to the Declarant to amend the Declaration by adding the Expansion Area shall be amended to read as follows: "Declarant reserves the absolute and unqualified right, for the period of seven (7) years from the date of filing the Declaration, for Declarant, Declarant's successors and assigns, and on behalf of each unit owner, to amend this Declaration to add a part or all of such land and any buildings constructed thereon to be part of this Condominium until there is a total of not more than nine (9) buildings with six (6) units in each building."

5. Except as set forth herein, all provisions of the Declaration of Condominium as amended are continued in full force and effect.

IN WITNESS WHEREOF, the undersigned, Stephen C. Mills, President of Berwick Properties, Inc., has executed this Amendment Number Two to Tira Glen Condominiums this 29 day of June, 1998.

Stephen C. Mills
President
Berwick Properties, Inc.

State of Wisconsin)
) ss
Kenosha County)

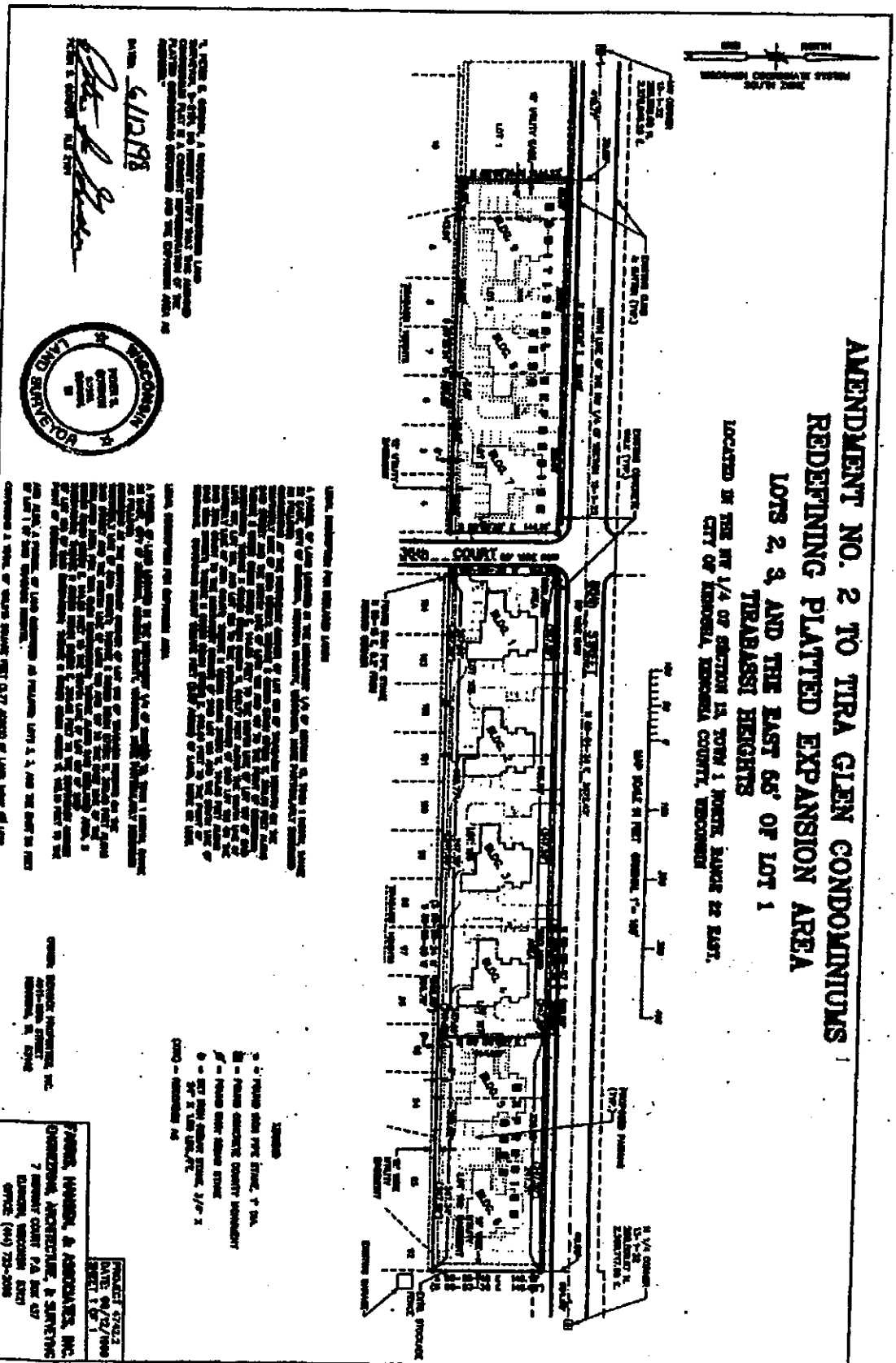
Personally came before me this 29th day of June, 1998, the above named Stephen C. Mills, President of Berwick Properties, Inc., to me known to be the person who executed the foregoing instrument and acknowledge the same on behalf of said corporation.

Notary Public, Kenosha County, Wisconsin
My commission expires 6/17/01

This instrument drafted by
R. William Phenicie
Lloyd, Phenicie, Lynch & Kelly, S.C.
P.O. Box 700
Burlington, Wisconsin 53105

BERWICK\TiraGlen\Amend.Two

EXHIBIT A


AMENDMENT NO. 2 TO TIRA GLEN CONDOMINIUMS
REDEFINING PLATTED EXPANSION AREA
LOTS 2, 3, AND THE EAST 55' OF LOT 1
TIRABASSI HEIGHTS
LOCATED IN THE NW 1/4 OF SECTION 13, TOWN 1 NORTH, RANGE 22 EAST,
CITY OF KENOSHA, KENOSHA COUNTY, WISCONSIN
WISCONSIN LAND SURVEYOR
FARRIS, HANSEN, & ASSOCIATES, INC.
ENGINEERING, ARCHITECTURE, & SURVEYING

Document Number

AMENDMENT NUMBER THREE TO DECLARATION OF CONDOMINIUM FOR TIRA GLEN CONDOMINIUMS

Document Title

DOCUMENT NUMBER
1145526
AMEND DECLARATION CONDO
RECORDED
at Kenosha County, Kenosha, WI 53140
Louise I Principe, Register of Deeds
on 5/24/1999 at 10:48 AM $22.00
990022286
BAND
REQUESTED

Recording Area

Name and Return Address
Lakeside Title, Inc.

22

04-4-0122-13-236-111
Parcel Identification Number (PIN)

AMENDMENT NUMBER THREE
TO
DECLARATION OF CONDOMINIUM
FOR
TIRA GLEN CONDOMINIUMS

This Amendment to Declaration of Condominium is made and entered into by BERWICK PROPERTIES, INC., hereinafter referred to as the "Declarant". Together with Tira Glen Condominiums Amendment No. 3 Plat recorded as Document No. 1145524.

RECITALS:

WHEREAS, on December 8, 1997, the Declarant caused to be executed the Declaration of Condominium for Tira Glen Condominiums; and

WHEREAS, the Declaration of Condominium for Tira Glen Condominiums was recorded on December 10, 1997, as Document No. 1079566 at the office of the Kenosha County Register of Deeds; and

WHEREAS, the Declaration of Condominium for Tira Glen Condominiums was amended by Amendment Number One to Declaration of Condominium recorded April 27, 1998, as Document No. 1094633 at the office of the Kenosha County Register of Deeds; and

WHEREAS, the Declaration of Condominium for Tira Glen Condominiums was amended by Amendment Number Two to Declaration of Condominium recorded on July 1, 1998, as Document No. 1103028 at the office of the Kenosha County Register of Deeds; and

WHEREAS, pursuant to the provisions of Section 13 of the Declaration of Condominium, the Declarant reserved the right to expand the condominium into and upon a certain area described in the Condominium Declaration and on the Condominium Plat as the "Expansion Area", and has also reserved the right to change the design, location and number of buildings and units to be constructed on the Expansion Area on certain terms and conditions; and

WHEREAS, the undersigned Declarant desires to expand the condominium pursuant to the provisions of the Declaration of Condominium.

DECLARATION:

NOW, THEREFORE, Berwick Properties, Inc., as holder of title to the real estate hereinafter described, and for the purposes hereinabove set forth in the Declaration of Condominium for Tira Glen Condominiums as amended, hereby declares as follows:

1. A portion of the real estate described as "Expansion Area" on Exhibit A to the original Declaration of Condominium for Tira Glen Condominiums and more particularly described as "Legal Description For Declared Lands" on Exhibit A attached hereto, is hereby submitted and subjected to the provisions of the Condominium Ownership Act of the State of Wisconsin and is added to Tira Glen Condominiums and shall hereafter be part thereof. The legal description for the portion of the Expansion Area declared hereunder to be added to Tira Glen Condominiums is as follows:

> A parcel of land located in the Northwest 1/4 of Section 13, Town 1 North, Range 22 East, City of Kenosha, Kenosha County, Wisconsin, more particularly described as follows: Beginning at the northeast corner of Lot 108 of Tirabassi Heights Subdivision on the southerly right of way line of 85th Street; thence S 00 deg 05 min 48 sec E, 145.13 feet to the southeast corner of said Lot 108; thence S 89 deg 55 min 56 sec W, 336.02 feet; thence N 00 deg 06 min 03 sec W, 144.93 feet to the southerly right of way line of said 85th Street; thence along said street, N 89 deg 53 min 57 sec E, 336.00 feet to the point of beginning. Containing 48,731 square feet (1.11 acres) of land, more or less.

The legal description for the real estate remaining as Expansion Area is as follows:

> A parcel of land located in the Northwest 1/4 of Section 13, Town 1 North, Range 22 East, City of Kenosha, Kenosha County, Wisconsin, more particularly described as follows: Lots 2, 3 and the east 55 feet of Lot 1 of Tirabassi Heights Subdivision. Containing 72,169 square feet (1.65 acres) of land, more or less.

2. Exhibit A (Sheet 1, 2 and 3) attached hereto and made a part hereof consists of a copy of the Tira Glen Condominiums Amendment Number Three Plat describing the design, location and number of buildings and units constructed and to be constructed on the area to be added to the condominium, the legal description of the portion of the Expansion Area added to the condominium, the legal description of the remaining Expansion Area, and the typical building diagrams for the Units to be constructed within the Declared Area for Amendment Number Three.

3. Condominium Units 1, 2, 3, 4, 5 and 6 of Buildings 5 and 6 shall be subject to the use, occupancy and other regulations and all benefits and obligations provided in the Declaration of Condominium and the Bylaws of Tira Glen Condominiums as amended.

4. Except as set forth herein, all provisions of the Declaration of Condominium hereinbefore described and amended are continued in full force and effect.

IN WITNESS WHEREOF, the undersigned, Stephen C. Mills, President of Berwick Properties, Inc., has executed this Amendment Number Three to Tira Glen Condominiums this 20 day of May, 1999.

Stephen C. Mills
President
Berwick Properties, Inc.

State of Wisconsin)
) ss
Kenosha County)

Personally came before me this 20th day of May, 1999, the above named Stephen C. Mills, President of Berwick Properties, Inc., to me known to be the person who executed the foregoing instrument and acknowledge the same on behalf of said corporation.

R. William Phenicie
Notary Public, State of Wisconsin
My commission is permanent

This instrument drafted by
R. William Phenicie
Lloyd, Phenicie, Lynch & Kelly, S.C.
P.O. Box 700
Burlington, Wisconsin 53105

BERWICK\TiraGlen\Amend.Thr

TIRA GLEN CONDOMINIUMS AMENDMENT NO. 3

PART OF LOTS 107 & 108 OF TIRABASSI HEIGHTS SUBDIVISION

LOCATED IN THE NW 1/4 OF SECTION 13, TOWN 1 NORTH, RANGE 22 EAST,
CITY OF KENOSHA, KENOSHA COUNTY, WISCONSIN

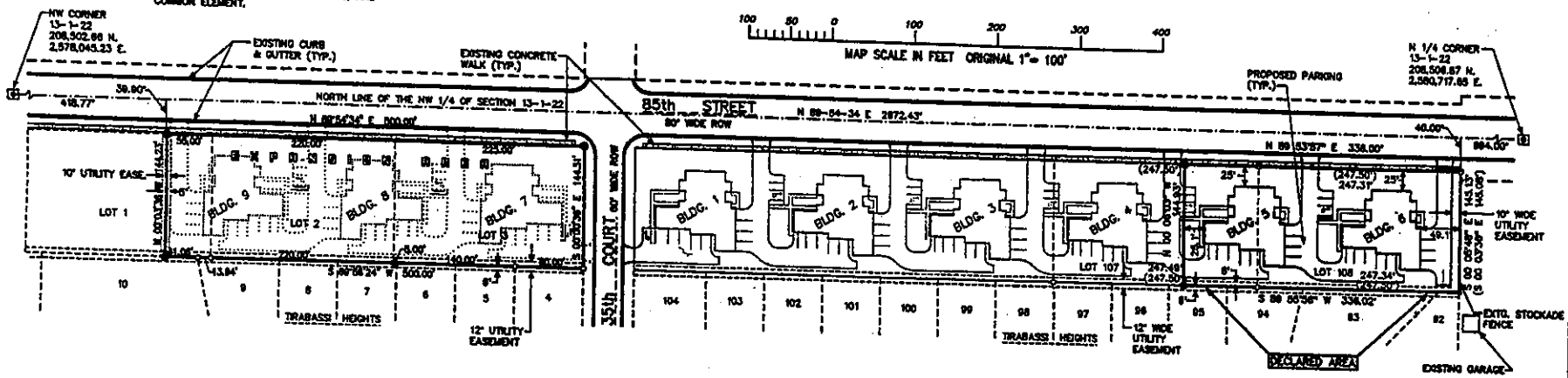
NORTH
GRID
WISCONSIN COORDINATE SYSTEM SOUTH ZONE

NOTE: SEE SHEETS 2 & 3 FOR TYPICAL BUILDING DIAGRAMS.

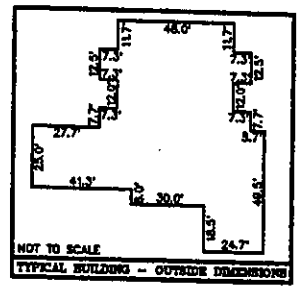
ALL PATIOS OR DECKS, AND THE PARKING SPACE(S) ADJACENT TO EACH GARAGE DOOR ARE LIMITED COMMON ELEMENT.

ALL OTHER AREAS, EXCEPT THE UNITS, ARE COMMON ELEMENT.

LEGEND
- o = FOUND IRON PIPE STAKE, 1" DIA.
- ⊡ = FOUND CONCRETE COUNTY MONUMENT
- ● = FOUND IRON REBAR STAKE
- ⌀ = SET IRON REBAR STAKE, 3/4" X 24" X 1.50 LBS./FT.
- (000) = RECORDED AS



OWNER: BERWICK PROPERTIES, INC.
4011-80th STREET
KENOSHA, WI. 53142



TYPICAL BUILDING - OUTSIDE DIMENSIONS

LEGAL DESCRIPTION FOR DECLARED LANDS

A PARCEL OF LAND LOCATED IN THE NORTHWEST 1/4 OF SECTION 13, TOWN 1 NORTH, RANGE 22 EAST, CITY OF KENOSHA, KENOSHA COUNTY, WISCONSIN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 108 OF TIRABASSI HEIGHTS SUBDIVISION ON THE SOUTHERLY RIGHT OF WAY LINE OF 85th STREET; THENCE S 00DEG 05MIN 46SEC E, 145.13 FEET TO THE SOUTHEAST CORNER OF SAID LOT 108; THENCE S 89DEG 56MIN 56SEC W, 336.02 FEET; THENCE N 00DEG 03MIN 03SEC W, 144.93 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF SAID 85th STREET; THENCE ALONG SAID STREET, N 89DEG 53MIN 57SEC E, 338.00 FEET TO THE POINT OF BEGINNING. CONTAINING 48,731 SQUARE FEET (1.11 ACRES) OF LAND, MORE OR LESS.

LEGAL DESCRIPTION FOR EXPANSION AREA

A PARCEL OF LAND LOCATED IN THE NORTHWEST 1/4 OF SECTION 13, TOWN 1 NORTH, RANGE 22 EAST, CITY OF KENOSHA, KENOSHA COUNTY, WISCONSIN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: LOTS 2, 3, AND THE EAST 66 FEET OF LOT 1 OF TIRABASSI HEIGHTS SUBDIVISION. CONTAINING 72,199 SQUARE FEET (1.65 ACRES) OF LAND, MORE OR LESS.

NOTE: BUILDINGS AND OTHER IMPROVEMENTS SHOWN ON THIS EXHIBIT REPRESENT PROPOSED CONSTRUCTION NOT COMPLETED AS OF THE DATE OF THIS PLAT.

UNIT DESIGNATIONS ARE B-U WHERE AS B=BUILDING NUMBER AND U=UNIT NUMBER. (EXAMPLE: 5-3)

WISCONSIN
PETER S. GORDON
S-2101
ELKHORN, WI
LAND SURVEYOR

"I, PETER S. GORDON, A WISCONSIN REGISTERED LAND SURVEYOR, S-2101, DO HEREBY CERTIFY THAT THIS CONDOMINIUM PLAT IS A CORRECT REPRESENTATION OF THE CONDOMINIUM DESCRIBED AND THE IDENTIFICATION AND LOCATION OF EACH UNIT AND THE COMMON ELEMENTS CAN BE DETERMINED FROM THIS PLAT."

PETER S. GORDON R.L.S. 2101 — MAY 14, 1999

FARRIS, HANSEN, & ASSOCIATES, INC.
ENGINEERING, ARCHITECTURE, & SURVEYING
7 RIDGWAY COURT P.O. BOX 437
ELKHORN, WISCONSIN 53121
OFFICE: (414) 723-2098
FAX: (414) 723-5886

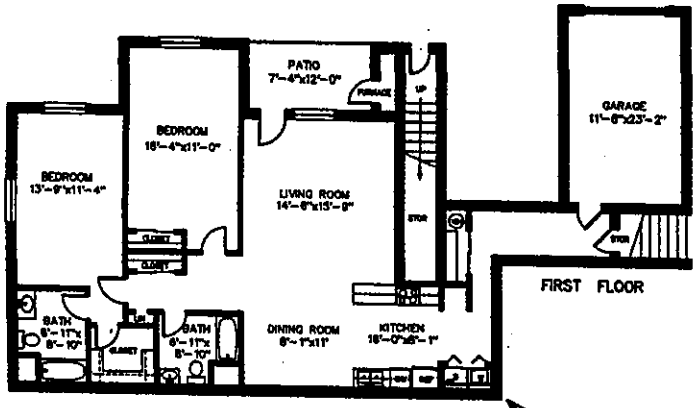
PROJECT NO. 4742.3
DATE: 05/03/1999
SHEET 1 OF 3

EXHIBIT A-Page 1

TIRA GLEN CONDOMINIUMS
AMENDMENT NO. 3

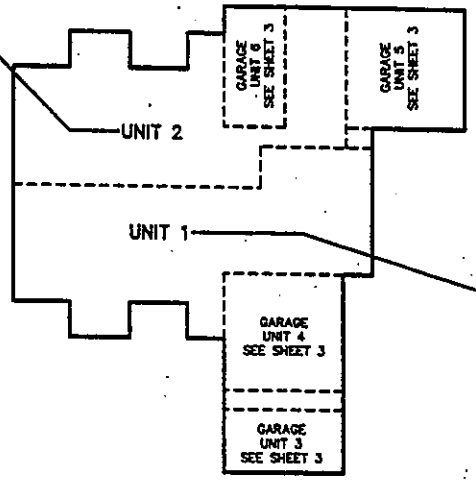
PART OF LOTS 107 & 108
OF TIRABASSI HEIGHTS SUBDIVISION

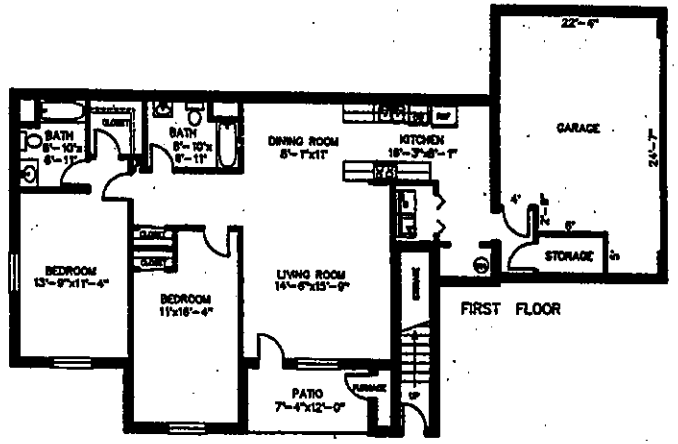
LOCATED IN THE NW 1/4 OF SECTION 13, TOWN 1 NORTH, RANGE 22 EAST,
CITY OF KENOSHA, KENOSHA COUNTY, WISCONSIN



UNIT 2
"THE BROWNING"

TYPICAL BUILDING DIAGRAM
FIRST FLOOR





UNIT 1
"THE AIKEN"

NOTE: BUILDINGS AND OTHER IMPROVEMENTS SHOWN ON THIS EXHIBIT REPRESENT PROPOSED CONSTRUCTION NOT COMPLETED AS OF THE DATE OF THIS PLAT.

UNIT DESIGNATIONS ARE B-U WHERE AS B=BUILDING NUMBER AND U=UNIT NUMBER. (EXAMPLE: 5-3)

WISCONSIN
PETER S. GORDON
S-2101
ELKHORN, WI
LAND SURVEYOR

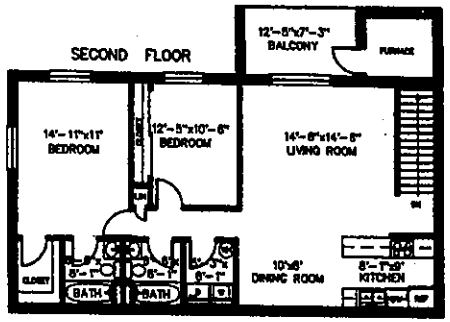
may 14, 1999

FARRIS, HANSEN, & ASSOCIATES, INC.
ENGINEERING, ARCHITECTURE, & SURVEYING
7 RIDGWAY COURT P.O. BOX 437
ELKHORN, WISCONSIN 53121
OFFICE: (414) 723-2068
FAX: (414) 723-5886

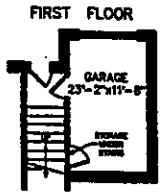
PROJECT NO. 4742.3
DATE: 05/03/1999
SHEET 2 OF 3

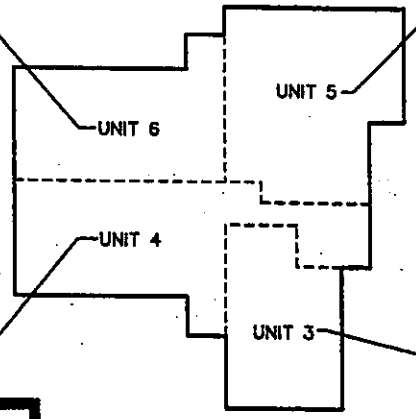
EXHIBIT A-Page 2

TIRA GLEN CONDOMINIUMS
AMENDMENT NO. 3

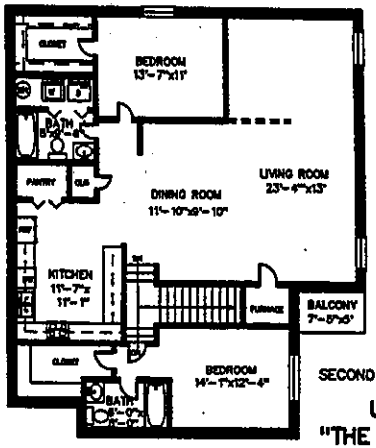


UNIT 6
"THE FAIRCHILD"

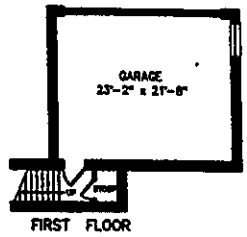




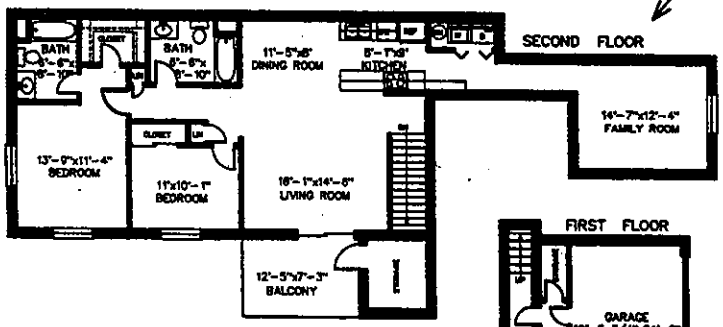
TYPICAL BUILDING DIAGRAM
SECOND FLOOR



SECOND FLOOR
UNIT 5
"THE EMERSON"



FIRST FLOOR



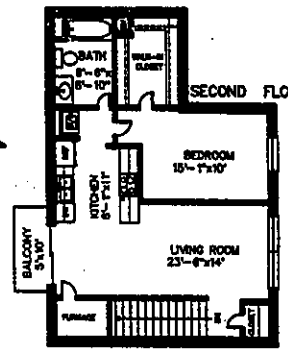
UNIT 4
"THE DICKENS"

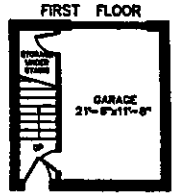
NOTE: BUILDINGS AND OTHER IMPROVEMENTS SHOWN ON THIS EXHIBIT REPRESENT PROPOSED CONSTRUCTION NOT COMPLETED AS OF THE DATE OF THIS PLAT.

UNIT DESIGNATIONS ARE B-U WHERE AS B=BUILDING NUMBER AND U=UNIT NUMBER. (EXAMPLE: 5-3)

May 14, 1999

WISCONSIN
PETER S. GORDON
S-2101
ELKHORN, WI
LAND SURVEYOR





UNIT 3
"THE CUMMINGS"

FARRIS, HANSEN, & ASSOCIATES, INC.
ENGINEERING, ARCHITECTURE, & SURVEYING
7 RIDGWAY COURT P.O. BOX 437
ELKHORN, WISCONSIN 53121
OFFICE: (414) 723-2068
FAX: (414) 723-5686

PROJECT NO. 4742.3
DATE: 05/03/1999
SHEET 3 OF 3

EXHIBIT A-Page 3

AMENDMENT NUMBER FOUR TO DECLARATION OF CONDOMINIUM FOR TIRA GLEN CONDOMINIUMS

Document Number

Document Title

Recording Area

Name and Return Address

Attorney R. William Phenicie
P.O. Box 700
Burlington, WI 53105

04-4-0122-13-236-150

Parcel Identification Number (PIN)

AMENDMENT NUMBER FOUR
TO
DECLARATION OF CONDOMINIUM
FOR
TIRA GLEN CONDOMINIUMS

This Amendment to Declaration of Condominium is made and entered into by BERWICK PROPERTIES, INC., hereinafter referred to as the "Declarant".

R E C I T A L S:

WHEREAS, on December 8, 1997, the Declarant caused to be executed the Declaration of Condominium for Tira Glen Condominiums; and

WHEREAS, the Declaration of Condominium for Tira Glen Condominiums was recorded on December 10, 1997, as Document No. 1079566 at the office of the Kenosha County Register of Deeds; and

WHEREAS, the Declaration of Condominium for Tira Glen Condominiums was amended by Amendment Number One to Declaration of Condominium recorded April 27, 1998, as Document No. 1094633 at the office of the Kenosha County Register of Deeds; and

WHEREAS, the Declaration of Condominium for Tira Glen Condominiums was amended by Amendment Number Two to Declaration of Condominium recorded on July 1, 1998, as Document No. 1103028 at the office of the Kenosha County Register of Deeds; and

WHEREAS, the Declaration of Condominium for Tira Glen Condominiums was amended by Amendment Number Three to Declaration of Condominium recorded on May 24, 1999, as Document No. 1145526 at the office of the Kenosha County Register of Deeds; and

WHEREAS, pursuant to the provisions of Section 13 of the Declaration of Condominium, the Declarant reserved the right to expand the condominium into and upon a certain area described in the Condominium Declaration and on the Condominium Plat as the "Expansion Area", and has also reserved the right to change the design, location and number of buildings and units to be constructed on the Expansion Area on certain terms and conditions; and

WHEREAS, the undersigned Declarant desires to expand the condominium pursuant to the provisions of the Declaration of Condominium.

Tira Clen Condominium Amendment No. 4 Plat recorded as Document No. _____

DECLARATION:

NOW, THEREFORE, Berwick Properties, Inc., as holder of title to the real estate hereinafter described, and for the purposes hereinabove set forth in the Declaration of Condominium for Tira Glen Condominiums as amended, hereby declares as follows:

1. A portion of the real estate described as "Expansion Area" on Exhibit A to the original Declaration of Condominium for Tira Glen Condominiums and more particularly described as "Legal Description For Declared Lands" on Exhibit A attached hereto, is hereby submitted and subjected to the provisions of the Condominium Ownership Act of the State of Wisconsin and is added to Tira Glen Condominiums and shall hereafter be part thereof. The legal description for the portion of the Expansion Area declared hereunder to be added to Tira Glen Condominiums is as follows:

> A parcel of land located in the Northwest 1/4 of Section 13, Town 1 North, Range 22 East, City of Kenosha, Kenosha County, Wisconsin, more particularly described as follows: Lots 2, 3 and the east 55 feet of Lot 1 of Tirabassi Heights Subdivision. Containing 72,169 square feet (1.65 acres) of land, more or less.

2. Exhibit A (Sheet 1, 2 and 3) attached hereto and made a part hereof consists of a copy of the Tira Glen Condominiums Amendment Number Three Plat describing the design, location and number of buildings and units constructed and to be constructed on the area to be added to the condominium, the legal description of the portion of the Expansion Area added to the condominium, the legal description of the remaining Expansion Area, and the typical building diagrams for the Units to be constructed within the Declared Area for Amendment Number Four.

3. Condominium Units 1, 2, 3, 4, 5 and 6 of Buildings 7, 8 and 9 shall be subject to the use, occupancy and other regulations and all benefits and obligations provided in the Declaration of Condominium and the Bylaws of Tira Glen Condominiums as amended.

4. Except as set forth herein, all provisions of the Declaration of Condominium hereinbefore described and amended are continued in full force and effect.

IN WITNESS WHEREOF, the undersigned, Stephen C. Mills, President of Berwick Properties, Inc., has executed this Amendment Number Four to Tira Glen Condominiums this 27 day of August, 1999.

Stephen C. Mills
President
Berwick Properties, Inc.

State of Wisconsin)
) ss
Kenosha County)

Personally came before me this 27th day of August, 1999, the above named Stephen C. Mills, President of Berwick Properties, Inc., to me known to be the person who executed the foregoing instrument and acknowledge the same on behalf of said corporation.

R. William Phenicie
Notary Public, State of Wisconsin
My commission is permanent

This instrument drafted by
R. William Phenicie
Lloyd, Phenicie, Lynch & Kelly, S.C.
P.O. Box 700
Burlington, Wisconsin 53105

BERWICK\TiraGlen\Amend.Fou

TIRA GLEN CONDOMINIUMS AMENDMENT NO. 4

PART OF LOTS 1, 2, & 3 OF TIRABASSI HEIGHTS SUBDIVISION

LOCATED IN THE NW 1/4 OF SECTION 13, TOWN 1 NORTH, RANGE 22 EAST,
CITY OF KENOSHA, KENOSHA COUNTY, WISCONSIN

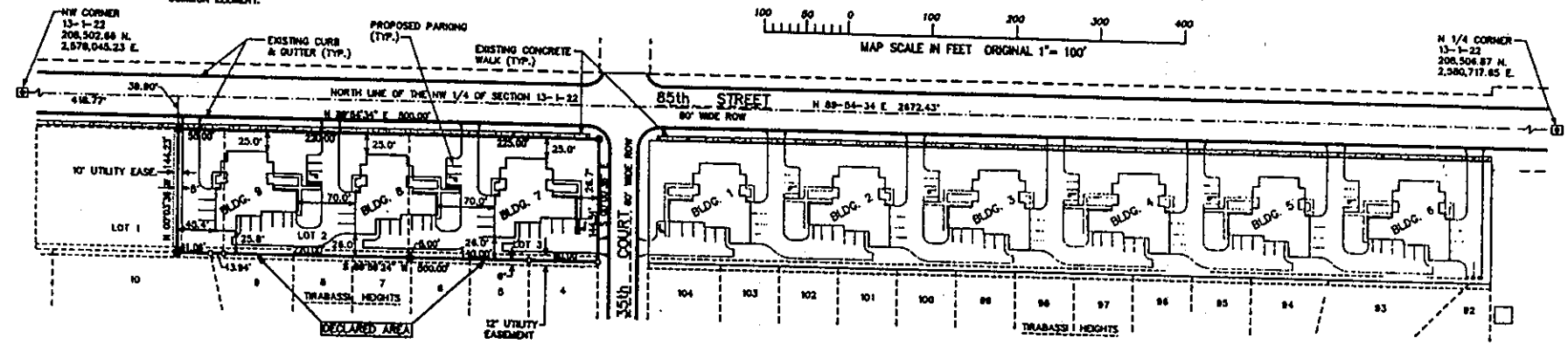
NOTE: SEE SHEETS 2 & 3 FOR TYPICAL BUILDING DIAGRAMS.

ALL PATIOS OR DECKS, AND THE PARKING SPACE(S) ADJACENT TO EACH GARAGE DOOR ARE LIMITED COMMON ELEMENT.

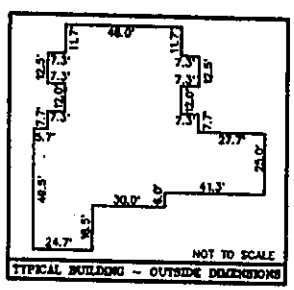
ALL OTHER AREAS, EXCEPT THE UNITS, ARE COMMON ELEMENT.

LEGEND

- o = FOUND IRON PIPE STAKE, 1" DIA.
- ⊡ = FOUND CONCRETE COUNTY MONUMENT
- ● = FOUND IRON REBAR STAKE
- ⌀ = SET IRON REBAR STAKE, 3/4" X 24" X 1.50 LBS./FT.
- (XXX) = RECORDED AS



OWNER: BERWICK PROPERTIES, INC.
4011-80th STREET
KENOSHA, WI. 53142



TYPICAL BUILDING - OUTSIDE DIMENSIONS

LEGAL DESCRIPTION FOR DECLARED LANDS

A PARCEL OF LAND LOCATED IN THE NORTHWEST 1/4 OF SECTION 13, TOWN 1 NORTH, RANGE 22 EAST, CITY OF KENOSHA, KENOSHA COUNTY, WISCONSIN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: LOTS 2, 3, AND THE EAST 65 FEET OF LOT 1 OF TIRABASSI HEIGHTS SUBDIVISION. CONTAINING 72,199 SQUARE FEET (1.66 ACRES) OF LAND, MORE OR LESS.

NOTE: BUILDINGS AND OTHER IMPROVEMENTS SHOWN ON THIS EXHIBIT REPRESENT PROPOSED CONSTRUCTION NOT COMPLETED AS OF THE DATE OF THIS PLAT.

UNIT DESIGNATIONS ARE B-U WHERE AS B=BUILDING NUMBER AND U=UNIT NUMBER. (EXAMPLE: 8-3)

WISCONSIN PETER S. GORDON S-2101 ELKHORN, WI LAND SURVEYOR

"I, PETER S. GORDON, A WISCONSIN REGISTERED LAND SURVEYOR, S-2101, DO HEREBY CERTIFY THAT THIS CONDOMINIUM PLAT IS A CORRECT REPRESENTATION OF THE CONDOMINIUM DESCRIBED AND THE IDENTIFICATION AND LOCATION OF EACH UNIT AND THE COMMON ELEMENTS CAN BE DETERMINED FROM THIS PLAT."

PETER S. GORDON R.L.S. 2101 6/4/99

FARRIS, HANSEN, & ASSOCIATES, INC.
ENGINEERING, ARCHITECTURE, & SURVEYING
7 RIDGWAY COURT P.O. BOX 437
ELKHORN, WISCONSIN 53121
OFFICE: (414) 723-2098
FAX: (414) 723-5886

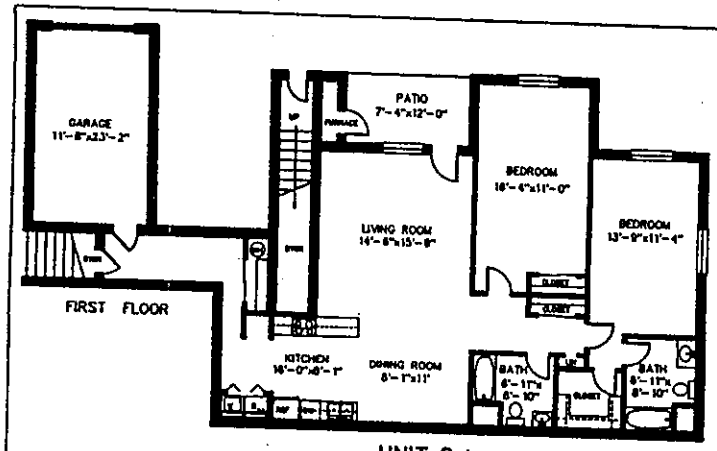
PROJECT NO. 4742.4
DATE: 07/19/1999
SHEET 1 OF 3

EXHIBIT A--Page 1

TIRA GLEN CONDOMINIUMS
AMENDMENT NO. 4

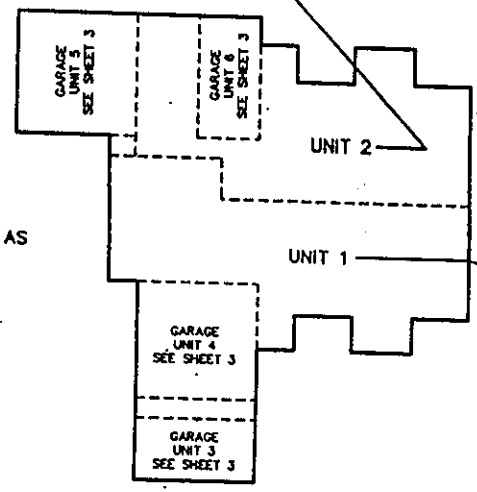
PART OF LOTS 1, 2, & 3
OF TIRABASSI HEIGHTS SUBDIVISION

LOCATED IN THE NW 1/4 OF SECTION 13, TOWN 1 NORTH, RANGE 22 EAST,
CITY OF KENOSHA, KENOSHA COUNTY, WISCONSIN



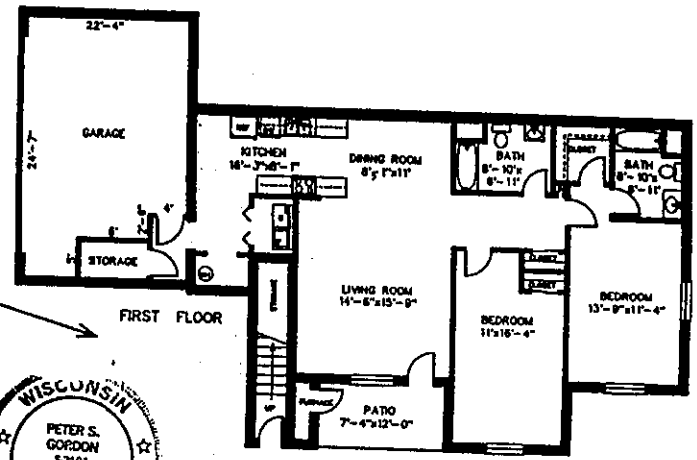
UNIT 2
"THE BROWNING"

TYPICAL BUILDING DIAGRAM
FIRST FLOOR



NOTE: BUILDINGS AND OTHER IMPROVEMENTS SHOWN ON THIS EXHIBIT REPRESENT PROPOSED CONSTRUCTION NOT COMPLETED AS OF THE DATE OF THIS PLAT.

UNIT DESIGNATIONS ARE B-U WHERE AS B=BUILDING NUMBER AND U=UNIT NUMBER. (EXAMPLE: 8-3)



UNIT 1
"THE AIKEN"

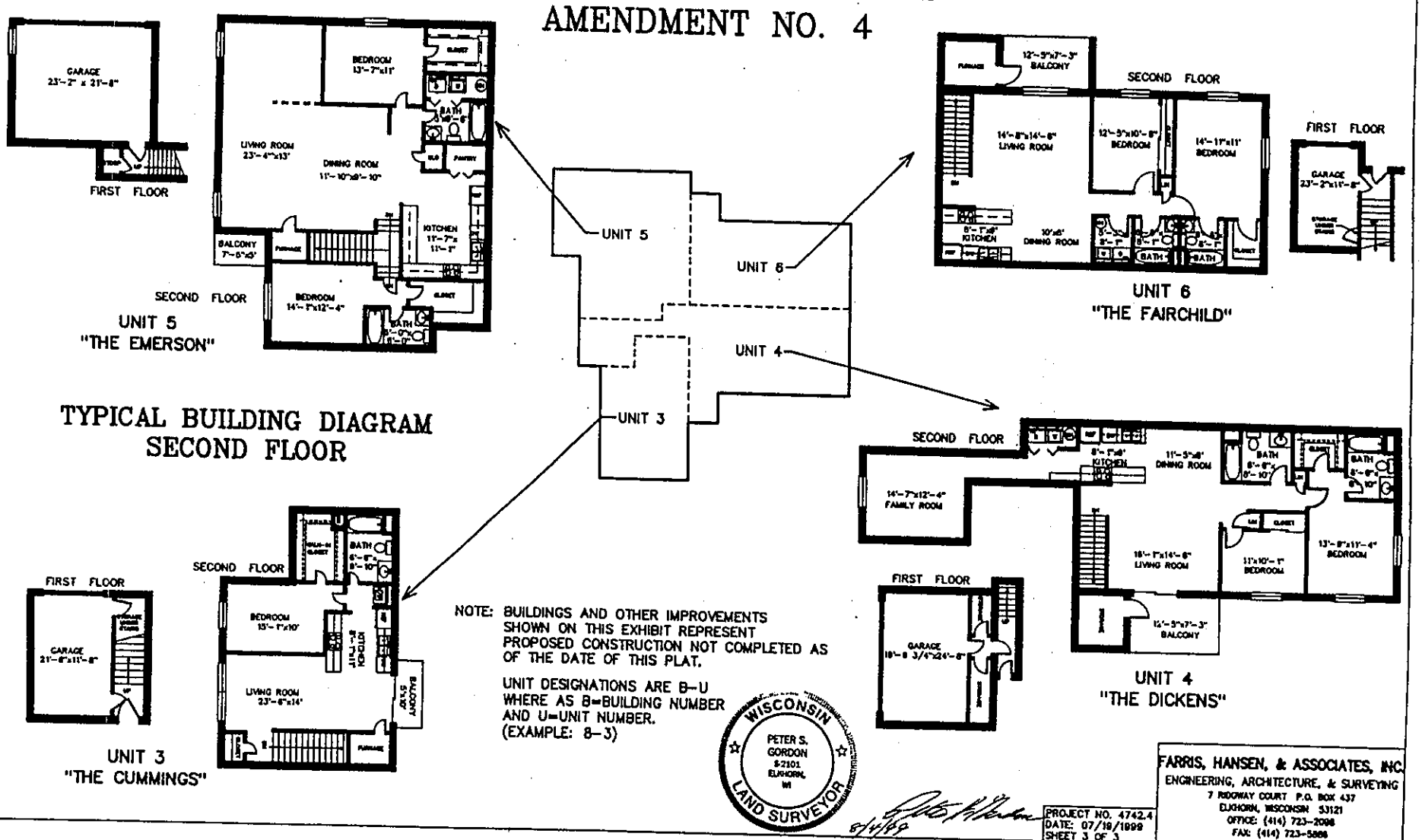
WISCONSIN
PETER S. GORDON
S-2101
ELKHORN, WI
LAND SURVEYOR

6/14/99

PROJECT NO. 4742.4
DATE: 07/19/1999
SHEET 2 OF 3

FARRIS, HANSEN, & ASSOCIATES, INC.
ENGINEERING, ARCHITECTURE, & SURVEYING
7 RIDGWAY COURT P.O. BOX 437
ELKHORN, WISCONSIN 53121
OFFICE: (414) 723-2098
FAX: (414) 723-5886

TIRA GLEN CONDOMINIUMS
AMENDMENT NO. 4



NOTE: BUILDINGS AND OTHER IMPROVEMENTS SHOWN ON THIS EXHIBIT REPRESENT PROPOSED CONSTRUCTION NOT COMPLETED AS OF THE DATE OF THIS PLAT.

UNIT DESIGNATIONS ARE B-U WHERE AS B=BUILDING NUMBER AND U=UNIT NUMBER. (EXAMPLE: 8-3)

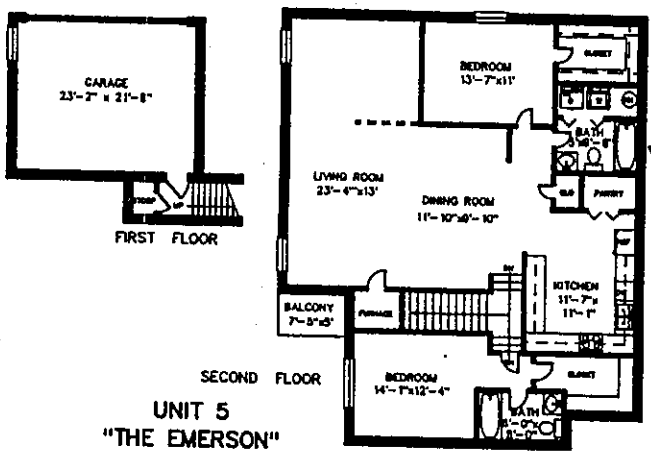
WISCONSIN
PETER S. GORDON
S-2101
ELKHORN, WI
LAND SURVEYOR

8/4/99

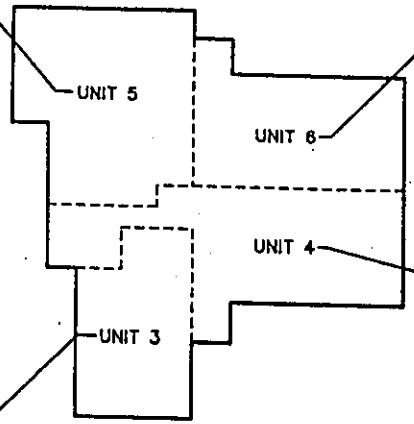
PROJECT NO. 4742.4
DATE: 07/19/1999
SHEET 3 OF 3

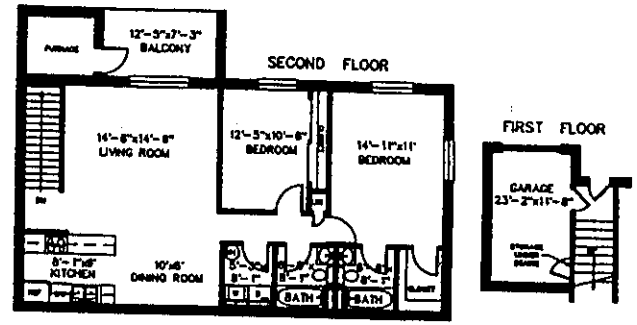
FARRIS, HANSEN, & ASSOCIATES, INC.
ENGINEERING, ARCHITECTURE, & SURVEYING
7 RIDGWAY COURT P.O. BOX 437
ELKHORN, WISCONSIN 53121
OFFICE: (414) 723-2098
FAX: (414) 723-5866

TIRA GLEN CONDOMINIUMS
AMENDMENT NO. 4



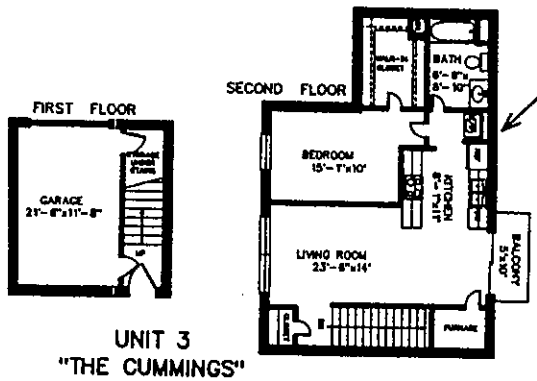
UNIT 5
"THE EMERSON"



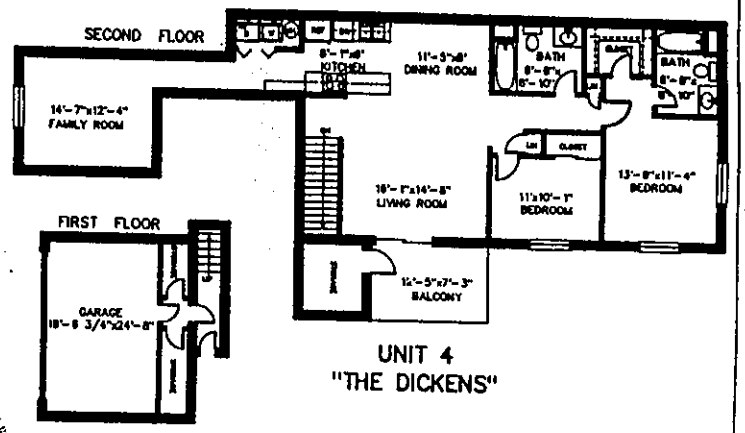


UNIT 6
"THE FAIRCHILD"

TYPICAL BUILDING DIAGRAM
SECOND FLOOR



UNIT 3
"THE CUMMINGS"



UNIT 4
"THE DICKENS"

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UNIT DESIGNATIONS ARE B-U WHERE AS B=BUILDING NUMBER AND U=UNIT NUMBER. (EXAMPLE: 8-3)

WISCONSIN
PETER S. GORDON
S-2101
ELKHORN, WI
LAND SURVEYOR

8/4/99

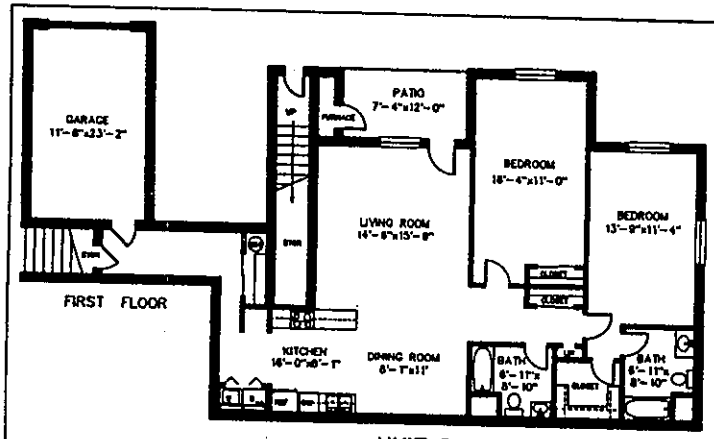
PROJECT NO. 4742.4
DATE: 07/19/1999
SHEET 3 OF 3

FARRIS, HANSEN, & ASSOCIATES, INC.
ENGINEERING, ARCHITECTURE, & SURVEYING
7 RIDGWAY COURT P.O. BOX 437
ELKHORN, WISCONSIN 53121
OFFICE: (414) 723-2098
FAX: (414) 723-5868

TIRA GLEN CONDOMINIUMS
AMENDMENT NO. 4

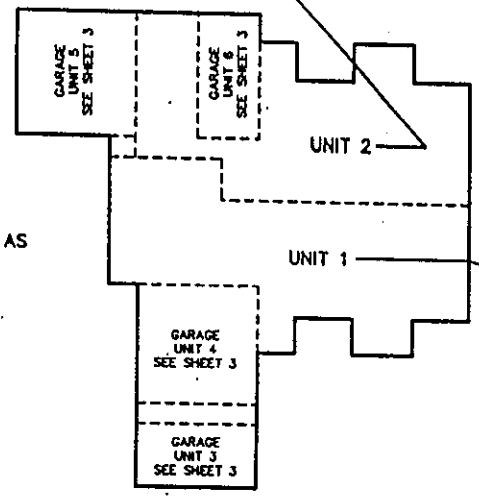
PART OF LOTS 1, 2, & 3
OF TIRABASSI HEIGHTS SUBDIVISION

LOCATED IN THE NW 1/4 OF SECTION 13, TOWN 1 NORTH, RANGE 22 EAST,
CITY OF KENOSHA, KENOSHA COUNTY, WISCONSIN



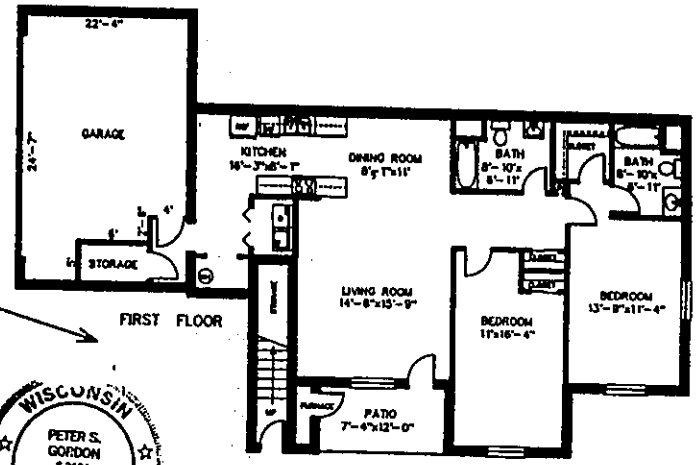
UNIT 2
"THE BROWNING"

TYPICAL BUILDING DIAGRAM
FIRST FLOOR



NOTE: BUILDINGS AND OTHER IMPROVEMENTS SHOWN ON THIS EXHIBIT REPRESENT PROPOSED CONSTRUCTION NOT COMPLETED AS OF THE DATE OF THIS PLAT.

UNIT DESIGNATIONS ARE B–U WHERE AS B=BUILDING NUMBER AND U=UNIT NUMBER. (EXAMPLE: 8–3)



UNIT 1
"THE AIKEN"

WISCONSIN
PETER S. GORDON
S-2101
ELKHORN, WI
LAND SURVEYOR

6/14/99

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PROJECT NO. 4742.4
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SHEET 2 OF 5

EXHIBIT A--Page 2