

VOL 305 PAGE 636

452517

STATE OF WISCONSIN
COLUMBIA COUNTY } ss

Received for record this 26th day of

September, A.D. 1986 at 1:45 P.M.

Marian Robinson Reg. of Deeds

FIFTH SUPPLEMENT
AND
AMENDMENT
TO
CONDOMINIUM DECLARATION
OF
CONDITIONS, COVENANTS, RESTRICTIONS AND EASEMENTS
FOR
SADDLE RIDGE
Phase XI
Amended Phase VIII

THIS FIFTH SUPPLEMENT AND AMENDMENT is made this 26th day of September, 1986 pursuant to the terms of the Condominium Declaration for SADDLE RIDGE recorded May 1, 1978 in the Office of the Register of Deeds for Columbia County, Wisconsin, in Volume 190 of Records at pages 299-323 inclusive, as Document No. 394357, as supplemented and amended to date (the "Declaration") by Wajbac and Tadwil, Limited, an Illinois corporation (hereinafter "Declarant").

I. FIFTH SUPPLEMENT ANNEXATION (Phase XI)

1.1 Statement of Declaration.

The purpose of this Supplement is to annex and submit the land described hereinafter and the improvements constructed or to be constructed thereon to the condominium form of ownership as a part of SADDLE RIDGE in the manner provided by the Declaration.

Declarant hereby declares that it is the owner of the real property described in Section 1.2 hereof and shown on Page 1 of the Phase XI Condominium Plat filed herewith, together with all buildings and improvements constructed or to be constructed thereon (the "Property"), which is hereby submitted to the condominium form of ownership as part of SADDLE RIDGE as provided in the Declaration, and which Property shall be held, conveyed, devised, leased, encumbered, used, improved and in all respects otherwise affected subject to the provisions, conditions, covenants, restrictions and easements of the Declaration for SADDLE RIDGE. All provisions hereof shall be deemed to run with the land and shall constitute benefits and burdens to the Declarant, its successors and assigns, and to all parties hereafter having any interest in the Property.

1.2 Legal Description.

The real estate described hereinafter, also described on Page 1 of the Phase XI Condominium Plat filed herewith, together with all buildings and improvements constructed or to be constructed thereon, is hereby annexed to SADDLE RIDGE and subjected to the provisions of the Declaration. The buildings and units constructed or to be constructed are more fully described in the site plan and building and floor plans of the Phase XI Condominium Plat filed herewith, depicting the layout, location, perimeters, unit numbers and approximate dimensions of the buildings and units. The real estate

subjected to the provisions of the Declaration hereby is described as follows:

Phase XI Description:

PHASE XI PARCEL 1 Description:

A parcel of land located in the SW1/4-NW1/4, Section 1, T12N, R9E, Town of Pacific, Columbia County, Wisconsin bounded by the following described line: Beginning at the northwest corner of PHASE IX of Saddle Ridge Condominium; thence N3°30'W, 160.46 feet; thence S85°56'E, 292.92 feet; thence S21°00'W, 237.00 feet; thence N67°28'W, 213.75 feet to the point of beginning.

PHASE XI PARCEL 2 Description:

A parcel of land located in the NE1/4-SE1/4, Section 2, T12N, R9E, Town of Pacific, Columbia County, Wisconsin bounded by the following described line: Commencing at the northwest corner of PHASE V of Saddle Ridge Condominium; thence N27°00'E, 470.00 feet to the point of beginning; thence N12°00'E, 150.00 feet; thence N88°00'E, 150.00 feet; thence S27°10'E, 324.78 feet; thence S52°00'W, 233.58 feet; thence N27°22'W, 316.18 feet to the point of beginning.

PHASE XI PARCEL 3 Description:

A parcel of land located in Government Lot 1, Section 2, T12N, R9E, Town of Pacific, Columbia County, Wisconsin bounded by the following described line: Commencing at the northeast corner of said Section 2; thence S0°05'15"E along the section line, 4294.54 feet; thence N75°44'W, 24.47 feet; thence N2°23'W, 142.06 feet; thence S87°30'W, 152.00 feet; thence S54°30'W, 80.00 feet; thence S84°30'W, 135.00 feet to the point of beginning; thence S84°30'W, 90.00 feet; thence N30°43'E, 302.83 feet; thence S14°30'W, 260.00 feet to the point of beginning.

PHASE XI PARCEL 4 Description:

A parcel of land located in Government Lot 1, Section 2, T12N, R9E, Town of Pacific, Columbia County, Wisconsin bounded by the following described line: Commencing at the northeast corner of said Section 2; thence S0°05'15"E along the section line, 4294.54 feet; thence N75°44'W, 24.47 feet to the point of beginning; thence N75°44'W, 22.26 feet; thence S71°58'W, 92.09 feet; thence N2°23'W, 160.31 feet; thence N87°30'E, 110.00 feet; thence S2°23'E, 142.06 feet to the point of beginning.

TOGETHER with non-exclusive easements and rights of way for the benefit of the properties described above, for purposes of vehicular and pedestrian access, and ingress and egress to, from and between the above described properties and State Highway 33, as described and shown in prior Supplements to the Condominium Plat.

II. AMENDMENT OF DECLARATION

2.1 The Declaration and Condominium Plat for SADDLE RIDGE is hereby amended by removing and deleting in their entirety, Pages 2, 7, and 8 of the Phase VIII Condominium Plat, filed in Volume 261 of Columbia County Records

at Pages 171, 178 and 179 respectively, and substituting therefor the Amended Phase VIII Condominium Plat filed herewith.

It is the intention hereof that the Amended Phase VIII Condominium Plat filed herewith shall supersede and replace for all purposes the prior Pages 2, 7 and 8 of the Phase VIII Condominium Plat.

In addition, the legal description of the Phase VIII real estate as contained in the Third Supplement to the Condominium Declaration, recorded at Volume 261, Page 167 of Columbia County Records, is hereby amended to read as follows:

AMENDED PHASE VIII Description:

A parcel of land located in Government Lot 1, Section 2, T12N, R9E, Town of Pacific, Columbia County, Wisconsin bounded by the following described line: Commencing at the northeast of said Section 2; thence S0°05'15"E, 4294.54 feet; thence N75°44'W, 46.73 feet; thence S71°58'W, 92.09 feet to the point of beginning; thence S71°58'W, 132.21 feet; thence N64°14'W, 233.12 feet; thence N4°00'W, 30.00 feet; thence N84°30'E, 225.00 feet; thence N54°30'E, 80.00 feet; thence N87°30'E, 42.00 feet; thence S2°23'E, 160.31 feet to the point of beginning.

III. EFFECT OF ANNEXATION AND AMENDMENT

3.1 Summary of Changes.

By this Supplement and Amendment to the Declaration, Phase VIII of SADDLE RIDGE is amended to show the floor plans of units and the location of units as actually constructed and located in Phase VIII and to correct the legal description of Phase VIII, and Phase XI is annexed to SADDLE RIDGE, adding fourteen (14) units to the Condominium. As of the effective date hereof, SADDLE RIDGE comprises a total of thirty-nine (39) main buildings containing a total of ninety-four (94) residential units.

All of the provisions, restrictions, covenants, terms and conditions of the Declaration and the Articles and By-Laws of Saddle Ridge Association, Ltd., and such restrictions, rules and regulations as may be promulgated thereunder shall be applicable to the properties and units hereby annexed to SADDLE RIDGE.

3.2 Supplement to Condominium Plat.

The Condominium Plat for SADDLE RIDGE is hereby supplemented by adding the Phase XI Condominium Plat thereto, including floor plans for Units 790, 791, 792, 793, 893, 894, 895, 896, 897, 898, 905, 906, 907, and 920.

3.3 Ownership Percentage Interests.

By reason of this Supplement and Amendment, and the annexation of fourteen (14) additional residential units to SADDLE RIDGE, and pursuant to the Wisconsin Condominium Ownership Act and provisions of the Declaration, the percentage of the undivided ownership interest in the common elements

and facilities and limited common elements appurtenant to each unit and its owner is hereby adjusted in recognition of the disproportionate relative sizes of the various condominium units comprising SADDLE RIDGE, and shall be as follows:

Percentage of Ownership Interest Appurtenant to Units in Saddle Ridge Condominium

<u>Unit No.</u>	<u>Percentage of Ownership</u>	<u>Unit No.</u>	<u>Percentage of Ownership</u>
780	0.84	827	1.15
781	0.84	828	1.15
782	0.87	829	1.15
783	0.87	830	1.15
784	0.98	831	1.15
785	0.98	832	1.15
786	0.87	833	1.15
787	0.87	834	1.15
788	0.87	835	1.15
789	0.87	836	1.15
790	0.87	837	1.15
791	0.87	838	1.15
792	0.87	839	1.15
793	0.87	840	1.15
800	1.04	841	1.15
801	1.04	842	1.15
802	1.04	843	1.15
803	1.04	844	1.15
810	1.15	845	1.15
811	1.15	893	1.00
812	1.15	894	1.00
813	1.15	895	0.81
814	1.15	896	0.81
815	1.15	897	1.00
816	1.15	898	1.00
817	1.15	899	0.79
818	1.15	900	0.70
819	1.15	901	0.70
820	1.15	902	0.70
821	1.15	903	0.47
822	1.15	904	0.47
823	1.15	905	0.58
824	1.15	906	0.58
825	1.15	907	0.81
826	1.15	920	0.81

<u>Unit No.</u>	<u>Percentage of Ownership</u>	<u>Unit No.</u>	<u>Percentage of Ownership</u>
943	1.04	1051	1.33
944	1.04	1052	1.33
945	1.04	1053	1.33
946	1.04	1054	1.33
947	1.04	1055	1.33
948	1.04	1056	1.33
949	1.04	1057	1.33
950	1.04	1058	1.33
1047	1.33	1059	1.40
1048	1.33	1060	1.40
1049	1.33	1061	1.40
1050	1.33	1062	1.40

3.4 Common Expenses and Common Surpluses.

The common expenses and common surpluses of SADDLE RIDGE shall be divided, allocated and assessed equally against all units in SADDLE RIDGE, so that each unit in SADDLE RIDGE and its owners shall be assessed 1/94th of the common expenses and credited with 1/94th of the common surpluses of the Association, except that casualty insurance premiums shall be divided among the units on the basis of replacement value insured.

3.5 Voting Rights.

The voting rights of members in the Association as specified in Section 11.2 of the Declaration, providing for Class A and Class B membership and one vote for each unit sold by Declarant, are unchanged and unaffected by this Amendment and remain in full force and effect.

3.6 Effective Date.

The effective date of this Supplement and Amendment shall be the date it is recorded in the Office of the Register of Deeds for Columbia County, Wisconsin.

IN WITNESS WHEREOF, this document has been executed by duly authorized officers of Wajbac and Tadwil, Limited, as of the date first set forth above.

WAJBAC AND TADWIL, LIMITED

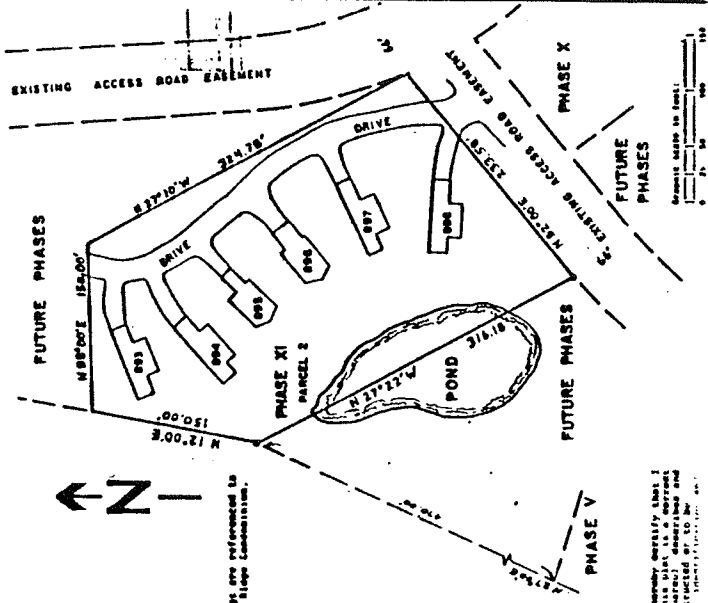
By 
C. J. Berst, President

By 
Robert C. Arians, Secretary

AMENDMENT TO CONDOMINIUM PLAT OF
SADDLE RIDGE
COLUMBIA COUNTY

THIS SURVEY DESCRIBES THE LAND
AND BUILDINGS SUBJECT TO THE
CONDOMINIUM DECLARATION FOR
SADDLE RIDGE

PHASE XI

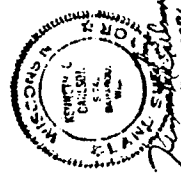


PHASE XI PARCEL 1 DESCRIPTION:
A parcel of land located in the NW-1/4, Section 1, T19R, R9E, 1/2 SW of
Range 1E, Columbia County, Wisconsin bounded by the following described
line: Beginning at the southeast corner of PHASE XI of Saddle Ridge
Condominium, thence S71°00'00"W 237.00 feet; thence S67°29'00"W 213.75 feet to the point
of beginning. Said parcel contains 41,510 square feet or 1.115 acres.

PHASE XI PARCEL 2 DESCRIPTION:
A parcel of land located in the NW-1/4, Section 1, T19R, R9E, 1/2 SW of
Range 1E, Columbia County, Wisconsin bounded by the following
described line: Beginning at the southeast corner of PHASE XI of Saddle Ridge
Condominium, thence S71°00'00"W 237.00 feet to the point of beginning;
thence S67°29'00"W 213.75 feet to the point of beginning; thence S71°00'00"W
237.00 feet to the point of beginning. Said parcel contains 41,510
square feet or 1.115 acres.

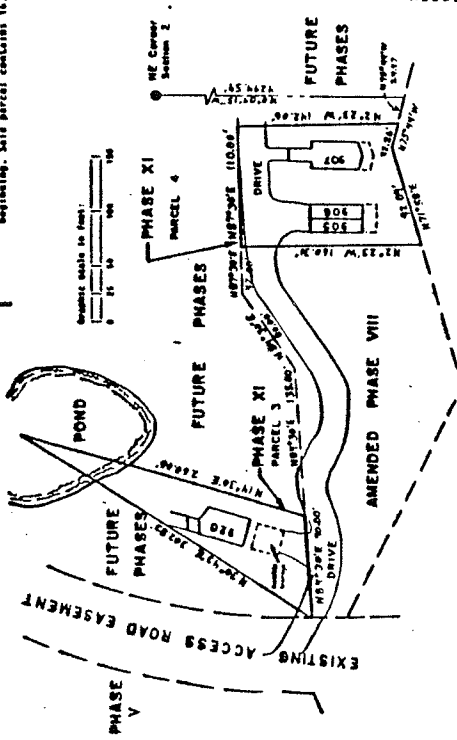
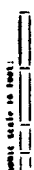
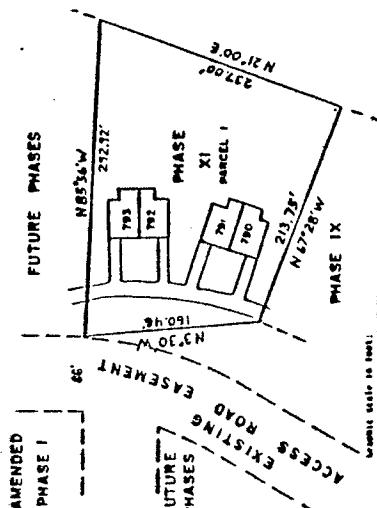
PHASE XI PARCEL 3 DESCRIPTION:
A parcel of land located in Government Lot 1, Section 2, T19R, R9E,
Range 1E, Columbia County, Wisconsin bounded by the following
described line: Beginning at the southeast corner of said Section 2,
thence S89°15'00"W 428.54 feet; thence S71°00'00"W 237.00 feet;
thence S67°29'00"W 213.75 feet; thence S71°00'00"W 237.00 feet to the
point of beginning. Said parcel contains 16,396 square feet or 0.375 acres.

PHASE XI PARCEL 4 DESCRIPTION:
A parcel of land located in Government Lot 1, Section 2, T19R, R9E,
Range 1E, Columbia County, Wisconsin bounded by the following
described line: Beginning at the southeast corner of said Section 2,
thence S89°15'00"W 428.54 feet; thence S71°00'00"W 237.00 feet;
thence S67°29'00"W 213.75 feet; thence S71°00'00"W 237.00 feet to the
point of beginning. Said parcel contains 16,396 square feet or 0.375 acres.



Found 15" round iron rod

An agreement has been entered into between Kenneth Carlson
and Carl... to exclude certain improvements and
settlements at the corners of the parcel...
1. Kenneth S. Carlson, registered land surveyor, hereby certifies that he
has surveyed the above described parcel, that this plan is a correct
representation of the actual measurements of the parcel, and that he
is a duly licensed and qualified surveyor for the State of Wisconsin.

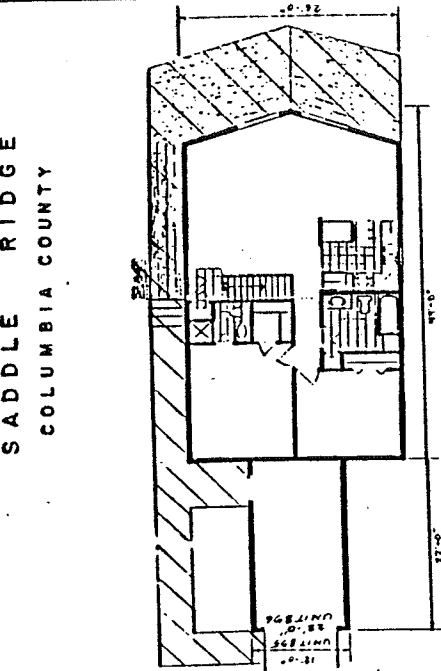


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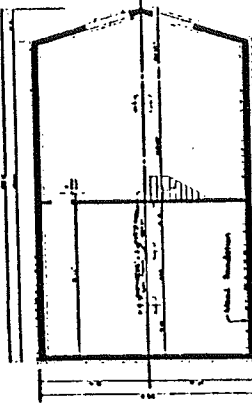
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SADDLE RIDGE
COLUMBIA COUNTY

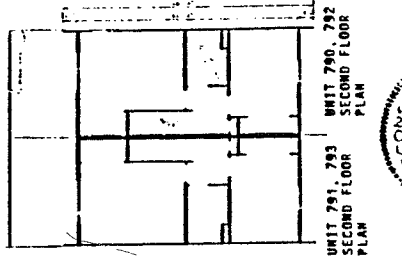


UNIT 895, 896 FIRST FLOOR PLAN
Units may be built to mirror image of this plan.

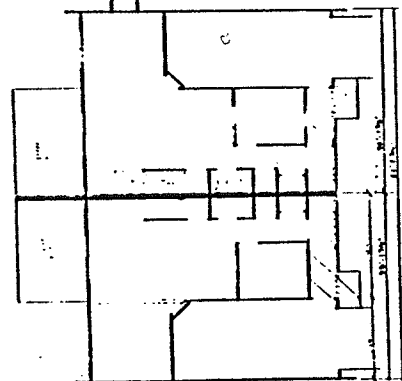


UNIT 895, 896 BASEMENT PLAN

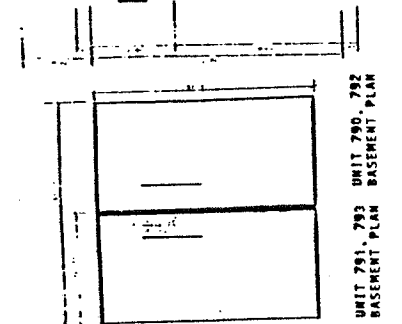
▨ - Limited Common Area



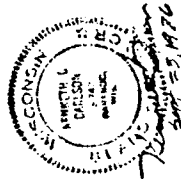
UNIT 791, 793 SECOND FLOOR PLAN



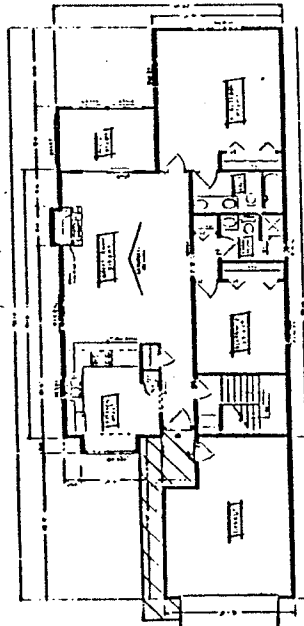
UNIT 790, 792 FIRST FLOOR PLAN



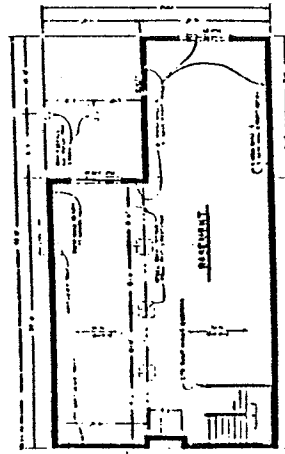
UNIT 790, 792 BASEMENT PLAN



I, Kenneth G. Carlson, registered land surveyor, hereby certify that the drawings appearing hereon are an accurate copy of the plans of each building and substantially depict the location, unit numbers and dimensions of the building or buildings and units located and erected or to be erected.



UNIT 893, 894, 897, 896 FIRST FLOOR PLAN



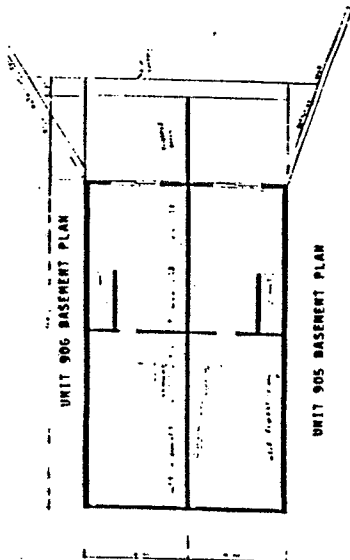
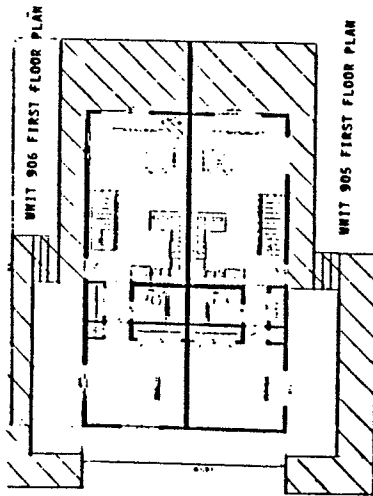
UNIT 894, 897, 896 BASEMENT PLAN

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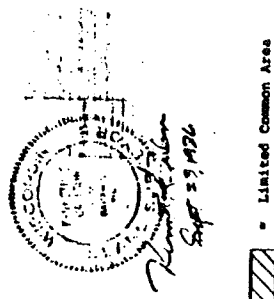
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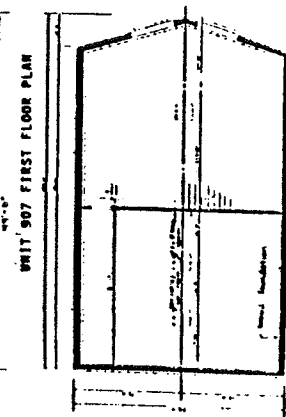
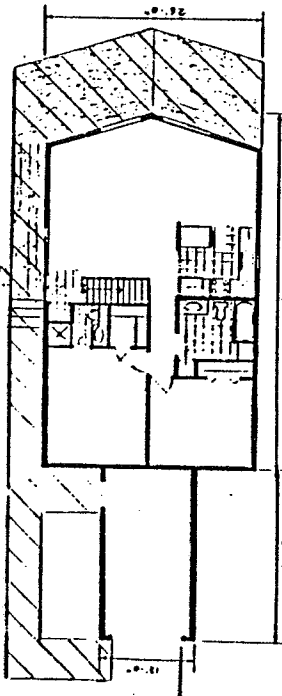
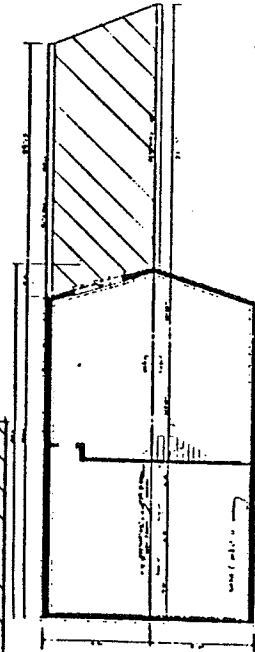
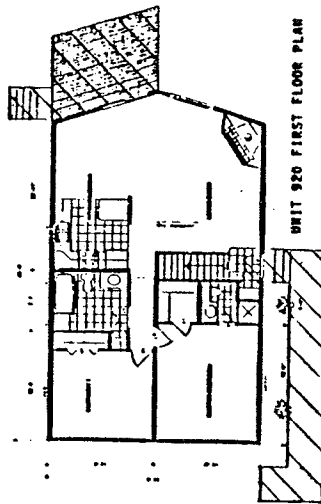
SADDLE RIDGE
COLUMBIA COUNTY



I, Kenneth S. Carlson, registered land surveyor, hereby certify that the drawings, describing herein, are an accurate copy of portions of the original survey and plat on file in the office of the County Clerk, Columbia County, Oregon, and that the same are correct in all respects, and that the same are correct and intended to be so intended.



▨ = Limited Common Area



Condominium Plat, Phase XI
PART 2 OF 2

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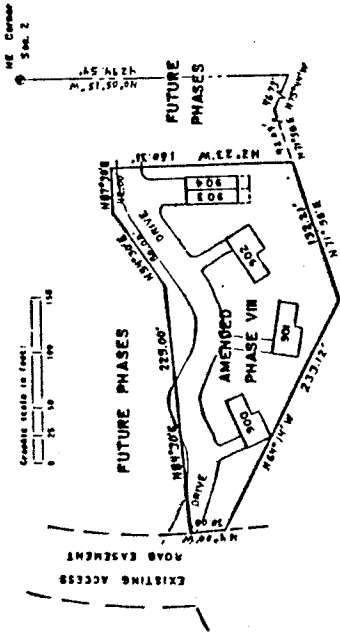
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AMENDMENT TO CONDOMINIUM PLAT OF
SADDLE RIDGE
COLUMBIA COUNTY

THIS SURVEY DESCRIBES THE LAND
AND BUILDINGS SUBJECT TO THE
CONDOMINIUM DECLARATION FOR
SADDLE RIDGE

AMENDED PHASE VIII

Bearings are referenced to
Saddle Ridge Condominium.

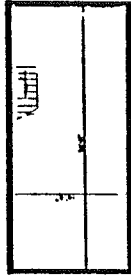
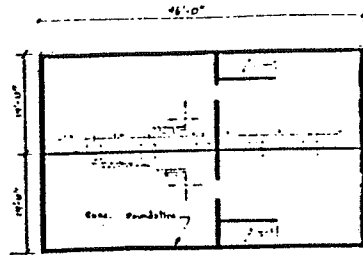
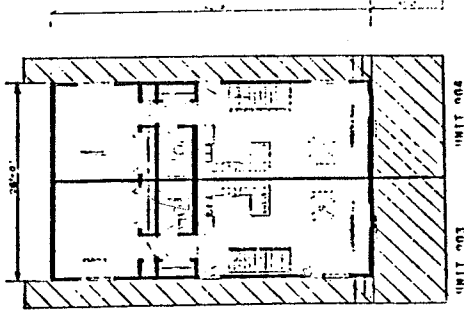


I, Kenneth G. Carlson, registered land surveyor, hereby certify that I have surveyed the above described parcel, that this plan is a correct representation of the interior boundaries of the parcel as shown and described in the plat of the same, and that the same are correct and constructed as proposed at the date hereof, and the identification and location of each unit and the common elements can be determined.

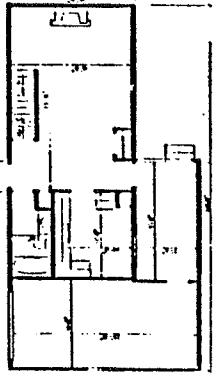
An agreement has been signed by Kenneth Carlson and Carl West to waive certain requirements of AC 5, Wisconsin Administrative Code, relating to the identification and location of the common elements of the parcel described.

I, Kenneth G. Carlson, registered land surveyor, hereby certify that I have surveyed the above described parcel, that this plan is a correct representation of the interior boundaries of the parcel as shown and described in the plat of the same, and that the same are correct and constructed as proposed at the date hereof, and the identification and location of each unit and the common elements can be determined.

AMENDED PHASE VIII DESCRIPTION:
A parcel of land located in Government Lot 1, Section 2, T11N, R9E, Town of Pacific, Columbia County, Wisconsin, bounded by the following described lines: Beginning at the northeast corner of Lot 1, Section 2, T11N, R9E, 92.05 feet to the point of beginning; thence S74°45'48.132.21 feet; thence S61°12'12.21 feet; thence S89°00'00.00 feet; thence S89°00'00.00 feet; thence S27°12'12.21 feet to the point of beginning. This parcel contains 35,068 square feet or 0.806 acres.



UNIT 900, 901, 902 BASEMENT PLAN



UNIT 900, 901, 902 FIRST FLOOR PLAN

UNIT 900, 901, 902 UPPER LOFT PLAN

Legend: [Hatched Box] = Limited Common Area

UNIT 903 BASEMENT PLAN

UNIT 904 BASEMENT PLAN

Condominium Plat Amended Phase VIII
April 23, 1988

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435969

VOL 271 PAGE 662

AMENDMENT TO CONDOMINIUM DECLARATION

THIS AMENDMENT, made as of this 17th day of July, 1984, by the affirmative written consent of at least seventy-five percent (75%) of the unit owners and mortgagees (together hereinafter "Owners") of Saddle Ridge Condominium to that certain Condominium Declaration for Saddle Ridge recorded on May 1, 1978 in the office of the Register of Deeds for Columbia County, Wisconsin in Volume 190 at pages 299-317, inclusive, as Document No. 394357, as amended and supplemented to date, (the "Declaration"),

W I T N E S S E T H :

WHEREAS, Owners own and/or hold mortgages on at least 75% of the condominium units in Saddle Ridge; and

WHEREAS, Owners are desirous of and have consented in writing to amending the Declaration in the respects set forth hereinafter;

NOW, THEREFORE, the Declaration is amended in the following respects:

1. The first, second, third and fifth paragraphs of Section 14 are deleted.

2. The second paragraph of Section 8 of the Declaration is amended by inserting the following sentence:

The first owner of any unit shall be liable for assessments beginning on the first day of the first month following the date on which such owner acquired title to the unit. Subsequent owners of the same unit shall be liable for assessments beginning on the date they acquire title to the unit.

3. A new Section 21.2 is added to the Declaration as follows:

21.2 Project Maintenance and Operation. The Association shall have the right to grant permits, licenses and easements over the common areas for utilities, roads and other purposes necessary for the proper operation of the project.

Renumber old 21.2 as 21.3
old 21.3 as 21.4

4. Section 24.1 of the Declaration is amended as follows:

(a) Insert in Section 24.1, immediately prior to last sentence:

All improvements intended for annexation shall be substantially completed prior to annexation.

(b) Add to Section 24.1, after the last sentence:

The method for determining the effective date for assigning assessments for annexed units shall be the same as that described in Section 18 hereof.

5. A new Section 25 is added to the Declaration as follows:

25. Condemnation, Destruction or Liquidation.

25.1 Representation. In connection with any condemnation, destruction or liquidation of the property, the Association shall represent the unit owners in any proceedings, negotiations, settlements or agreements. When necessary, each unit owner shall appoint the Association as attorney-in-fact for this purpose.

25.2 Allocation of Proceeds. Any proceeds from condemnation, destruction or liquidation of Saddle Ridge shall be payable to the Association for the benefit of the unit owners and their mortgage holders. Such proceeds shall be allocated in accordance with the following principles.

(a) Every unit owner is entitled to the entire award for the taking of all or part of their respective unit and for consequential damages to their unit.

(b) Any award for the taking of limited common elements shall be allocated to the unit owners of the units to which the use of those limited common elements is restricted in proportion to their respective percentage interests in the common elements.

(c) In the event no reconstruction is undertaken, any award for the taking of common elements shall be allocated to all unit owners in proportion to their respective percentage interests in the common elements.

Renumber old 25 as 26
26 as 27
27 as 28
28 as 29
29 as 30

6. The Declaration, as amended herein, otherwise remains unchanged and in full force and effect.

7. The effective date of this Amendment shall be the date it is recorded in the office of the Register of Deeds for Columbia County, Wisconsin.

IN WITNESS WHEREOF, this Amendment has been executed with the written consent of at least 75% of the unit owners and mortgagees of Saddle Ridge Condominium at the date hereof, and the undersigned officers of the Association of unit owners for the Condominium hereby certify and attest by their signatures hereto, that the foregoing Amendment has been adopted with the written consent of 75% of the unit owners in the Condominium, and their mortgagees, in the manner provided in the Wisconsin Condominium Ownership Act, and that the Declarant has consented in writing to this Amendment. The undersigned further certify that the written consents of the unit owners and their mortgagees to this Amendment are on file and available for inspection at the offices of the Association.

SADDLE RIDGE ASSOCIATION, INC.

Attest:

Beth J. Hoskins
Beth J. Hoskins (Secretary)

By: Robert T. Berst
Robert T. Berst (President)

APPROVED BY DECLARANT:

WAJBAC AND TADWIL, LTD.

Attest:

Robert C. Arians
Robert C. Arians, Secretary

By: Robert T. Berst
Robert T. Berst, Vice President

STATE OF WISCONSIN)

: SS.

COLUMBIA COUNTY)

Personally appeared before me this 17th day of July, 1984 the above-named Robert T. Berst and Beth J. Hoskins to me known to be the President and Secretary, respectively, of SADDLE RIDGE ASSOCIATION, INC., and who executed the foregoing instrument and acknowledged same as the act and deed of said corporation.

Gloria Kirking Rippe
Gloria Kirking Rippe
Notary Public, State of Wisconsin
My Commission expires 03/06/88

6. The Declaration, as amended herein, otherwise remains unchanged and in full force and effect.

7. The effective date of this Amendment shall be the date it is recorded in the office of the Register of Deeds for Columbia County, Wisconsin.

IN WITNESS WHEREOF, this Amendment has been executed with the written consent of at least 75% of the unit owners and mortgagees of Saddle Ridge Condominium at the date hereof, and the undersigned officers of the Association of unit owners for the Condominium hereby certify and attest by their signatures hereto, that the foregoing Amendment has been adopted with the written consent of 75% of the unit owners in the Condominium, and their mortgagees, in the manner provided in the Wisconsin Condominium Ownership Act, and that the Declarant has consented in writing to this Amendment. The undersigned further certify that the written consents of the unit owners and their mortgagees to this Amendment are on file and available for inspection at the offices of the Association.

SADDLE RIDGE ASSOCIATION, INC.

Attest:

Beth J. Hoskins
Beth J. Hoskins (Secretary)

By: Robert T. Berst
Robert T. Berst (President)

APPROVED BY DECLARANT:

WAJBAC AND TADWIL, LTD.

Attest:

Robert C. Arians
Robert C. Arians, Secretary

By: Robert T. Berst
Robert T. Berst, Vice President

STATE OF WISCONSIN)
: SS.
COLUMBIA COUNTY)

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