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**FIRST AMENDMENT TO
AMENDED AND RESTATED
DECLARATION
OF COVENANTS,
CONDITIONS AND
RESTRICTIONS FOR
THE TIMBERS AT
CHRISTMAS MOUNTAIN**

Document Number

Document Title

Recording Area

Name and Return Address

Bluegreen Corporation
4960 Conference Way North,
Suite 100
Boca Raton, FL 33431
Attention: Legal Department

See Exhibit A

Parcel Identification Number (PIN)

**Cross Reference to:
Document No. 827468, Pages 00102-00166**

**FIRST AMENDMENT TO AMENDED AND RESTATED DECLARATION
OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR
THE TIMBERS AT CHRISTMAS MOUNTAIN**

This First Amendment to Amended and Restated Declaration of Covenants, Conditions and Restrictions for The Timbers at Christmas Mountain (“**Amendment**”) is made and entered into as of this 31 day of December, 2019, by The Timbers at Christmas Mountain Association, U.A., a Wisconsin unincorporated association (“**Association**”), the current principal place of business of which is S944 Christmas Mountain Road, Wisconsin Dells, Wisconsin 53965.

WHEREAS, The Timbers at Christmas Mountain was established as a timeshare plan in accordance with the Wisconsin Timeshare Ownership Statute, Chapter 707, Wisconsin Statutes (the “**Act**”) pursuant to that certain Declaration of Covenants, Conditions and Restrictions for The Timbers at Christmas Mountain recorded on July 26, 1989 in Volume 002, page 489, as Document No. 57216, in the office of the Registrar of Deeds for Sauk County, Wisconsin (“**Original Declaration**”);

WHEREAS, the Original Declaration was amended, restated, and replaced by that certain Amended and Restated Declaration of Covenants, Condition and Restrictions for The Timbers at Christmas Mountain recorded on December 4, 2003 as Document Number 827468, beginning on page 00102, in the office of the Registrar of Deeds for Sauk County, Wisconsin (as amended and restated, the “**Declaration**”);

WHEREAS, the Association desires to acquire the property more particularly described in **Exhibit A** attached hereto and made a part hereof, together with the improvements thereon (the “**Additional Property**”), and to expand The Timbers at Christmas Mountain through an amendment to the Declaration to include the Additional Property;

WHEREAS, the Additional Property is subject to that certain POA Declaration of Covenants, Conditions and Restrictions for Christmas Mountain Village recorded on August 26, 1991 in Volume 002, page 762, as Document 553963, as amended by that certain First Amendment to POA Declaration of Covenants, Conditions and Restrictions for Christmas Mountain Village recorded on August 26, 1991 in Volume 002, page 791, as Document 553964, all in the office of the Registrar of Deeds for Sauk County, Wisconsin (as amended, the “**POA Declaration**”);

WHEREAS, improvements located on the Additional Property, including without limitation, the ski resort facilities, the 18-hole Oaks Golf Course, the 9-hole Pines Golf Course are “Resort Recreational Facilities” as that term is defined in the POA Declaration;

WHEREAS, upon recording of this Amendment, **Exhibit A** attached hereto shall serve as the plat map describing the “additional recreational property” as referenced in **Article IV, Section F** of the Declaration;

WHEREAS, pursuant to **Article IX, Section B** of the Declaration, the Declaration may be amended at a duly called annual or special meeting of the Association at which a quorum is present, upon a vote of not less than two-thirds (2/3) percentage of the ownership interests in the Property represented by Undivided Interest Owners, Resort Interest Owners and Townhome Interest Owners at such meeting either in person or by proxy;

WHEREAS, a special meeting of the Owners was called and convened in accordance with the Bylaws, a quorum was obtained, a vote held of the Owners present or by proxy, and more than two-thirds (2/3) percentage of the ownership interests in the Property affirmatively voted to (i) acquire the Additional Property, and (ii) amend the Declaration in order to expand The Timbers at Christmas Mountain to include the Additional Property as provided in this Amendment.

NOW, THEREFORE, the Association hereby amends the Declaration as follows:

1. The recitals set forth above are true and correct in all material respects and are incorporated herein by this reference and made a part of this Amendment.
2. Capitalized terms used in this Amendment not otherwise defined herein shall have the meanings ascribed to them in the Declaration.
3. The Additional Property is hereby annexed to The Timbers at Christmas Mountain resort development project, and The Timbers at Christmas Mountain is hereby expanded to include the Additional Property. The Additional Property is hereby made subject to the Declaration, and all reference in the Declaration to the Property shall be deemed to include the Additional Property. The fractional interest of each Owner as tenant-in-common in the Property shall include the Additional Property as part of the Property.
4. The Additional Property, and the Resort Recreational Facilities located thereon, remain subject to and shall be operated in accordance with the POA Declaration.
5. Except as expressly amended hereby, the Declaration shall remain unchanged and in full force and effect.

[REMAINDER OF PAGE INTENTIONALLY BLANK]

IN WITNESS WHEREOF, the Association has caused this Amendment to be executed as of the date first above written.

The undersigned hereby certify on behalf of the Association, a special meeting of the Owners was called and convened on December 20, 2019, in accordance with the Bylaws, a quorum was obtained, a vote held of the members present or by proxy, and more than two-thirds (2/3) percentage of the ownership interests in the Property affirmatively voted to (i) acquire the Additional Property, and (ii) amend the Declaration in order expand The Timbers at Christmas Mountain to include the Additional Property as provided in this Amendment.

Witnesses:

ASSOCIATION:

Rosemarie Wallace
Susan Jane

THE TIMBERS AT CHRISTMAS MOUNTAIN
ASSOCIATION U.A.,
a Wisconsin unincorporated nonprofit association

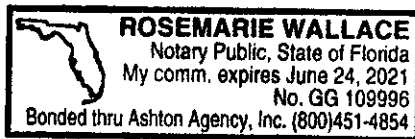
By: [Signature]
Print Name: MATTHEW MUELLER
Title: President or Vice President

Attested By: _____
Print Name: _____
Title: Secretary

STATE OF Florida
COUNTY OF Orange

The foregoing instrument was acknowledged before me this 23rd day of December, 2019 by Matthew Mueller as President of The Timbers at Christmas Mountain Association, U.A., a Wisconsin unincorporated nonprofit association. He/she is (X) personally known to me or () has produced _____ as identification.

WITNESS MY HAND AND OFFICIAL SEAL IN THE COUNTY AND STATE AFORESAID.



Rosemarie Wallace
Notary Public
My commission expires: June 24, 2021

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of December, 2019 by _____, as Secretary of The Timbers at Christmas Mountain Association, U.A., a Wisconsin unincorporated nonprofit association. He/she is () personally known to me or () has produced _____ as identification.

WITNESS MY HAND AND OFFICIAL SEAL IN THE COUNTY AND STATE AFORESAID.

Notary Public
My commission expires: _____

IN WITNESS WHEREOF, the Association has caused this Amendment to be executed as of the date first above written.

The undersigned hereby certify on behalf of the Association, a special meeting of the Owners was called and convened on December 20, 2019, in accordance with the Bylaws, a quorum was obtained, a vote held of the members present or by proxy, and more than two-thirds (2/3) percentage of the ownership interests in the Property affirmatively voted to (i) acquire the Additional Property, and (ii) amend the Declaration in order expand The Timbers at Christmas Mountain to include the Additional Property as provided in this Amendment.

Witnesses:

ASSOCIATION:

THE TIMBERS AT CHRISTMAS MOUNTAIN
ASSOCIATION U.A.,
a Wisconsin unincorporated nonprofit association

By: _____
Print Name: _____
Title: President or Vice President

Attested By: Angela S. Carr
Print Name: Douglas S. Carr
Title: Secretary

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of December, 2019 by _____, as _____ of The Timbers at Christmas Mountain Association, U.A., a Wisconsin unincorporated nonprofit association. He/she is () personally known to me or () has produced _____ as identification.

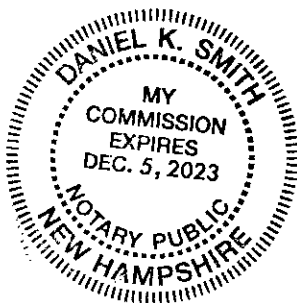
WITNESS MY HAND AND OFFICIAL SEAL IN THE COUNTY AND STATE AFORESAID.

Notary Public
My commission expires: _____

STATE OF NEW HAMPSHIRE
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 30th day of December, 2019 by Douglas S. Carr as **Secretary** of The Timbers at Christmas Mountain Association, U.A., a Wisconsin unincorporated nonprofit association. He/she is (✓) personally known to me or () has produced _____ as identification.

WITNESS MY HAND AND OFFICIAL SEAL IN THE COUNTY AND STATE AFORESAID.



D.K. Smith
Notary Public
My commission expires: 12/5/23

EXHIBIT "A"

PARCELS FROM BVU

PARCEL A:

That part of the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of Section 11, T 13N, Range 5E, lying Southerly of County Trunk Highway HH and Westerly of Certified Survey Map No. 4193 recorded in Volume 21 of Certified Survey Maps, page 4193 as Document No. 721002 Town of Dellona, Sauk County, Wisconsin,
Tax Parcel No. 006/0215-00000

PARCEL B:

Lots One (1) and Two (2), Certified Survey Map No. 4193 recorded in Volume 21 of Certified Survey Maps, page 4193 as Document No. 721002 located in the Town of Dellona, Sauk County, Wisconsin.
Tax Parcel Nos. 006/0216-21000 and 006/0216-20000

PARCEL C:

The Southwest Quarter of the Southeast Quarter (SW 1/4 SE 1/4) of Section 11, Township Thirteen (13) North of Range Five (5) East, Town of Dellona, Sauk County, Wisconsin.

EXCEPTING THEREFROM that part of the below lying in the above:

The Plat of The Villas at Christmas Mountain, a Condominium Phase VI, "The Oaks", Town of Dellona, Sauk County, Wisconsin.

The Plat of "The Timbers East" recorded August 22, 2013 as Document No. 818604, Town of Dellona, Sauk County, Wisconsin.

and

The Plat of The Villas at Christmas Mountain, and Phases II and Phase III, a Condominium, Town of Dellona, Sauk County, Wisconsin.

and

Lot One (1), Certified Survey Map No. 2147 recorded in Volume 8 of Certified Survey Maps, page 2147 as Document No. 527098 located in the Town of Dellona, Sauk County, Wisconsin.

FURTHER EXCEPTING:

Lots One (1) and Two (2), Certified Survey Map No. 4193 recorded in Volume 21 of Certified Survey Maps, page 4193 as Document No. 721002 located in the Town of Dellona, Sauk County, Wisconsin.

and

The Plat of First Addition to Christmas Mountain Condominium Phase I, Town of Dellona, Sauk County, Wisconsin.

and

The Plat of The Villas at Christmas Mountains, Phase II, a Condominium, Town of Dellona, Sauk County, Wisconsin.

Tax Parcel No. 006/0216-00000

PARCEL D:

The Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of Section 11, T 13N, Range 5E, located in the Town of Dellona, Sauk County, Wisconsin.

EXCEPTING THEREFROM:

The Plat of "The Timbers East" recorded August 22, 2013 as Document No. 818604, being part of Lot 1 of CSM No. 2147, located in the Town of Dellona, Sauk County, Wisconsin.

and

The Plat of The Villas at Christmas Mountain, a Condominium Phase VI, "The Oaks", Town of Dellona, Sauk County, Wisconsin.

and

The Plat of First Addition to Christmas Mountain, Town of Dellona, Sauk County, Wisconsin.

and

Lot One (1), Certified Survey Map No. 4801 recorded in Volume 26 of Certified Survey Maps, page 4801 as Document No. 803899, in the Town of Dellona, Sauk County, Wisconsin.

and

Lot One (1), Certified Survey Map No. 3605, recorded in Volume 18 of Certified Survey Maps, page 3605 as Document No. 650852, in the Town of Dellona, Sauk County, Wisconsin.

Tax Parcel No. 006/0217-00000

PARCEL E:

The Northwest Quarter of the Northeast Quarter (NW 1/4 NE 1/4) of Section 14 T 13N, R 5 E, Town of Dellona, Sauk County, Wisconsin.

EXCEPTING THEREFROM:

The Plat of The Villas at Christmas Mountain, a Condominium Phase III, Town of Dellona, Sauk County, Wisconsin.

and

The Plat of The Villas at Christmas Mountain, a Condominium Phase IV, Town of Dellona, Sauk County, Wisconsin.

and

Lots Six (6), Eight (8) and Nine (9) of the Plat of Christmas Mountain, Town of Dellona, Sauk County, Wisconsin.

and

Lot Ten (10) of the Plat of Christmas Mountain, EXCEPTING Therefrom the Villas at Christmas Mountain Condos (The Cabin), Town of Dellona, Sauk County, Wisconsin.

and

Second Replat Villas at Christmas Mountain Phase V, The Cabins, Town of Dellona, Sauk County, Wisconsin.

and

Lot One (1) Certified Survey Map No. 5045 recorded in Volume 28 of Certified Survey Maps. page 5045 as Document No. 842835, Town of Dellona, Sauk County, Wisconsin.

and

The Timbers of Christmas Mountain Phase II, Town of Dellona, Sauk County, Wisconsin.

and

The Timbers of Christmas Mountain Phase III Condos, Town of Dellona, Sauk County, Wisconsin.

and

The Timbers of Christmas Mountain Phase V Condos, Town of Dellona, Sauk County, Wisconsin.

and

The Timbers of Christmas Mountain Phase IV Condos, Town of Dellona, Sauk County, Wisconsin.

and

The Deluxe Timbers a Condo Plat Phase 1, Rev 1 and Phase 2, Town of Dellona, Sauk County, Wisconsin.

and

Timbers at Christmas Mountain Phase 1 Town Homes Condo, Town of Dellona, Sauk County, Wisconsin.

Tax Parcel No. 006/0256-00000

PARCEL F:

Lot One (1) Certified Survey Map No. 2078 recorded in Volume 8 of Certified Survey Maps. page 2078 as Document No. 522319, Town of Dellona, Sauk County, Wisconsin.

Tax Parcel No. 006/0255-10000

PARCEL G:

Lot One (1) Certified Survey Map No. 2148 recorded in Volume 8 of Certified Survey Maps, page 2148 as Document NO. 527099, located in the Town of Dellona, Sauk County, Wisconsin.

EXCEPTING Therefrom

The Deluxe Timbers of Christmas Mountain Phase II revised, Town of Dellona, Sauk County, Wisconsin.

and

The Timbers of Christmas Mountain Phases I thru VI, Town of Dellona, Sauk County, Wisconsin.

Tax Parcel No. 006/0257-10000

PARCEL H:

The Southwest Quarter of the Northeast Quarter (SW 1/4 NE 1/4) of Section 14, T 13N, R 5 E, Town of Dellona, Sauk County, Wisconsin.

EXCEPTING THEREFROM:

Lot One (1), Certified Survey Map No. 2148 recorded in Volume 8 of Certified Survey Maps, page 2148 as Document No. 527099, located in the Town of Dellona, Sauk County, Wisconsin.

and
The Deluxe Timbers of Christmas Mountain Phase II revised, Town of Dellona, Sauk County, Wisconsin.

and

The Timbers of Christmas Mountain Phases I Town Homes Condo Plat, Town of Dellona, Sauk County, Wisconsin.

Tax Parcel No. 006/0257-00000

PARCEL I:

The Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of Section 14, T 13N, R 5 E, Town of Dellona, Sauk County, Wisconsin.

EXCEPTING THEREFROM:

Lot One (1) Certified Survey Map No. 2078 recorded in Volume 8 of Certified Survey Maps. page 2078 as Document No. 522319 Town of Dellona, Sauk County, Wisconsin.

and

Outlot Two (OL 2) of Christmas Mountain Golf Estates, in the Town of Dellona, Sauk County, Wisconsin.

and

Lot One (1), Certified Survey Map No. 4194 recorded in Volume 21 of Certified Survey Maps, page 4194 as Document No. 721003, Town of Dellona, Sauk County, Wisconsin.

Tax Parcel No. 006/0258-00000

PARCEL J:

The Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of Section 11 T 13N, R 5 E, Town of Dellona, Sauk County, Wisconsin.

EXCEPTING THEREFROM:

The Plat of First Addition of Christmas Mountain, Town of Dellona, Sauk County, Wisconsin.

and
Lot One (1), Certified Survey Map No. 4801 recorded in Volume 26 of Certified Survey Maps, page 4801 as Document No. 803899, in the Town of Dellona, Sauk County, Wisconsin.

and

Lot One (1), Certified Survey Map No. 6065 recorded in Volume 35 of Certified Survey Maps, page 6065 as Document No. 1044768, in the Town of Dellona, Sauk County, Wisconsin.

and

Lot One (1), Certified Survey Map No. 4374 recorded in Volume 23 of Certified Survey Maps, page 4374 as Document No. 741171, in the Town of Dellona, Sauk County, Wisconsin.

and

Lot One (1), Certified Survey Map No. 4801 recorded in Volume 26 of Certified Survey Maps, page 4801 as Document No. 803899, in the Town of Dellona, Sauk County, Wisconsin.

and

Lot One (1), Certified Survey Map No. 5935 recorded in Volume 34 of Certified Survey Maps, page 5935 as Document No. 1012257, in the Town of Dellona, Sauk County, Wisconsin.

and

Lot One (1) Certified Survey Map No. 5045 recorded in Volume 28 of Certified Survey Maps, page 5045 as Document No. 842835 Town of Dellona, Sauk County, Wisconsin.

and

Lot One (1) Certified Survey Map No. 2078 recorded in Volume 8 of Certified Survey Maps, page 2078 as Document No. 522319, Town of Dellona, Sauk County, Wisconsin.

Tax Parcel No. 006/0255-00000

PARCEL K:

The Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4 of Section 12, T 13N, R 5 E, Town of Dellona, Sauk County, Wisconsin.

EXCEPTING THEREFROM

Lot One (1) of Certified Survey Map No. 1554 recorded in Volume 6 of Certified Survey Maps, page 1554 as Document No. 473772, Town of Dellona, Sauk County, Wisconsin.

and

Certified Survey Map No. 2117 recorded in Volume 8 of Certified Survey Maps, page 2117 as Document No. 524673.

and

Lot One (1) of Certified Survey Map No. 3732 recorded in Volume 19 of Certified Survey Maps, page 3732 recorded as Document No. 660544.

Tax Parcel No. 006/0230-00000

PARCEL L:

The Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of Section 13, T 13N, R 5 E, Town of Dellona, Sauk County, Wisconsin.

EXCEPTING THEREFROM:

Lot One (1) of Certified Survey Map No. 1554 recorded in Volume 6 of Certified Survey Maps, page 1554 as Document No. 473772, Town of Dellona, Sauk County, Wisconsin.

and

Lot One (1) of Certified Survey Map No. 2118 recorded in Volume 8 of Certified Survey Maps, page 2118 as Document No. 524674, Town of Dellona, Sauk County, Wisconsin.

And

FURTHER EXCEPTING:

That part of the Plat of First Addition to Christmas Mountain Golf Estates, Town of Dellona, Sauk County, Wisconsin, lying is Parcel B shown above.

Tax Parcel No. 006/0243-00000

PARCEL M:

The Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of Section 13, T 13N, R 5 E, Town of Dellona, Sauk County, Wisconsin.

EXCEPTING THEREFROM:

Lot One (1) of Certified Survey Map No. 1554 recorded in Volume 6 of Certified Survey Maps, page 1554 as Document No. 473772, Town of Dellona, Sauk County, Wisconsin.

and

Lot One (1) of Certified Survey Map No. 2118 recorded in Volume 8 of Certified Survey Maps, page 2118 as Document No. 524674, Town of Dellona, Sauk County, Wisconsin.

And

FURTHER EXCEPTING:

That part of the Plat of First Addition to Christmas Mountain Golf Estates, Town of Dellona, Sauk County, Wisconsin lying in Parcel C shown above.

Tax Parcel No. 006/0242-00000

PARCEL N:

The North Half of the South 1/2 of the Northwest Quarter of Section 13, T 13N, R 5 E, Town of Dellona, Sauk County, Wisconsin.

EXCEPTING THEREFROM :

Lots One (1) and Two (2) of Certified Survey Map No. 1802 recorded in Volume 7 of Certified Survey Maps, page 1802 as Document No. 496573, Town of Dellona, Sauk County, Wisconsin.

and

Lot One (1), Certified Survey Map No. 4194 recorded in Volume 21 of Certified Survey Maps, page 4194 as Document No. 721003, Town of Dellona, Sauk County, Wisconsin.

And

FURTHER EXCEPTING:

That part of the Plat of Christmas Mountain Golf Estates, Town of Dellona, Sauk County, Wisconsin, lying in Parcel D shown above.

Tax Parcel No. 006/0245-10000

PARCEL O:

Outlot Thirteen (OL 13), First Addition to Christmas Mountain Golf Estate, in the Town of Dellona, Sauk County, Wisconsin.

Tax Parcel No. 006/0989-98147

PARCEL P:

Outlot Fifteen (OL 15), First Addition to Christmas Mountain Golf Estate, in the Town of Dellona, Sauk County, Wisconsin.

Tax Parcel No. 006/0989-98149

PARCELS FROM BXG

PARCEL A:

Outlot One (OL 1), Christmas Mountain Golf Estate, in the Town of Dellona, Sauk County, Wisconsin.

Tax Parcel No. 006/0989-98126

PARCEL B:

Outlot Two (OL 2), Christmas Mountain Golf Estate, in the Town of Dellona, Sauk County, Wisconsin.

Tax Parcel No. 006/0989-98127

PARCEL C:

Outlot Four (OL 4), Christmas Mountain Golf Estate, in the Town of Dellona, Sauk County, Wisconsin.

Tax Parcel No. 006/0989-98129

PARCEL D:

Outlot Six (OL 6), Christmas Mountain Golf Estate, in the Town of Dellona, Sauk County, Wisconsin.

Tax Parcel No. 006/0989-98131

PARCEL E:

Outlot Seven (OL 7), Christmas Mountain Golf Estate, in the Town of Dellona, Sauk County, Wisconsin.

Tax Parcel No. 006/0989-98132

PARCEL F:

Outlot Eight (OL 8), Christmas Mountain Golf Estate, in the Town of Dellona, Sauk County, Wisconsin.

Tax Parcel No. 006/0989-98133

PARCEL G:

Outlot Nine (OL 9), Christmas Mountain Golf Estate, in the Town of Dellona, Sauk County, Wisconsin.

Tax Parcel No. 006/0989-98134

PARCEL H:

Outlot Ten (OL 10), Christmas Mountain Golf Estate, in the Town of Dellona, Sauk County, Wisconsin.

Tax Parcel No. 006/0989-98135

PARCEL I:

Outlot Eleven (OL 11), Christmas Mountain Golf Estate, in the Town of Dellona, Sauk County, Wisconsin.

Tax Parcel No. 006/0989-98136

PARCEL J:

A Permanent and Nonexclusive Easement for the benefit of the land as created by Pumphouse Easement Agreement recorded in November 22, 2019 as Document No. 1189990