

649273

Third Amendment to Restated Declaration
of Time-Share Condominium
The Villas at Christmas Mountain

VCL 003 PAGE 573

Document Number

Document Title

REGISTRAR'S OFFICE
SAUK COUNTY WI
RECEIVED FOR RECORD

AT 1:46 O'CLOCK P M

ON Jan 28 1977

James E. Keady
REGISTRAR

26.50 *ck*

Recording Area

Name and Return Address

Resort Title Agency, Inc.
12995 Cleveland Avenue
Suite 270
Ft. Myers, Florida 33907

Parcel Identification Number (PIN)

This information must be completed by submitter: document title, name & return address, and PIN (if required). Other information such as the granting clauses, legal description, etc. may be placed on this first page of the document or may be placed on additional pages of the document. Note: Use of this cover page adds one page to your document and \$2.00 to the recording fee. Wisconsin Statutes, 59.517. WRDA 2/96

THIRD AMENDMENT TO RESTATED DECLARATION
OF TIME-SHARE CONDOMINIUM
THE VILLAS AT CHRISTMAS MOUNTAIN

WHEREAS, the Declaration of Condominium, The Villas at Christmas Mountain, dated October 22, 1984 was recorded in the office of the Register of Deeds for Sauk County, Wisconsin on the 9th day of November, 1984 in Vol. 001 of Condominiums, commencing on page 610 (hereinafter referred to as the "Original Declaration");

WHEREAS, the Original Declaration was restated by the Restated Declaration of Time-Share Condominium for The Villas at Christmas Mountain, dated August 30, 1988 which was recorded in the office of the Register of Deeds for Sauk County, Wisconsin, on the 9th day of September, 1988 in Volume 002 of Condominiums commencing on page 271, as Document No. 515569 (hereinafter referred to as the "Restated Declaration");

WHEREAS, the Restated Declaration has previously been amended by (1) a First Amendment recorded in the office of the Register of Deeds for Sauk County, Wisconsin on February 22, 1990 in Volume 002 of Condominiums commencing on page 560, as Document No. 534730 and (2) a Second Amendment recorded in the office of the Register of Deeds for Sauk County, Wisconsin on September 4, 1990 in Volume 082 of Condominiums commencing on page 667, as Document No. 54691 (the Restated Declaration, as amended by the foregoing amendments, are hereinafter collectively referred to as the "Declaration");

WHEREAS, the record Owners of the Unit Weeks voted to amend Article III of the Declaration to provide for an additional five (5) Units as reflected by the map attached hereto and to amend Article XI of the Declaration with regard to the method of amendment of the Declaration; and

WHEREAS, the map attached hereto previously has been recorded in the office of the Register of Deeds for Sauk County, Wisconsin.

NOW, THEREFORE, it is resolved by Dellona Enterprises, Inc., Declarant, and The Villas at Christmas Mountain Association that the Restated Declaration be amended as set forth below.

1. Article III TIME-SHARING PLAN is hereby amended, in its entirety, to read as follows:

III
TIME-SHARING PLAN

Time-Share Estates are expressly authorized and have been created with respect to all Units in this Condominium. The purchaser will receive a Time-Share Estate in a Unit and the share of the Common Elements

and the limited common elements appurtenant to that Unit, that will allow the purchaser the exclusive right of use, possession and occupancy of the Unit for a stated seven (7) day week (Unit Week) or weeks over a period of years, together with a percentage remainder interest in fee simple in the Unit, as tenants-in-common with all other purchasers of Unit Weeks in that Unit. The purchaser's percentage of fee simple remainder interest in that Unit shall be an undivided 1/51st interest as tenant-in-common with all other purchasers of Unit Weeks in that Unit, and that Unit and its Owners will own an undivided interest in the Common Elements, as determined and established pursuant to this Declaration at 12:00 noon on Friday, January 2, 2026.

There are now in existence ninety-one (91) Units in this Condominium, each of which contains fifty-two (52) Unit Weeks resulting in a maximum of four thousand seven hundred thirty-two (4,732) Unit Weeks in the Condominium.

Declarant reserves the right to expand the condominium by subjecting additional property to this Declaration and by reallocating the respective percentage of undivided interests in obligations as set forth in Article VIII hereof. The addition of property subjected to this Declaration and the reallocation of interests may be accomplished by the recording of supplements to this Declaration, for which purpose it shall be sufficient to record supplements to Exhibit 1. The property which may be added to the Condominium under this reservation of right to expand is described on Exhibit 1, attached; and it may be added in one or more phases in the discretion of the Declarant. The maximum number of Units which may be added to the Condominium is 109 Units for a total of 200 Units comprising the Condominium. Each Unit Week in each new Unit shall have one vote in the Association. The undivided interests and obligations appurtenant to each new Unit shall be stated in the amendment to this Declaration adding property to the Condominium; and shall be determined by Declarant based upon square footage, amenities, limited common elements and such other factors as Declarant deems relevant. Such changes in the appurtenant interests may be made only if property and Units are added to the Condominium in accordance with this Article. The right to expand the Condominium and to supplement the Declaration for this purpose are reserved for a period expiring November 9, 1991.

Declarant does hereby grant and quit claim unto the Association, for the benefit of Unit Owners, an easement for ingress and egress over and across the premises described in Exhibit 1, in order to provide access between the public street and The Villas at Christmas Mountain.

2. Article XI METHOD OF AMENDMENT OF DECLARATION is hereby amended by deleting the first and the second paragraphs of the existing Article XI and replacing them with the following two paragraphs.

This Declaration, excluding the Management Contract, By-Laws and Articles, may be amended at any regular meeting or special meeting of the Unit Owners, called and convened in accordance with the By-Laws, by a vote of a majority of Unit Weeks represented at a meeting at which a quorum is present or in any other manner authorized by Chapter 707 of the Wisconsin Statutes.

All Amendments shall be recorded. An Amendment to the Declaration may not permit the creation of Condominium Parcels or Condominium Units unless the owner of each Unit, and the record owners of liens on each Unit, consent to the amendment.

The paragraphs of Article XI not referred to above are not modified and remain in effect as stated.

IN WITNESS WHEREOF, the Declarant, Dellona Enterprises, Inc., and The Villas at Christmas Mountain Association, has executed this amendment this 8th day of March, 1996.

DELLONA ENTERPRISES, INC.

By:

Randy L. Keim
Randy L. Keim, President

Attest:

LuAnne Keim
LuAnne Keim, Secretary

THE VILLAS AT CHRISTMAS MOUNTAIN ASSOCIATION

By: *Randy L. Keim*
Randy L. Keim, President

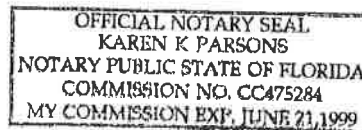
Attest: *Jerry Thorsen*
Jerry Thorsen, Secretary

STATE OF FLORIDA)
) ss.
COUNTY OF LEE)

Personally came before me this 8th day of March, 1996, the above-named Randy L. Keim, President, and LuAnne Keim, Secretary, of Dellona Enterprises, Inc., to me known to be the persons who executed the foregoing instrument and acknowledged the same as the act of Dellona Enterprises, Inc.

Karen K. Parsons
Notary Public, State of Florida
My commission expires:

STATE OF FLORIDA)
) ss.
COUNTY OF LEE)



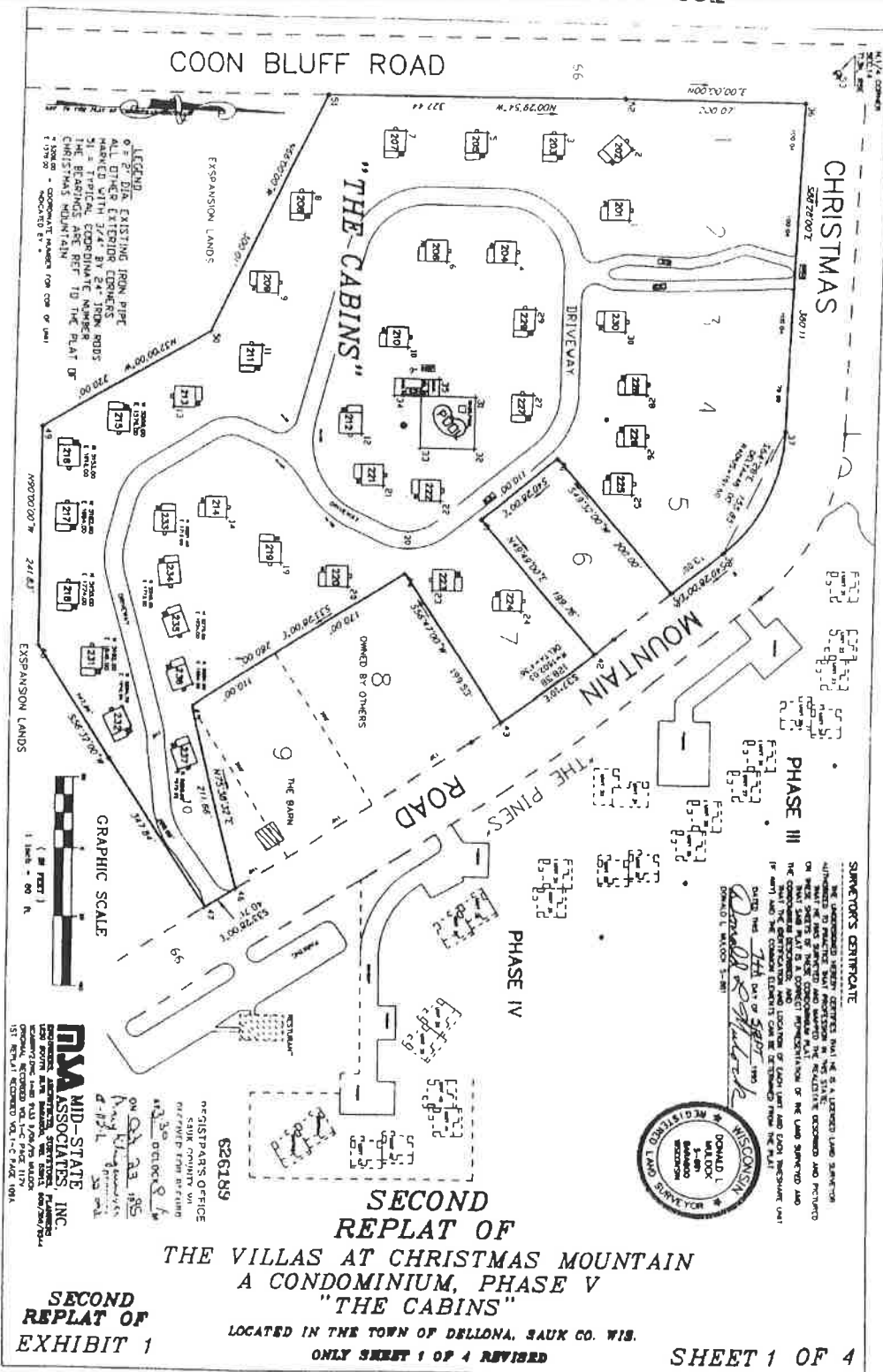
Personally came before me this 3rd day of April, 1996, the above-named Randy L. Keim, President, and Jerry Thorsen, Secretary, of The Villas at Christmas Mountain Association, to me known to be the persons who executed the foregoing instrument and acknowledged the same as the act of The Villas at Christmas Mountain Association.

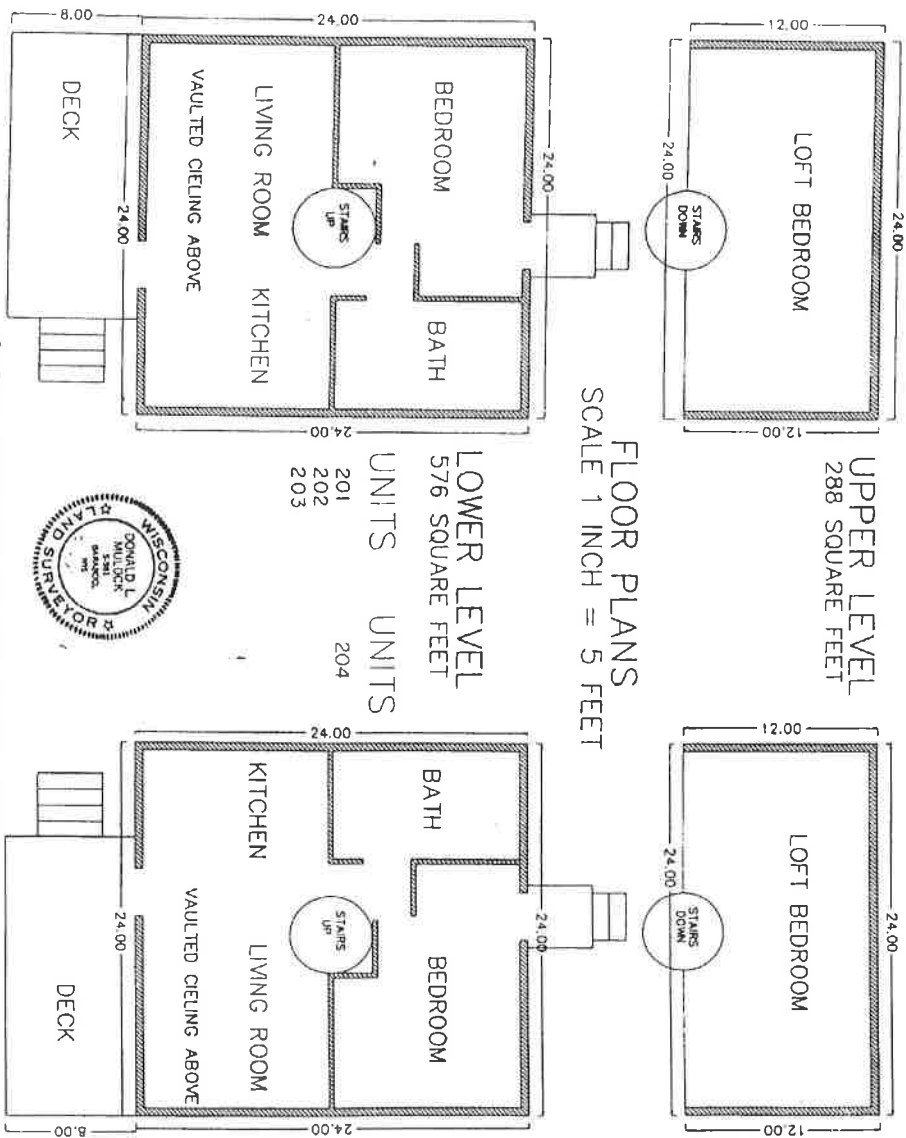
Marie Martel
Notary Public, State of Florida
My commission expires:

This Document Drafted By and Return to:

Joseph P. Bartol
Stroud, Stroud, Willink, Thompson & Howard
P. O. Box 2236
Madison, WI 53701-2236
(608) 257-2281







CABIN: PREPARED BY MID-STATE ASSOCIATES, BARABOO, WI.

THE VILLAS AT CHRISTMAS MOUNTAIN
A CONDOMINIUM, PHASE V
"THE CABINS"

LOCATED IN THE TOWN OF DELLONA, SAUK CO. WIS.

EXHIBIT 1

MSA MID-STATE ASSOCIATES, INC.
Engineers • Architects • Planners • Surveyors
1750 South Blvd. Birmingham, Alabama • 205-358-8544

SHEET 2 OF 4

PROJ 9133

