

598719 AT 11⁰⁵ O'CLOCK A^MSECOND AMENDMENT
TO DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS FOR THE TIMBERS AT CHRISTMAS MOUNTAINON March 24 1994
Mary Klingermeyer
REGISTRAR*Secret Sitter 20⁰⁰*
a.

WHEREAS, a Declaration of Covenants, Conditions and Restrictions for The Timbers at Christmas Mountain (the "Declaration") dated July 20, 1989 was recorded in the office of the Register of Deeds for Sauk County, Wisconsin on July 26, 1989 in Vol. 002 of Condominiums, commencing on page 489, as Document No. 527216; and

WHEREAS, the Declaration was amended by a first amendment (the "First Amendment") dated November 7, 1989 and recorded November 21, 1989 in the office of the Register of Deeds for Sauk County, in Vol. 002 of Condominiums, commencing on page 527, as Document No. 531724; and

WHEREAS, Declarant, while retaining control of The Timbers at Christmas Mountain Association pursuant to Article III, Section C. of the Declaration, resolved to amend provisions of the Declaration, pursuant to Article IX, Section B;

NOW, THEREFORE, it is resolved by the Declarant that the Declaration be and it hereby is hereby amended as follows:

The definition of the "Plat" set forth in Article I, paragraph (k) shall specifically include the additional real property shown and described on Exhibit A, attached to this Amendment.

The said additional property may be developed by the Declarant provided, however, that such development shall not increase the number of Accommodations to more than 2500 Accommodations, as authorized by the Declaration.

Whenever in the Declaration reference is made to the Plat, the reference shall include the Plat recorded as a part of the Declaration and the additional land shown on Exhibit A, attached hereto.

The Declarant shall cause an amended Plat of the Property to be recorded in the office of the Register of Deeds for Sauk County, Wisconsin.

Article IX Section B shall hereafter read as follows:

"B. Amendments. This Declaration may be amended by an instrument signed by the Declarant (so long as it retains a right to appoint a majority of the directors) and at any time thereafter at a duly called annual or special meeting of the Association at which a quorum is present upon the vote of not less than two-thirds (2/3) of the Undivided Interests represented by Owners at such meeting, either in person or by

proxy. The Declarant, in its sole discretion, may amend the provisions hereof establishing a formula for Owners' votes, assessments or ownership interests for each Undivided Interest owned if and only if, (i) Declarant retains an ownership interest in Christmas Mountain Village and/or the Recreational Property and (ii) the amendment is required by an institutional lender advancing funds for the purchase of an Undivided Interest."

Except as amended by this Second Amendment, the Restated Declaration as previously recorded and as previously amended by the First Amendment is hereby ratified and confirmed.

IN WITNESS WHEREOF, the Declarant, Dellona Enterprises, Inc. and The Timbers at Christmas Mountain Association have caused this Amendment to be executed by their duly authorized officers this 11th day of March, 1994.

DELLONA ENTERPRISES, INC.

By: [Signature]
Kenn R. Keim, Chairman

Attest: [Signature]
Randy Keim, President

STATE OF FLORIDA)
(ss.
COUNTY OF LEE)

The foregoing instrument was acknowledged before me this 11th day of March, 1994 by Kenn R. Keim and Randy Keim, on behalf of Dellona Enterprises, Inc.

[Signature]
Notary Public, State of Florida
My commission: 6-29-94
Carrie Broullire

NOTARY PUBLIC STATE OF FLORIDA
MY COMMISSION EXP JUNE 29, 1994
BONDED THRU GENERAL INS. UND.



The Oxford Finance Companies, Inc., by its duly authorized officer, as the holder of the first mortgage lien on the real property interests of the Declarant in the Timbers at Christmas Mountain does hereby join in the execution of this Second Amendment to acknowledge its consent to the foregoing and to the amended Plat which is attached thereto.

Executed at Philadelphia, Pennsylvania this 16th day of March, 1994.

THE OXFORD FINANCE COMPANIES, INC.

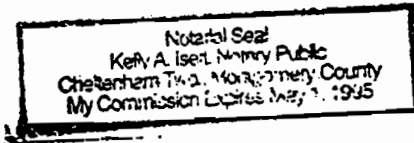
By: [Signature]
Joshua S. Gold
Executive Vice President

Attest: [Signature]
Frank J. Nicastro

STATE OF PENNSYLVANIA)
(ss.
COUNTY OF Montgomery)

The foregoing instrument was acknowledged before me this 16th day of March, 1994 by Joshua S. Gold, Executive Vice President and Frank J. Nicastro, Secretary on behalf of The Oxford Finance Companies, Inc.

[Signature]
Notary Public, State of Pennsylvania
My commission:



VOL 003 PAGE 221

R.K.R. Hess Associates

Surveyors, Planners, Engineers, Architects, Landscape Architects, Environmentalists
 112 North Courland Street, P.O. Box 268, East Stroudsburg, Pennsylvania 18301
 Phone (717) 421-1550, Fax (717) 421-6720



March 8, 1994
 Project No. 93112.04

DESCRIPTION TO THE TIMBERS

ALL that certain piece, parcel or tract of land situate in the NW 1/4 - NE 1/4 and SW 1/4 - NE 1/4 of Section 14, Township 13N, Range 5E, Town of Dellona, County of Sauk and State of Wisconsin, bounded and described as follows, to wit:

BEGINNING at a point on line of lands of Oak Leaf Estates, said point also being on the 1/4 section line of Section 14 and North 89 degrees 18 minutes 07 seconds West 1511.28 feet from the east 1/4 corner of Section 14; thence by lands of Oakleaf Estates and the 1/4 section line North 89 degrees 16 minutes 07 seconds West 1064.15 feet to a point on the easterly line of Coon Bluff Road; thence along the easterly line of said road North 00 degrees 45 minutes 44 seconds West 2086.72 feet to a point a corner of The Villas at Christmas Mountain, a Condominium Phase V, the Cabins; thence by lands of The Villas at Christmas Mountain, a Condominium, Phase V, The Cabins, the following four (4) courses and distances:

1. South 66 degrees 00 minutes 00 seconds East 300.01 feet to a point,
2. South 32 degrees 00 minutes 00 seconds East 220.00 feet to a point,
3. Due east 241.83 feet to a point, and
4. North 56 degrees 32 minutes 00 seconds East 347.84 feet to a point on the southwesterly line of Christmas Mountain Road;

thence along the southwesterly line of said road South 33 degrees 28 minutes 00 seconds East 225.00 feet to a point; thence along the southerly line of said road on a curve to the left having a radius of 461.89 feet for an arc length of 403.08 feet to a point; thence leaving said road and by lands of the lodge South 02 degrees 40 minutes 55 seconds West 252.33 feet to a point; thence by the ski slope the following six (6) courses and distances:

1. South 84 degrees 43 minutes 00 seconds West 82.01 feet to a point,
2. South 76 degrees 45 minutes 49 seconds West 130.34 feet to a point,
3. South 69 degrees 21 minutes 36 seconds West 163.67 feet to a point,
4. South 61 degrees 22 minutes 03 seconds West 401.37 feet to a point,
5. South 10 degrees 41 minutes 14 seconds East 457.23 feet to a point, and

DESCRIPTION - THE TIMBERS
March 8, 1994
Page 2

VOL 003 PAGE 222



6. SOUTH 30 degrees 24 minutes 34 seconds East 697.69 feet to the
place of BEGINNING.

CONTAINING 41.16 acres, more or less.

THIS DESCRIPTION PREPARED FROM RECORDS AND A PLATS PREPARED BY MID-
STATE ASSOCIATES, INC.

2/8/THE/TIMBERS/2024/C/1001

3088824155427

