

651151

FOURTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE TIMBERS AT CHRISTMAS MOUNTAIN

Document Number

Document Title

REGISTRAR'S OFFICE
SAUK COUNTY WI
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ON Mar. 11 1997

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2400

Name and Return Address

RESORT TITLE AGENCY, INC.
12995 Cleveland Ave. #270
Fort Myers, FL 33907

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FOURTH AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
FOR THE TIMBERS AT CHRISTMAS MOUNTAIN

WHEREAS, a Declaration of Covenants, Conditions and Restrictions for The Timbers at Christmas Mountain (the "Original 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, Wisconsin in Vol. 002 of Condominiums, commencing on page 527, as Document No. 531724 and by a second amendment (the "Second Amendment") dated March 11, 1994 and recorded March 24, 1994 in the office of the Register of Deeds for Sauk County, Wisconsin in Vol. 003 of Condominiums, commencing on page 218, as Document No. 598719 and by a third amendment (the "Third Amendment") dated March 11, 1994 and recorded in the office of the Register of Deeds for Sauk County, Wisconsin in Vol. 003 of Condominiums commencing on page 251, as Document No. 604471 (the Original Declaration, as amended by the foregoing amendments, are hereinafter referred to as the "Declaration"); and

WHEREAS, pursuant to Article IX, Section B of the Declaration, the Owner of two-thirds (2/3) of the Undivided Interests voted to amend the Declaration as set forth below.

NOW, THEREFORE, it is resolved by the Declarant, Dellona Enterprises, Inc., a Wisconsin corporation, and The Timbers at Christmas Mountain Association that the Declaration be and it hereby is amended as follows:

1. Article 1, paragraph (c) is hereby amended by deleting the phrase "Grand Cabin" and inserting in its place the phrase "Deluxe Timbers Unit."

2. Article 1, paragraph (j) is hereby amended in its entirety to read as follows:

(j) A "Deluxe Timbers Unit" shall mean an enclosed structure with roof, designed as temporary living quarters, and which is designated as a Deluxe Timbers Unit on a plat which has been recorded from time to time in the Register's Office, Sauk County, Wisconsin by the Declarant. Occupancy and use of a Deluxe Timbers Unit shall be limited to Deluxe Timber Users or the Declarant. Specifically, the Deluxe Timbers shall include those six (6) units designated as Units 801-806 on the Condominium Plat recorded in the Register's Office, Sauk County, Wisconsin on September 11, 1995 as

THE TIMBERS AT CHRISTMAS MOUNTAIN ASSOCIATION

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

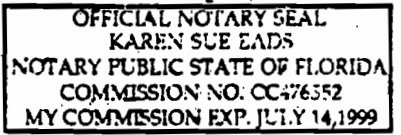
Attest: Sue Bowers
Sue Bowers, Secretary

STATE OF FLORIDA)
) ss.
COUNTY OF LEE)

The foregoing instrument was acknowledged before me this 22nd day of January, 1997 by Randy L. Keim, President, and Karen Parsons, Secretary, on behalf of Dellona Enterprises, Inc.

Karen Sue Eads

Notary Public, State of Florida
My Commission Expires:

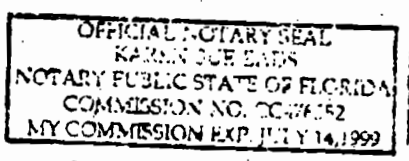


STATE OF FLORIDA)
) ss.
COUNTY OF LEE)

The foregoing instrument was acknowledged before me this 22nd day of January, 1997 by Randy L. Keim, President, and Sue Bowers, Secretary, on behalf of The Timbers at Christmas Mountain Association.

Karen Sue Eads

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

Document No. 624193, entitled "The Deluxe Timbers, Phase 1," and attached hereto as Exhibit A. The Deluxe Timbers also shall include any additional units constructed by Declarant as generally depicted and described by the condominium plat attached hereto as Exhibit A.

3. Article 2, Section D (introduction paragraph) is hereby amended by deleting the phrase "Grand Cabin User" and inserting in its place the phrase "Deluxe Timbers User."

4. Article 2, Section D, paragraph (3) is hereby amended in its entirety as follows:

A Deluxe Timbers User enrolled in the Flexible Use Program shall be entitled to use and occupy any Deluxe Timbers Unit located on the property, subject to the reservation procedures, and to use any amenities on the Recreational Property, all in accordance with the terms of this Declaration.

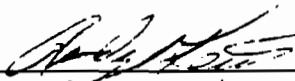
5. Article 5, Section A, paragraph (2) is hereby amended in its entirety as follows:

For Resort Cabin Owners and Deluxe Timbers Owners, the ratio of Resort Cabins to Resort Cabin members and Deluxe Timbers Units to Deluxe Timbers members shall not exceed one to seventeen.

6. Article 7, Section C is hereby amended by deleting the phrase "Grand Cabins" and inserting in its place the phrase "Deluxe Timbers Unit."

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 22nd day of January, 1997.

DELLONA ENTERPRISES, INC.

By: 
Randy L. Keim, President

Attest: 
Karen Parsons, Secretary

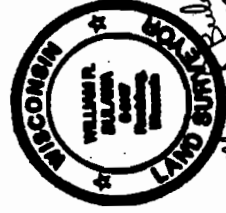
THE DELUXE TIMBERS

PHASE 1

A CONDOMINIUM PLAT

SAUK COUNTY WISCONSIN

624193
REGISTRAR'S OFFICE
SAUK COUNTY WI
RECEIVED FOR RECORD
AT 12:40 P.M.
ON 11/11/2020
Mary K. K...
REGISTRAR
32.00 DL

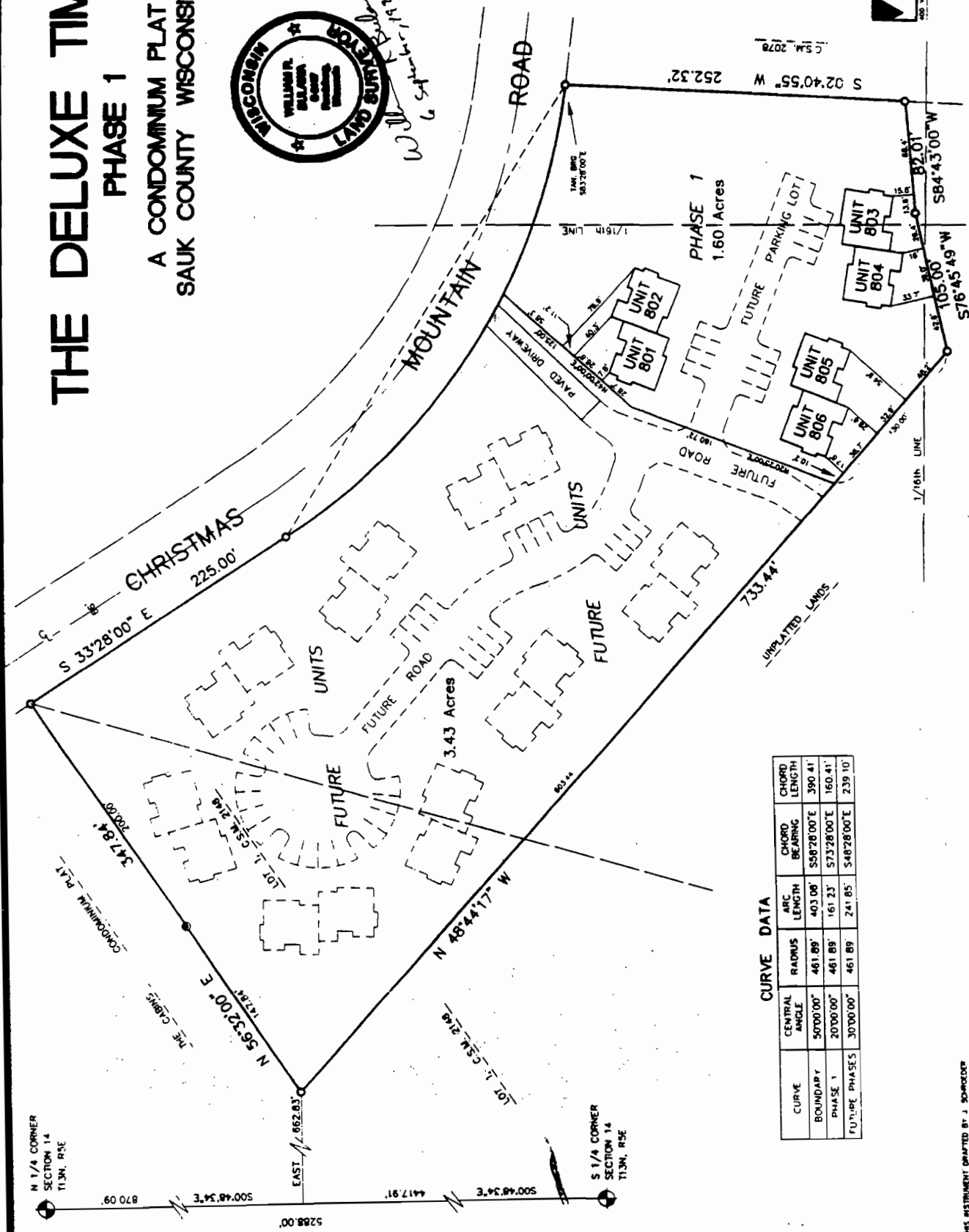


DRAWINGS RETURNED TO THE
N-S QUARTER LINE OF SECTION 14
ASSIGNED TO BEAR N00°46'34"W



LEGEND

- HARRISON MONUMENT EXISTING
- EXISTING 1-1/4" IRON ROD
- 3/4" 24" IRON ROD SET
1.5 LBS./LIN. FT.



CURVE DATA

CURVE	CENTRAL ANGLE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
BOUNDARY	50°00'00"	461.89'	403.08'	S58°28'00"E	390.41'
PHASE 1	20°00'00"	461.89'	161.23'	S73°28'00"E	160.41'
FUTURE PHASES	30°00'00"	461.89'	241.85'	S48°28'00"E	239.10'

N 1/4 CORNER
SECTION 14
T13N, R5E
870.09

EAST 1/2 862.83'

4417.91'

500°48'34"E

S 1/4 CORNER
SECTION 14
T13N, R5E

THIS INSTRUMENT DRAFTED BY J. SOUPEK
C:\Users\jsopek\maps\10_010

THE DELUXE TIMBERS

PHASE 1

A CONDOMINIUM FLAT
SAUK COUNTY WISCONSIN

THE DELUXE TIMBERS BOUNDARY DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NW 1/4 OF THE NE 1/4 AND THE NE 1/4 OF THE NE 1/4 AND THE SW 1/4 OF THE NE 1/4, SECTION 14, T13N, R5E, AND BEING A PART OF LOT 1, C.S.M. NO. 2148, TOWN OF DELLOVA, SAUK COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 14; THENCE S00°48'34"E, 870.09 FEET ALONG THE N-S QUARTER LINE OF SAID SECTION 14; THENCE EAST, 662.83 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE N56°32'00"E, 347.84 FEET; THENCE S33°28'00"E, 225.00 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 461.89 FEET AND A CENTRAL ANGLE OF 50°00'00"; THENCE SOUTHEASTERLY 403.08 FEET ALONG THE ARC OF SAID CURVE, THE LONG CHORD OF WHICH BEARS S58°28'00"E, 390.41 FEET; THENCE S02°40'55"W, 252.32 FEET; THENCE S84°43'00"W, 82.01 FEET; THENCE S76°45'49"W, 105.00 FEET; THENCE N48°44'17"W, 733.44 FEET TO THE POINT OF BEGINNING.
CONTAINING 5.03 ACRES

THE DELUXE TIMBERS PHASE 1 DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NW 1/4 OF THE NE 1/4 AND THE NE 1/4 OF THE NE 1/4 AND THE SW 1/4 OF THE NE 1/4, SECTION 14, T13N, R5E, TOWN OF DELLOVA, SAUK COUNTY WISCONSIN, DESCRIBED AS FOLLOWS
COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 14; THENCE S00°48'34"E, 870.09 FEET ALONG THE N-S QUARTER LINE OF SAID SECTION 14; THENCE EAST, 662.83 FEET; THENCE N20°23'00"E, 160.72 FEET; THENCE N42°00'00"E, 125.00 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 461.89 FEET AND A CENTRAL ANGLE OF 20°00'00"; THENCE SOUTHEASTERLY 161.23 FEET ALONG THE ARC OF SAID CURVE, THE LONG CHORD OF WHICH BEARS S72°28'00"E, 160.41 FEET; TO THE END OF SAID CURVE, THENCE S02°40'55"W, 252.32 FEET; THENCE S84°43'00"W, 82.01 FEET; THENCE S76°45'49"W, 105.00 FEET; THENCE N48°44'17"W, 130.00 FEET TO THE POINT OF BEGINNING.
CONTAINING 1.60 ACRES

THE DELUXE TIMBERS FUTURE PHASES DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NW 1/4 OF THE NE 1/4 AND THE NE 1/4 OF THE NE 1/4; SECTION 14, T13N, R5E, AND BEING A PART OF LOT 1, C.S.M. NO. 2148, TOWN OF DELLOVA, SAUK COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 14; THENCE S00°48'34"E, 870.09 FEET ALONG THE N-S QUARTER LINE OF SAID SECTION 14; THENCE EAST, 662.83 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE N56°32'00"E, 347.84 FEET; THENCE S33°28'00"E, 225.00 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 461.89 FEET AND A CENTRAL ANGLE OF 30°00'00"; THENCE SOUTHEASTERLY 241.85 FEET ALONG THE ARC OF SAID CURVE, THE LONG CHORD OF WHICH BEARS S48°28'00"E, 239.10 FEET; THENCE S42°00'00"W, 125.00 FEET; THENCE S20°23'00"W, 160.72 FEET; THENCE N48°44'17"E, 603.44 FEET TO THE POINT OF BEGINNING.
CONTAINING 3.43 ACRES

SURVEYOR'S CERTIFICATE

I, WILLIAM R. BULAWA, WISCONSIN REGISTERED LAND SURVEYOR, HEREBY CERTIFY THAT THIS PLAN IS A CORRECT REPRESENTATION OF THE PROPERTY DESCRIBED AND THAT THE IDENTIFICATION AND LOCATION OF THE COMMON ELEMENTS CAN BE DETERMINED FROM THE PLAN

DATED THIS 6th DAY OF September, 1995

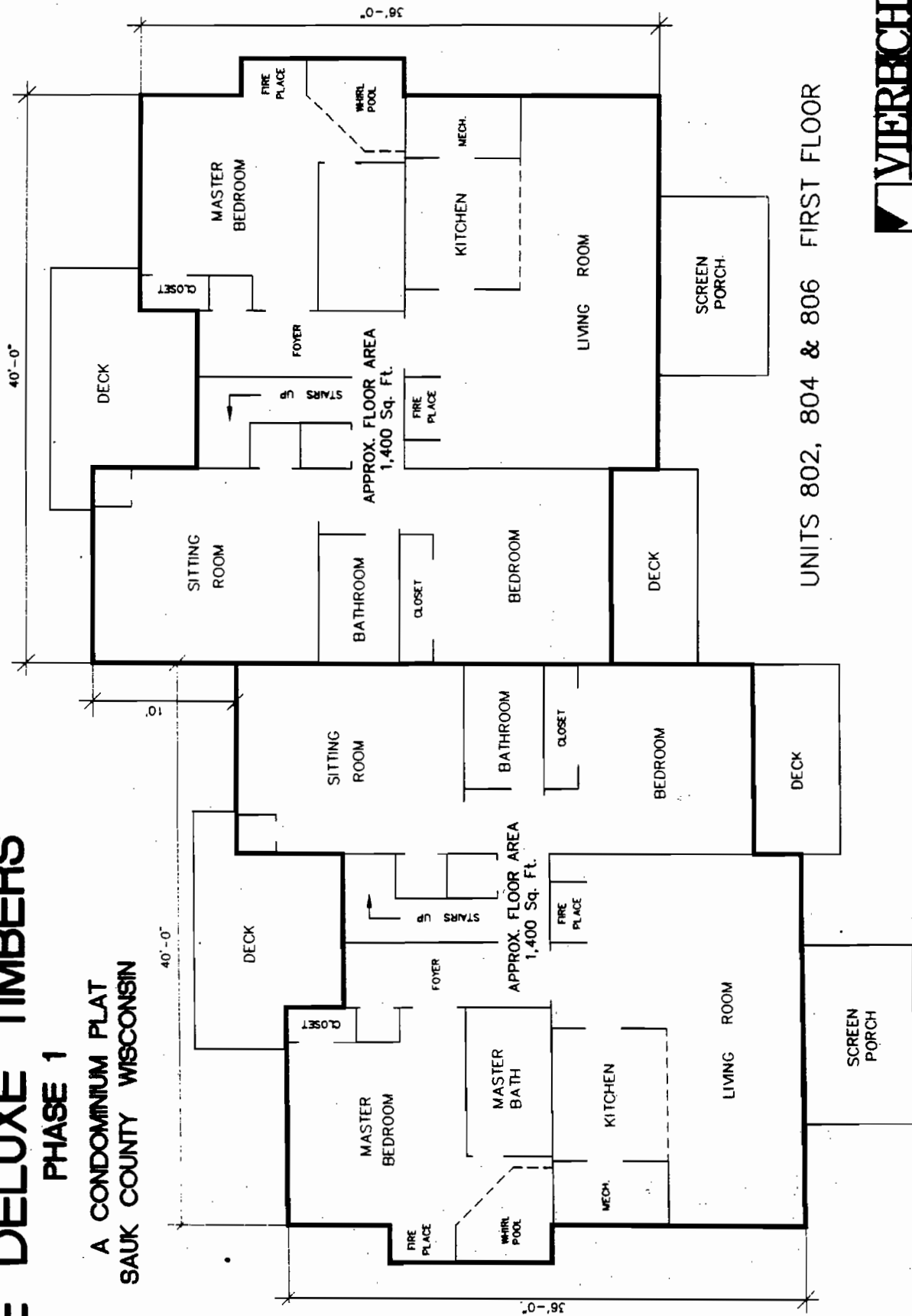
William R. Bulawa
WILLIAM R. BULAWA, P.L.S.-2167



THE DELUXE TIMBERS

PHASE 1

A CONDOMINIUM PLAT
SAUK COUNTY WISCONSIN



UNITS 802, 804 & 806 FIRST FLOOR

UNITS 801, 803 & 805 FIRST FLOOR

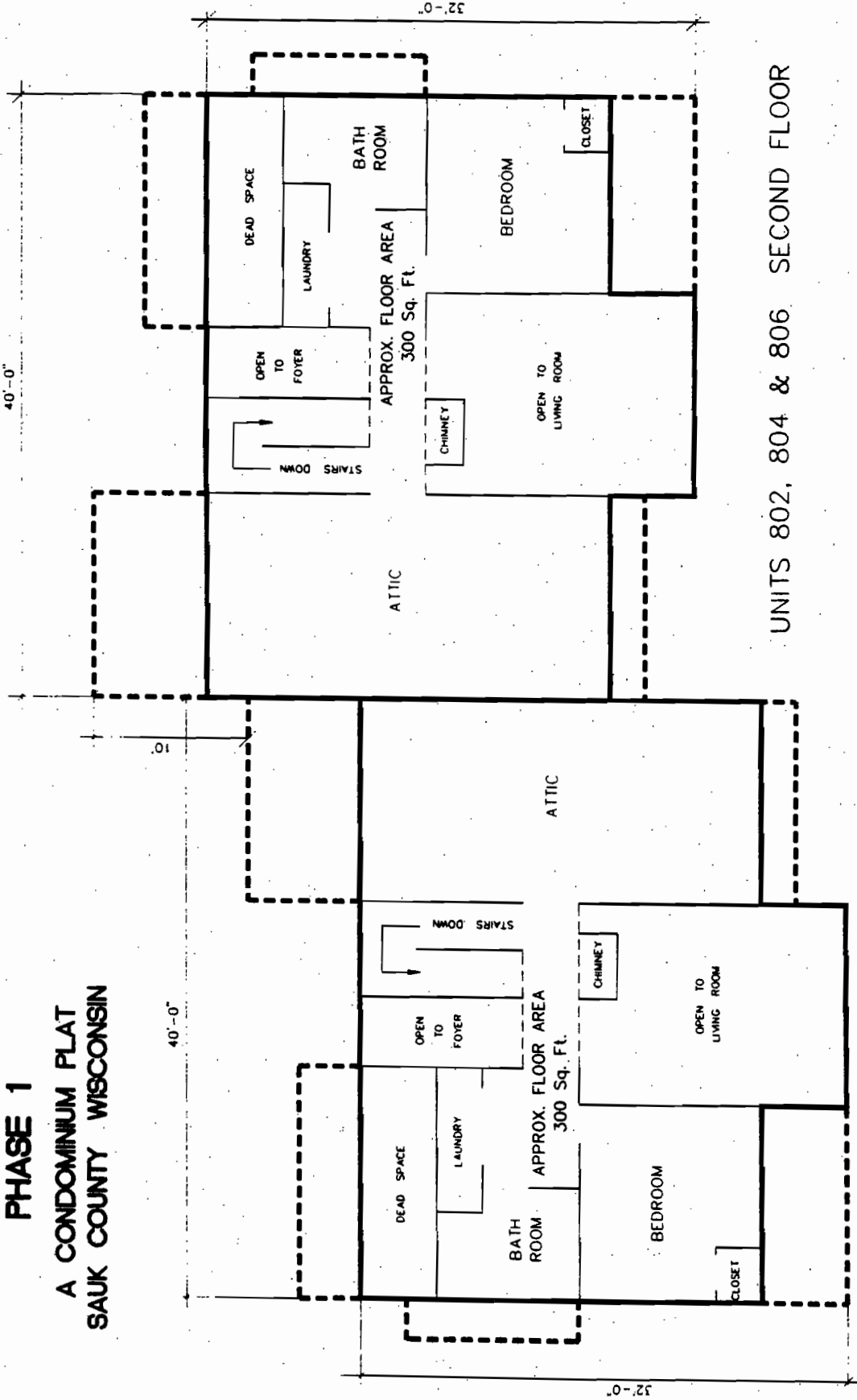


SHEET 3 of 4

THE DELUXE TIMBERS

PHASE 1

A CONDOMINIUM PLAT
SAUK COUNTY WISCONSIN



UNITS 802, 804 & 806 SECOND FLOOR

UNITS 801, 803 & 805 SECOND FLOOR

