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AMENDMENT I

HOYT PARK COMMONS -- A CONDOMINIUM

V29280P 42

AMENDMENTS TO THE DECLARATION

(which had the signed approval of owners of 29 out of 32 units and their mortgagees, if any, after unanimous approval at Association's October '93 annual meeting)

The respects in which the sections of the Declaration were revised are shown below, with underlining of new matter:

1. Add at end of Sec. 1, DEFINITIONS:

"Unit" means residential unit, unless the context otherwise requires.

"Garage" means a garage unit.

2. (a) Change the title of Sec. 2 to read:

CONDOMINIUM NAME; IDENTIFICATION AND LOCATION OF UNITS

- (b) Add at end of Sec. 2:

The condominium also has 12 garages located behind and east of 401 and 405 Palomino Lane, identified as Units G-1 through G-12. These garage units are further described in Sec. 4.5 below.

3. Change the first sentence of Sec. 4, DESCRIPTION OF UNITS to read: The condominium consists of nine separate residential buildings (in addition to the 12 garage units described in Sec. 4.5.)

10/5/18

4. Add after Sec. 4 a new Section 4.5:

SECTION 4.5

GARAGES

In addition to the 32 residential units in nine buildings, the Condominium includes 12 garage units ("Garages") identified as Units G-1 through Unit G-12. These units are located east of 401 and 405 Palomino Lane. The perimeters of each garage unit consist of the unfinished interior surfaces of the outer walls of that unit; the unfinished interior surface of the floor and the unfinished interior surface of the ceiling; but specifically excludes the garage door which, along with the garage structure, comprise a limited common element for the exclusive use of the owner of the garage unit.

Each garage unit must be owned by an owner of a residential unit, and may be used or leased by the owner, subject to such regulations as may be set by the Board; and may be transferred by the owner to another residential unit owner by deed.

Each garage unit shall be assigned a separate tax parcel number which shall be assessed to the owner thereof.

Until such time as parcel identification numbers have been assigned to the garage units, reference is made to the underlying notation parcels for Hoyt Park Commons - A Condominium: ⁶⁰⁻ 0709-201-1502-3
60- 0709-201-1601-3.

(The signed ballots authorizing the Declaration amendments for creation of the garage units recognized that the Association, acting as agent for those wishing to become owners, would contract for the construction of the garages upon receipt of the necessary funds from such owners; that the garages' structure and doors were designated a limited common element; and that while initial title to the garages would be held by the Association, the Association would (upon completion of the construction and acceptance by the Association) convey the respective garage units to the owners of residential units who have provided the funds for their construction.)

5. The third paragraph of Sec. 5, COMMON ELEMENTS, was concerned with Parcels C and D, and is revised as follows: Parcels C and D described in Sec. 3 were originally vacant land, part of which was originally set aside for possible gardening use by interested unit owners. But after unit owners' interest in gardening had plummeted for several

years, and the land was little used, the October 19, 1993 annual meeting unanimously approved using the former gardening area for the building of 12 garages at the expense of, and to be owned by, interested residential unit owners. See Sec. 4.5.

At the end of the second last paragraph of Sec. 5, COMMON ELEMENTS, delete the period and add the following: and Section 4.5.

6. Add to Section 6, PERCENTAGE INTERESTS, the following sentence: There is no percentage interest in the common elements or facilities assigned to the garages.

7. Add to Section 7, NUMBER OF VOTES, the following paragraph: The ownership of a garage unit shall not include any voting rights in addition to those granted to the owner of a residential unit.

8. Change Sec. 8, PURPOSE, as follows:

(a) The first sentence should read: Each building is intended to be a residential building or a garage.

(b) In the second sentence, insert the word "residential" before the word "units."

9. In Sec. 10, DAMAGE OR DESTRUCTION, insert prior to subsection (a) as follows: The following subsections (a) through (g) shall be applied separately to residential units and to garage units.

10. In Sec. 13, AMENDMENT, delete first sentence and insert in its place: This Declaration may be amended with the written consent of the owners (and owners' mortgagees if any) of not less than two-thirds of the residential units.

IN WITNESS WHEREOF, I sign this instrument, consisting of five (5) numbered pages, including this one, this ~~27th~~ day of January, 1995.

Klareen Nottestad
Klareen Nottestad, President
Hoyt Park Commons--A Condominium

This document was acknowledged and signed in my presence by Klareen Nottestad, a person known to me, on the ~~27th~~ day of January, 1995.

Luis J. Reddick
Notary Public
State of Wisconsin
My Commission expires 2-23-97

RETURN TO

Klareen Nottestad, President
~~HOYT~~ HOYT PARK COMMONS
406 Palomino Lane
Madison, WI. 53705