

AMENDMENT NO. ONE (1) TO
DECLARATION OF CONDOMINIUM
OF
LAKEWOOD GARDENS CONDOMINIUM HOMES

This Amendment to Declaration of Condominium is made under the Condominium Ownership Act, Chapter 703 of the Wisconsin Statutes.

The original Declaration of Condominium of Lakewood Gardens Condominium Homes recorded in volume 860 of Records, page 11, in the office of the Dane County Register of Deeds, located in Madison, Wisconsin as document #1538997, is hereby amended as follows:

- 1) The following sentence shall be added to the end of paragraph 17 of the Declaration of Condominium:

"Notwithstanding any express or implied powers given to the Unit Owners Association pursuant to its Articles of Incorporation or By-Laws as adopted, the Unit Owners Association shall not be entitled to do any of the following acts, except as provided by statute in cases of condemnation or substantial loss to the units and/or common elements of the condominium project, unless at least two-thirds (2/3) of the first mortgagees (based upon 1 vote for each first mortgage owned), and two-thirds (2/3) of the unit owners (other than the Declarant) of the individual condominium units shall have given their prior written approval:

- (a) By act or omission, seek to abandon or terminate the condominium project;
- (b) Change the pro rata interest or obligations of any individual condominium unit for the purpose of;
 - (i) levying assessments or charges or allocating distributions of hazard insurance proceeds or condemnation awards, or,
 - (ii) determining the pro rata share of ownership of each condominium unit in the common elements;
- (c) Partition or sub-divide any condominium unit;
- (d) By act or omission, seek to abandon, partition, sub-divide, encumber, sell or transfer the common elements;

DANE COUNTY REGISTER OF DEEDS

4.00

(e) Use hazard insurance proceeds for losses to any condominium property, whether to units or to common elements, for other than the repair, replacement or reconstruction of such condominium property."

2) Paragraph 21 of the Declaration of Condominium shall be amended as follows:

(a) The second complete sentence of the paragraph shall be deleted in its entirety and replaced with the following:

"The Association shall levy assessments which shall be payable in regular installments, which assessments shall include an adequate reserve fund for maintenance, repairs or replacement of those common elements which must be replaced on a periodic basis."

(b) Add the following language to the end of the first paragraph of paragraph 21:

"However, where the holder of a first mortgage of record of a unit obtains title to the unit and the undivided interest in the common elements appurtenant thereto as a result of foreclosure of the first mortgage, or accepting a deed in lieu of foreclosure, such acquirer of title, his successors and assigns, shall not be liable for the share of common expenses or assessments, including any lien claims based thereon by the Association of unit owners chargeable to such unit which became due prior to the acquisition of title to such unit by such acquirer. In addition, the interest of any purchase money mortgagee shall be prior to all unpaid assessments accruing prior to the creation of the purchase money mortgage interest."

3) A new paragraph 32 shall be created to read as follows:

"32. Pets, Nuisances. Small caged birds, fish or small house cats shall be permitted within each unit as pets. In addition, small dogs may be permitted, but only upon the prior approval of the Board of Directors of the Unit Owners Association. However, no nuisance shall be permitted to exist or operate within or on any unit, common element or limited common element, and the Board of Directors of the Association is expressly empowered to determine whether any nuisance exists (including any pet otherwise permitted) and to abate that nuisance. The procedure for determining whether a nuisance exists and for abating such nuisance shall be determined by the Unit Owners Association and such procedure shall be adopted as a rule or regulation of the Association."

4) Existing paragraphs 32 and 33 shall be renumbered 33 and 34 respectively.

The undersigned being the President and Secretary of Lakewood Gardens Association, Inc., the duly incorporated Unit Owners Association governing Lakewood Gardens Condominium Homes, do hereby certify that a meeting of Lakewood Gardens Association, Inc. was held on August 20, 1980, and that all unit owners and members were present in person or by proxy, and that the foregoing amendment was consented to in writing by at least seventy-five (75%) percent of the unit owners of record, and seventy-five (75%) percent of the first mortgagees of condominium units and that such written consents are on file with the corporate records.

REGISTER'S OFFICE
DANE COUNTY, WIS. SS
RECORDED ON

LAKWOOD GARDENS CONDOMINIUM
ASSOCIATION, INC.

80 DEC 12 P 2: 26

BY:

Gilbert L. Docken
President

William A. Krell
Secretary

VOL 2458 42
Carol R. Madhoke
Register of Deeds

STATE OF WISCONSIN)
) ss.
COUNTY OF DANE)

Personally came before me, this 30th day of September, 1980, the above named GILBERT L. DOCKEN and WILLIAM A. KRELL

to be known to be the person(s) who executed the foregoing instrument and acknowledged the same.

Judith J. Martin
Notary Public, Dane County
State of Wisconsin
My Commission (is permanent) (expires May 13, 1984).

First Federal Savings & Loan Association of Madison, Wisconsin, Mortgagee, does, by its undersigned officers, hereby expressly consent to the above amendment to Declaration of Condominium of Lakewood Gardens Condominium Homes, as expressly set forth above.

FIRST FEDERAL SAVINGS AND LOAN
ASSOCIATION OF MADISON

THIS INSTRUMENT DRAFTED

BY: Richard H. Lane
President

BY:

Barbara J. Lorn
Secretary

THEODORE C. WIDDER, III
STATE OF WISCONSIN)
) ss.
COUNTY OF DANE)

Personally came before me this 30th day of Sept., 1980, the above named Residence Homized & Barons Home to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Judith J. Martin
Notary Public, Dane County, Wis.
My Commission expires 5-13-84