

Affidavit
V. 949 P. 698
1573284

DECLARATION OF CONDOMINIUM
OF
LAKEWOOD GARDENS CONDOMINIUM HOMES

This Declaration is made under the Wisconsin Unit Ownership Act, Chapter 703, Wisconsin Statutes, by Gilbert L. Docken, an individual, hereinafter referred to as Declarant.

1. Purpose. The purpose of this Declaration is to submit the land and improvements described herein to condominium ownership and use in the manner provided by Wisconsin Unit Ownership Act.

2. Description of Land. The land subject to this Declaration is owned by Declarant, and is more fully described in Exhibit "A" attached hereto.

3. Description of Buildings. The buildings and improvements which are located on the land consist of nineteen (19) separate buildings each containing varying numbers of units as set forth below, and designated by letters A through S. A survey plan of the land showing the location of each building is attached to this Declaration as Exhibit "B".

The buildings are more specifically described as follows:

Buildings A, B, C, and D are two-story buildings, with cedar shake siding. Building D has a full basement. Building A has six (6) units; Buildings B and D have eight (8) units each; and Building C has fourteen (14) units.

Buildings D, E, F, G, H, ^(E)M, J, K, L, M, N, O, P, Q, and R are two-story buildings with basements, and all have aluminium siding. Buildings E, L, and Q each have twelve (12) units; Building F, H, J, M, and P each have eight (8) units; Buildings G, I, and R each have fourteen (14) units; Buildings K, N, and O each have ten (10) units.

Building S is a three-story, wood-framed, brick veneered building, containing twenty-four (24) units. All units in this building are preceded with the designation "S".

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A set of floor plans of each building showing the location, layout, and dimensions of each unit is attached to this Declaration as Exhibit "C". A schedule showing the approximate square footage and number of rooms contained in each unit is attached to this Declaration as Exhibit "C1".

4. Interpretation of Plans. If there is any variance between (a) the survey and floor plans as recorded and (b) any other document or on-site dimensions obtained, the data shown on the survey and floor plans shall prevail.

5. Boundaries of Units. The boundaries of each unit are as follows:

- a) The upper boundary is the horizontal plane of the undecorated finished ceiling.
- b) The lower boundary is the horizontal plane of the undecorated finished floor.
- c) The side boundaries are the vertical planes of the undecorated finished walls.
- d) The foregoing boundaries extended to the intersection with each other shall constitute the unit. It is intended that the surface of the area, (be it tiled, papered, panelled, painted or otherwise) is included as a part of the defined unit. In the case of a unit with more than one floor level, the boundaries delineated by a), b), and c) above shall apply to each of said floor levels and the lower boundary of the areas with stairs shall be the undecorated finished stairs in both the vertical and horizontal planes.
- e) Services such as power, light, gas, hot and cold water, heating and air conditioning shall be a part of the unit if the service is provided exclusively for the unit defined in a), b), c) and d).

6. Common Areas. Without intending to limit the term,

"Common Areas" expressly includes:

- a) The land on which each unit is located and all other real estate described in Exhibit "A".

- b) The parking areas, service drives, drying yards, play areas, parks and recreational facilities.
- c) The foundations, columns, girders, beams, supports, main walls and roofs of all buildings.
- d) Installation of central services providing services for more than one unit, such as power, light, gas, hot and cold water, heating and air conditioning, if applicable.
- e) The tanks, pumps, motors, fans, compressors, ducts, and in general, all apparatus and installations existing for common use.
- f) Such community and commercial facilities as may be provided in the Declaration.
- g) All other parts of the property necessary or convenient to its existence, maintenance and safety, or normally in common use.
- h) Laundry room in Building "D".
- i) The limited Common Areas hereafter described are subject to the usage limitations particularly set out therein.

No Unit Owner shall run any pipes, wires, conduits, public utility lines or other structural components running through his unit and serving more than his unit, whether or not such items be located in the floors, ceilings, a perimeter or interior wall of the unit.

Each Unit Owner may use the Common Areas and facilities in accordance with this Declaration, the By-Laws and Administrative Rules adopted pursuant thereto without hindering or encroaching upon the lawful rights of the other Unit Owners.

The necessary work of maintenance, repair and replacement of the Common Areas and facilities and the making of any additions or improvements thereto shall be carried out only as provided in the Declaration, in the By-Laws and in the Wisconsin Unit Ownership Act.