

**FIRST AMENDMENT TO
AMENDED AND RESTATED
DECLARATION OF
CONVENANTS,
RESTRICTIONS AND
EASEMENTS FOR ROYAL
VIEW CONDOMINIUM**

Document Number

Document Title

Recording Area

Name and Return Address:

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Tax Parcel Numbers:

B-2360 to B-2367; B-2369 to B-2374;
B-2377 to B-2382; B-2384 to B-2387;
B-2390 to B-2393; and B-2397 to
B-2402

THIS FIRST AMENDMENT TO AMENDED AND RESTATED DECLARATION OF CONVENANTS, RESTRICTIONS AND EASEMENTS FOR ROYAL VIEW CONDOMINIUM (this “First Amendment”) is made and entered into as of the ____ day of _____, 2022, by Cypress Homes, Inc. a Wisconsin corporation (the “Declarant”).

RECITALS:

A. WHEREAS, MWJ Development, LLP (the “Original Declarant”) filed a Declaration of Condominium for Royal View Condominium which is recorded with the Brown County Register of Deeds on October 26, 2005 as Document Number 2222378 and thereafter filed the First Amendment to Declaration of Condominium for Royal View Condominium as Document Number 2350730 (collectively, the “Original Declaration”); and.

B. WHEREAS, on September 6, 2017 Bay Bank transferred to Declarant the declarant’s rights under the Declaration;

C. WHEREAS, Declarant filed an Amended and Restated Declaration of Condominium Ownership and of Easements, Restrictions, Conditions and Covenants for Royal View Condominium which is recorded with the Brown County Register of Deeds on April 23, 2018 as Document Number 2821727 (the “Declaration”) and therewith filed Royal View Condominium, Second Addendum to Plat with the Brown County Register of Deeds on April 23, 2018 as Document Number 2821726 (the “Plat”);

D. WHERE, in Section 2.08 of the Declaration the Declarant reserved the right to change the lay-out and dimensions of the Buildings and Units as shown on the Plat and floor plans along with the further right to amend the Declaration at its sole discretion for the purpose of recording a Plat or survey depicting the lay-out, location, Unit numbers and dimensions of the buildings and Units as finally located and erected;

D. WHEREAS, as permitted by Section 2.08 of the Declaration, and in accordance with the Condominium Ownership Act, as the same may be amended, renumbered or renamed from time to time (the “Act”), the Declarant desires to amend the Declaration and the Plat to change the location and number of Units and to make other changes to the development plan of the Condominium in order to comply with current municipal requirements.

AMENDMENT:

NOW THEREFORE, in consideration of the foregoing recitals, which are incorporated herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Declarant amends the Declaration and authorizes the recording of an addendum to the Plat as follows:

1. Development Plan. Section 2.03 of the Declaration is superseded and replaced in its entirety by the following:

Development Plan. Phase I contained (1) Building with eight (8) Units was constructed under the Original Declaration. With respect to Phase II, the Declarant has constructed two (2) Building containing four (4) Units and one (1) Building containing five (5) Units. The Declarant contemplates constructing two (2) Building containing six (6) Units each. As a result, the maximum number of Units will be thirty-three (33) within the Condominium. The Buildings in Phase II as built and as contemplated are shown on the Plans. The Units are more fully described in the building and floor plans contained in the Condominium Plat and Floor Plans.

2. Third Addendum to Plat. Exhibit 1.19 of the Declaration is superseded and replaced by Royal View Condominium Third Addendum attached hereto as Exhibit 1.19 (the "Third Addendum"). The Third Addendum depicts the lay-out, location, Unit numbers and dimensions of the Buildings and Units as located and erected.

3. Unit Ownership Formula. Section 2.09 of the Declaration is superseded and replaced in its entirety by the following:

2.09 Unit Ownership Formula. Subject to the voting rights of the Declarant as herein provided and as set forth in the By-Laws of the Association, the ownership interest and voting rights formula shall be 1/33rd interest for each Unit.

4. Number, Location, and Style of Units. Section 3.02 to the Declaration is superseded and replaced in its entirety by the following:

3.02 Number, Location, and Style of Units. The maximum number of Units in the Condominium shall be 33. Declarant currently anticipates that the Units shall be positioned as shown on the Plat, but Declarant reserves the right to change the location if required to achieve the best development in the opinion of Declarant. The Buildings shall consist of Units of the general size as shown on the Plat, but Declarant reserves the right to change the size of the Units in order to meet market requirements. The additional improvements shall be compatible with and shall be of the same or similar quality of construction and materials as the existing improvements.

5. Unit 29. Due to municipal prohibitions, as shown on the Plat, there will be no Unit 29 in the Condominium; therefore the Unit numbers will be 1-28 and 30-34.

6. Ratification. Except as amended herein, all terms and conditions of the Declaration continue to be in full force and effect and are hereby ratified and confirmed.

7. Governing Law. The terms and conditions of this First Amendment shall be governed by the laws of the State of Wisconsin.

8. Authority. The Declarant hereby represents and warrants that they it has the full power and authority to enter into this First Amendment, that this First Amendment has been duly

and validly authorized, executed and delivered by each party and that no other authorizations or third party consents are requisite to the valid and binding execution, delivery and performance of this First Amendment.

[SIGNATURE PAGES FOLLOW]

IN WITNESS WHEREOF, the undersigned has caused this First Amendment to be executed as of the date first written above.

DECLARANT
Cypress Homes, Inc.

By: 
Its: _____

ACKNOWLEDGMENT

Personally came before me on this 26th day of May, 2022, the above-named Shannon Meyer, as the President of Cypress Homes, Inc. to me known to be the person who executed the foregoing instrument and acknowledged the same.




Name: Gregory S. Drusch
Notary Public, State of Wisconsin
My Commission (is permanent) (expires 2-1-25)

This document was drafted by:
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EXHIBIT A
COPY OF THIRD ADDENDUM TO PLAT MAP

See attached Copy of Third Addendum to Plat Map, below.

LEGIBILITY DISCLAIMER: THE FOLLOWING PLAT MAP IS FOR REFERENCE
PURPOSES ONLY.