

Document Number

Document Title

ORIGINAL

DECLARATION OF RESTRICTIONS
FOR
TREE TOPS SUBDIVISION

Recording Area

Nr

KNOW ALL PERSONS BY THESE PRESENTS; that TREETOPS DEVELOPMENT, LLC is a Limited Liability Company duly organized and existing under and by virtue of the laws of the State of Wisconsin, located at Waukesha, Wisconsin (herein referred to as "Developer," which term shall also include the duly authorized agent of Developer). Developer is the owner of Lots 1 through 51, inclusive, and Outlots 1 through 8, inclusive, in TREE TOPS Subdivision, being a subdivision of Outlot 1 of Certified Survey Map No. 5250 and unplatted lands, all being a part of the Northwest 1/4 and Southwest 1/4 of the Southeast 1/4 of Section 35, Town 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, (herein referred to as "TREE TOPS") and intends to establish a general plan for the use, occupancy and enjoyment of TREE TOPS, and in furtherance of the general purpose set forth in Section A, below, does hereby declare for the mutual benefit of present and future owners of lands in TREE TOPS and any future stages of development added as provided in Section D, below (herein referred to individually as "Owner" and collectively as "Owners"), that TREE TOPS shall be subject to the following restrictions.

387

DOC#: 914130



Recorded

DEC. 27, 2001 AT 02:10PM

DOROTHY C. BONNERING
REGISTER OF DEEDS

WASHINGTON COUNTY, WI

Fee Amount: \$73.00

SUPPLEMENTAL DECLARATION
OF RESTRICTIONS
FOR
TREE TOPS SUBDIVISION
AND
TREE TOPS ADDITION NO. 1

Return TO:
Stepman Realty
W240N 221 Peninsula Rd
Waukesha, WI 53188

This Supplemental Declaration is made this 17th day of December, 2001 by
TREETOPS DEVELOPMENT LLC, a Wisconsin Limited Liability Company.

WITNESSETH:

WHEREAS, a Declaration of Restrictions for Tree Tops Subdivision was
recorded in the office of the Register of Deeds for Washington County, Wisconsin on
July 10, 2001, as Document No. 892875, a copy of which is attached hereto as Exhibit A
("Declaration") relating to Tree Tops Subdivision; and

WHEREAS, A Declaration of Restrictions for Tree Tops Subdivision Outlots was
recorded in the Office of the Register of Deeds for Washington County, Wisconsin on
October 9, 2001, as Document No. 903335, a copy of which is attached hereto as Exhibit
B ("Outlot Declaration") relating to Tree Tops Subdivision Outlots; and

WHEREAS, Section D of the Declaration permits Treetops Development LLC
and its successors and assigns to bring within the Declaration future stages of Tree Tops
which are or become adjacent to the lands subject to the Declaration; and

WHEREAS, Treetops Development LLC is the owner of Lots 52 through 102, inclusive, and Outlots 9 and 10 in Tree Tops Addition No. 1, being a subdivision of part of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ and Northwest $\frac{1}{4}$ and Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 35, Town 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin; and

WHEREAS, it is the desire of Treetops Development LLC to bring Tree Tops Addition No. 1 into the Declaration and Outlot Declaration as a future stage of Tree Tops.

NOW, THEREFORE, Treetops Development LLC does hereby declare as follows:

1. That effective upon the last to occur of the recording of this Supplemental Declaration and the recording of a final plat for Tree Tops Addition No. 1, the lands contained within Tree Tops Addition No. 1 shall be added to and included in the Declaration and Outlot Declaration and that as a result thereof: (a) the term "Tree Tops" in the Declaration shall include both Tree Tops and Tree Tops Addition No. 1; (b) the term "Owner" in the Declaration shall include the owners of lots in Tree Tops and Tree Tops Addition No. 1; (c) the term "Common Area" in the Declaration shall also include Outlots 9 and 10 in Tree Tops Addition No. 1; and (d) the term "Tree Tops Outlots" in the Outlot Declaration shall also include Outlots 9 and 10 in Tree Tops Addition No. 1.

2. That the duration of the Restrictions set forth in Section I of the Declaration shall be, with respect to Tree Tops Addition No. 1, the same as provided in the Declaration; and that the duration of the Restrictions set forth in Section E of the Outlot Declaration shall be, with respect to Tree Tops Addition No. 1, the same as provided in the Outlot Declaration.

IN WITNESS WHEREOF, the undersigned have executed this Supplemental Declaration of Restrictions as of the day, month and year first above written.

DOC#: 940625



**SECOND
SUPPLEMENTAL DECLARATION
OF RESTRICTIONS
FOR
TREE TOPS SUBDIVISION,
TREE TOPS ADDITION NO. 1
AND
TREE TOPS ADDITION NO. 2**

Recorded
JULY 25, 2002 AT 09:30AM
DOROTHY C. BONNERING
REGISTER OF DEEDS
WASHINGTON COUNTY, WI
Fee Amount: \$75.00

153

This Second Supplemental Declaration is made this 18th of July, 2002 by
TREETOPS DEVELOPMENT LLC, a Wisconsin Limited Liability Company.

WITNESSETH:

WHEREAS, a Declaration of Restrictions for Tree Tops Subdivision was recorded in the office of the Register of Deeds for Washington County, Wisconsin on July 10, 2001, as Document No. 892875, a copy of which is attached hereto as Exhibit A ("Declaration") relating to Tree Tops Subdivision; and

WHEREAS, A Declaration of Restrictions for Tree Tops Subdivision Outlots was recorded in the Office of the Register of Deeds for Washington County, Wisconsin on October 9, 2001, as Document No. 903335, a copy of which is attached hereto as Exhibit B ("Outlot Declaration") relating to Tree Tops Subdivision Outlots; and

WHEREAS, Section D of the Declaration permits Treetops Development LLC and its successors and assigns to bring within the Declaration future stages of Tree Tops which are or become adjacent to the lands subject to the Declaration; and

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WHEREAS, a Supplemental Declaration of Restrictions for Tree Tops Subdivision and Tree Tops Addition No. 1 was recorded in said Register's office on December 27, 2001 as Document No. 914130 to bring within the Declaration and Outlot Declaration Tree Tops Addition No. 1; and

WHEREAS, Treetops Development LLC is the owner of Lots 103 through 130, inclusive, and Outlots 11, 12, 13, 14 and 15 in Tree Tops Addition No. 2, being a subdivision of part of the Northeast $\frac{1}{4}$ and the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ and the Northwest $\frac{1}{4}$ and Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 35, Town 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin; and

WHEREAS, it is the desire of Treetops Development LLC to bring Tree Tops Addition No. 2 into the Declaration and Outlot Declaration as a future stage of Tree Tops.

NOW, THEREFORE, Treetops Development LLC does hereby declare as follows:

1. That effective upon the last to occur of the recording of this Second Supplemental Declaration and the recording of a final plat for Tree Tops Addition No. 2, the lands contained within Tree Tops Addition No. 2 shall be added to and included in the Declaration and Outlot Declaration and that as a result thereof: (a) the term "Tree Tops" in the Declaration shall include Tree Tops, Tree Tops Addition No. 1 and Tree Tops Addition No. 2; (b) the term "Owner" in the Declaration shall include the owners of lots in Tree Tops, Tree Tops Addition No. 1 and Tree Tops Addition No. 2; (c) the term "Common Area" in the Declaration shall also include Outlots 11, 12, 13, 14 and 15 in Tree Tops Addition No. 2; and (d) the term "Tree Tops Outlots" in the Outlot Declaration shall also include Outlots 11, 12, 13, 14 and 15 in Tree Tops Addition No. 2.

2. That the duration of the Restrictions set forth in Section I of the Declaration shall be, with respect to Tree Tops Addition No. 2, the same as provided in the Declaration; and that the duration of the Restrictions set forth in

CONSENT OF MORTGAGEE

M&I Marshall & Ilsley Bank as mortgagee of any present or future mortgage on the lands subject to the foregoing Declaration of Restrictions, hereby consents to and agrees that its mortgages shall be subject to the foregoing Declaration of Restrictions.

M & I MARSHALL & ILSLEY BANK

BY: [Signature]

BY: [Signature]

STATE OF WISCONSIN)

) SS

COUNTY OF WAUKESHA)

Personally came before me this 27th day of JUNE, 2002, the above-named BRYAN L. DOWNEY and JOHN W. LINNEN to me known to be the VICE PRESIDENT and SENIOR VICE PRESIDENT respectively of M&I Marshall & Ilsley Bank and to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Rachel M. Formella
Notary Public, County of Waukesha
RACHEL M. FORMELLA
State of Wisconsin
Commission: Exp 3/21/04