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Document Number

Fifth Amendment to Declaration of  
Condominium Ownership and of  
Easements, Restrictions,  
Covenants and Conditions for  
Bradford Point

Document Title

VOL 1281 PAGE 667

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Wisconsin Statutes, 59.43(2m) WRDA 2/99

FIFTH AMENDMENT TO

DECLARATION OF CONDOMINIUM OWNERSHIP AND OF  
EASEMENTS, RESTRICTIONS, COVENANTS AND  
CONDITIONS FOR  
BRADFORD POINT, a condominium

THIS FIFTH AMENDMENT TO DECLARATION is made as of this 8<sup>th</sup> day of July, 2004 by Paul Reid, LLP, a Wisconsin limited liability partnership.

WHEREAS, Paul Reid, LLP is the Declarant pursuant to the Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and Conditions for Bradford Point, a condominium, as recorded on October 7, 1998, in Volume 839, pages 278 through 294, as Document No. 343272, in the office of the Register of Deeds for Vilas County, Wisconsin, as amended by First Amendment to Declaration of Condominium Ownership and of Easements, Restriction, Covenants and Conditions for Bradford Point, a condominium, as recorded on October 26, 1998, in Volume 842, pages 1 through 4, as Document No. 343869 in said Registrar's office, as further amended by Second Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and Conditions for Bradford Point, a condominium, as recorded October 7, 1999, in Volume 890, pages 606 through 613, as Document No. 356033 in said Registrar's office, as further amended by Third Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and Conditions for Bradford Point, a condominium, as recorded February 24, 2000, in Volume 908, pages 34 through 39, as Document No. 360103 in said Registrar's office, as further amended by Fourth Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and Conditions for Bradford Point, a condominium, as recorded October 15, 2001, in Volume 1001, pages 663 through 670, as Document No. 377962 in said Registrar's office (collectively the "Declaration");

WHEREAS, pursuant to Section 703.26, of the Wisconsin Condominium Ownership Act, Declarant reserved the right to expand Bradford Point, a condominium, and in the Declaration identified additional lands as expansion areas which may be made subject to the Declaration;

WHEREAS, Declarant has amended the plat for Bradford Point, a condominium to provide for the addition of garage units 107 through 115 to be built on the expansion area previously identified by Declarant and included in the condominium plat;

WHEREAS, the number of additional garage units is within the Declarant's original reservation in that Declarant originally anticipated the construction of no more than 70 garage units and this expansion brings the total number of garage units to 63;

WHEREAS, the docks that are reserved as limited common elements for each duplex unit have been depicted on the amended plat;

WHEREAS, as provided in Section 3.03 of the Declaration, the percentages of ownership interest of each existing unit owner will not change as a result of the addition of Units 107 through 115 because there is no percentage of ownership interest associated with garage units.

NOW, THEREFORE, the Declarant hereby makes the following amendments to the Declaration:

1. Section 1.04 - Condominium Plat is hereby supplemented with the following paragraph:

The Declarant, has filed for record in the office of the Register of Deeds for Vilas County, a condominium plat entitled "Third Amended Final Plat of Bradford Point, a condominium", consisting of two sheets, certified on November 27, 2002, by Stuart L. Foltz, R.L.S., Foltz & Associates, Inc., which is a restatement of the original plat of Bradford Point, a condominium, and all prior amendments. The Third Amended Final Plat of Bradford Point, a condominium, incorporates all phases of Bradford Point and is an as-built survey of Bradford Point, a condominium. References herein to the "condominium plat" or "plat" shall be to said original plat and to the First Amended Final Plat of Bradford Point and to the Second Amended Final Plat of Bradford Point, or to the Third Amended Final Plat of Bradford Point, as the case may be depending on whether the reference is to the first, second or third phase of the project or to the final as-built project. Attached hereto and incorporated herein by reference is a copy of the Third Amended Final Plat of Bradford Point, a condominium, marked Exhibit "A".

2. Section 2.01 - Description of Units is hereby amended and replaced with the following:

The condominium consists of twenty-six (26) duplex dwellings with a total of fifty-two (52) dwelling units plus sixty-three (63) garage units. Each dwelling unit is one-half of a duplex dwelling and, as such, adjoins another unit. References to "duplex" mean a duplex dwelling containing two (2) units. The duplex dwellings are also sometimes herein referred to as buildings. Garage units are in addition to the attached two-car garage that is included in each dwelling unit. Dwelling unit owners may or may not own one or more garage units. The ownership of one or more garage units does not change the ownership percentage of a unit owner as described in paragraph 7 below. References to unit owners shall continue to mean the owners of dwelling units.

The Declarant reserves the right to combine Units 105 and 106 which are located in the duplex dwelling that is the northernmost building on the northernmost point of land



included in the expansion area into one dwelling unit so that the entire building will be one dwelling unit. For assessment purposes and for voting purposes, Units 105 and 106 will continue to be two units. However, they may be developed as a single dwelling and the interior floor plan of the building may differ from the other units. The footprint of the building as shown on the condominium plat will remain the same.

3. Section 2.01.3 - Unit Designation is hereby amended to provide that there are forty-six (46) dwelling units numbered consecutively 1 through 46 and fifty-four (54) garage units numbered consecutively 47 through 100 and six additional dwelling units numbered consecutively 101 through 106, except that if the Declarant develops the building containing Units 105 and 106 into a single dwelling, that Unit will be known as 105-106. Lastly, there are nine (9) additional garage units numbered consecutively 107 through 115.

4. Section 3.02.5 - Docks is hereby amended and restated in its entirety as follows:

Each duplex will have a dock reserved as limited common element for the exclusive use of the unit owners of that duplex. The dock reserved for each duplex is identified on the Third Amended Final Plat of Bradford Point.

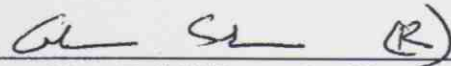
5. In all other respects, the Declaration remains unchanged and in full force and effect. Declarant shall cause this Fifth Amendment to Declaration to be recorded in conformity with Section 703.09(2).

Dated as of this 8<sup>th</sup> day of July, 2004.

DECLARANT:

PAUL REID, LLP

By: GPS, Inc., its Managing Partner

By:   
Glenn P. Schiffmann, President

ACKNOWLEDGMENT OF DECLARANT

STATE OF WISCONSIN )  
 )ss.  
COUNTY OF VILAS )

Personally came before me this 8<sup>th</sup> day of July, 2004, the above-named Glenn P. Schiffmann, the President of GPS, Inc., the managing partner of Paul Reid, LLP, to me known to be

the person who executed the foregoing instrument on behalf of and upon the authority of Paul Reid, LLP.



Notary Public, State of Wisconsin

My commission expires: 13 permanent

THIS DOCUMENT DRAFTED BY  
AND AFTER RECORDING SHOULD  
BE RETURNED TO:

Thomas F. Mallery, Esq.  
MALLERY & ZIMMERMAN, S.C.  
101 Grand Avenue  
P.O. Box 479  
Wausau, WI 54402-0479

NOTARY PUBLIC  
STATE OF WISCONSIN  
BRIAN E. ELIASON

THIRD AMENDED FINAL PLAT  
of  
**BRADFORD POINT**

a condominium  
Being all of  
LOTS 1 & 2  
of

CERTIFIED SURVEY MAP No. 3130  
recorded in  
Vol. 11 CERTIFIED SURVEYS on pages 74 & 75

Being part of  
**GOV'T. LOT 2**

and part of the  
**NW1/4 of the SE1/4  
SECTION 30, T40N, R8E**

Town of St. Germain  
Vilas County, Wisconsin

Approved by Vilas County Zoning

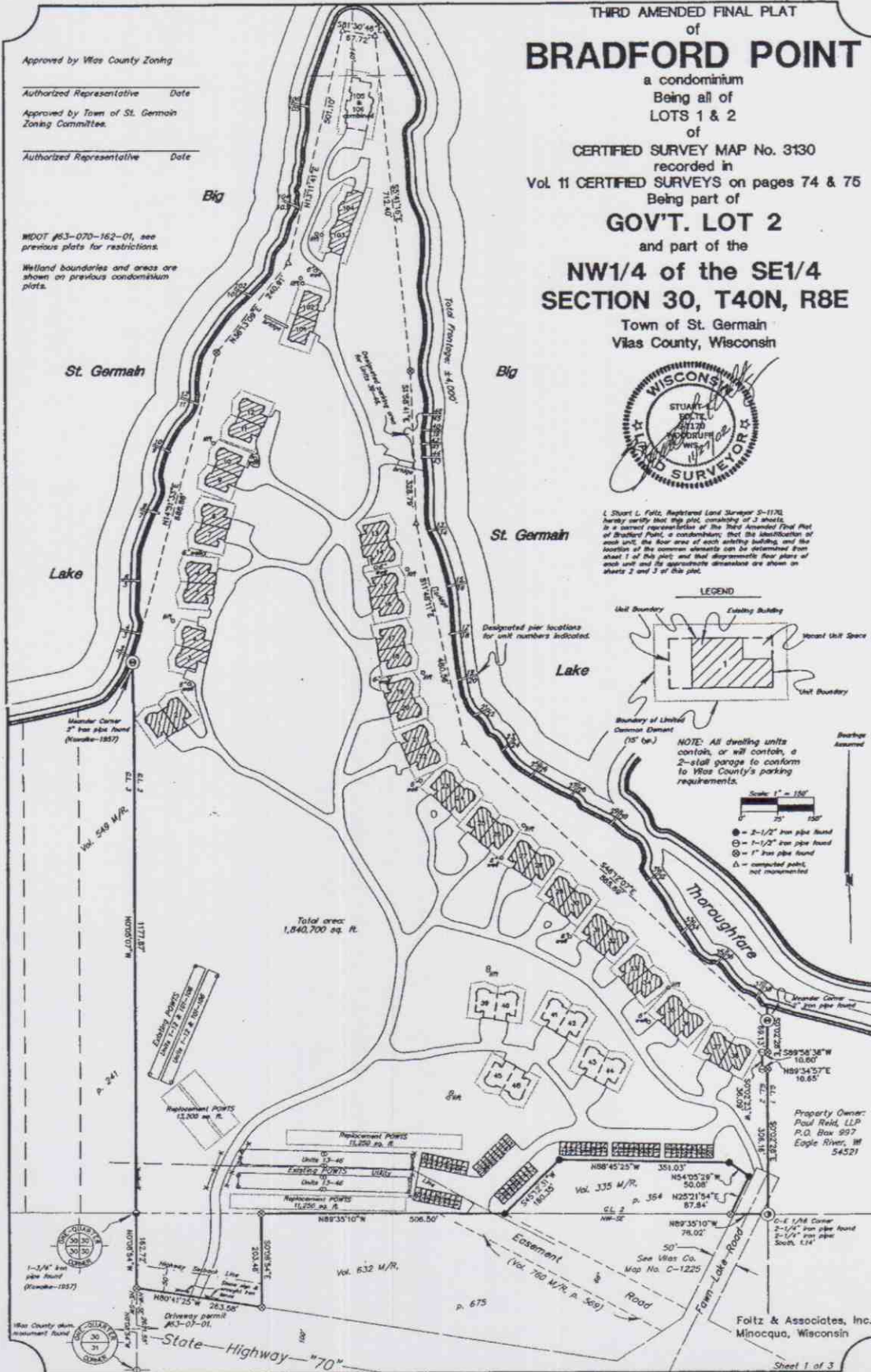
Authorized Representative Date

Approved by Town of St. Germain  
Zoning Committee.

Authorized Representative Date

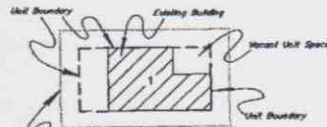
MDOT #63-070-162-01, see  
previous plats for restrictions.

Wetland boundaries and areas are  
shown on previous condominium  
plats.



I, Stuart L. Foltz, Registered Land Surveyor 5-1170,  
hereby certify that this plat, consisting of 2 sheets,  
is a correct representation of the Third Amended Final Plat  
of Bradford Point, a condominium, that the identification of  
each unit, the floor area of each unit, and the location of the common elements can be determined from  
sheet 1 of this plat, and that appropriate floor plans of  
each unit and its approximate dimensions are shown on  
sheets 2 and 3 of this plat.

LEGEND



NOTE: All dwelling units  
contain, or will contain, a  
2-car garage to conform  
to Vilas County's parking  
requirements.



- = 2-1/2" iron pipe found
- = 1-1/2" iron pipe found
- = 1" iron pipe found
- △ = completed point, not monumented

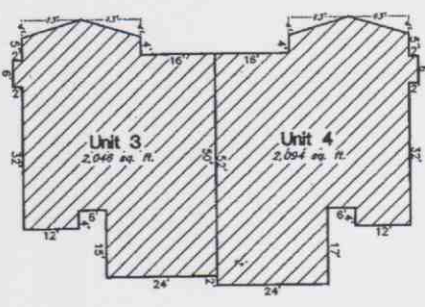
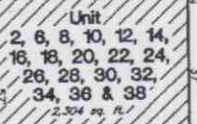
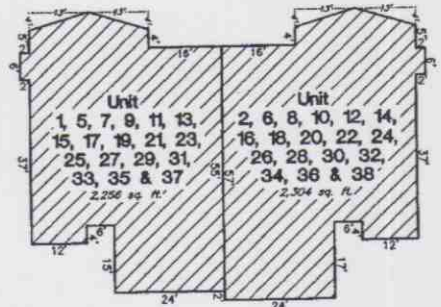
Boundary Assumed

Property Owner:  
Paul Reik, LLP  
P.O. Box 997  
Eagle River, WI  
54521

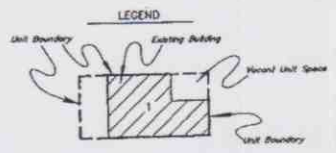
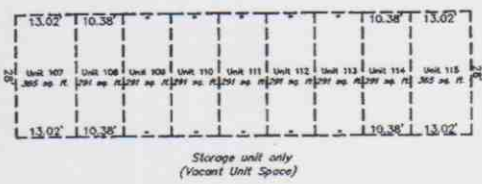
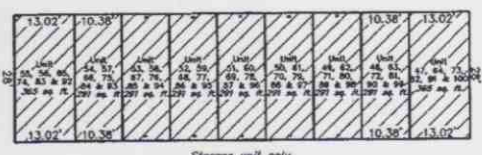
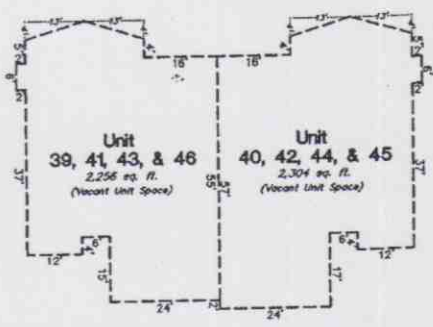
Foltz & Associates, Inc.,  
Minocqua, Wisconsin



THIRD AMENDED FINAL PLAT  
of  
**BRADFORD POINT**  
a condominium  
Town of St. Germain  
Vilas County, Wisconsin



NOTE: At the date of this survey  
Units 37 & 38 are foundations only



NOTE: For orientation to north  
or any limited common elements  
see sheet 1.

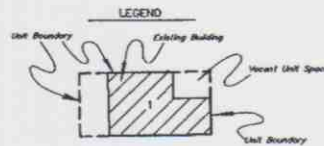
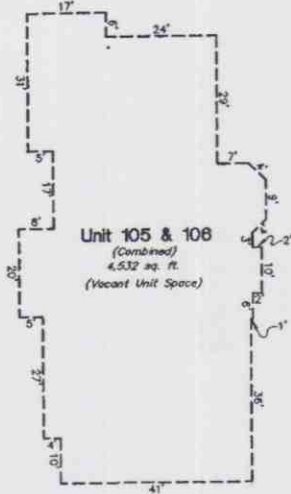
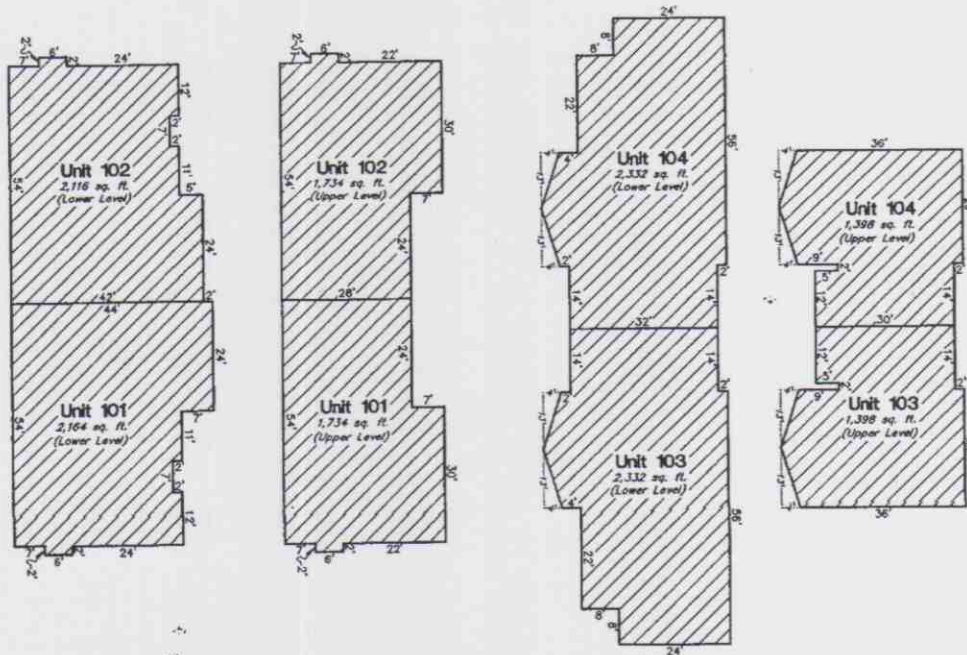
Scale: 1" = 20'

- NOTES: 1) Each dwelling unit contains,  
or will contain, 2 bedrooms.
- 2) All construction in vacant unit  
spaces is subject to issuance of  
appropriate permits by Vilas County  
and Town of St. Germain.

**Foltz and Associates, Inc.**  
Surveyors Engineers  
8612 Highway 51 North, Menomonie, Wisconsin 54748  
(715) 356-8485 Fax (715) 356-1841  
C. Walker 27418-38-488

THIRD AMENDED FINAL PLAT  
of  
**BRADFORD POINT**

a condominium  
Town of St. Germain  
Vilas County, Wisconsin



Scale: 1" = 20'

- NOTES: 1) Each unit contains, or will contain, 2 bedrooms.  
2) All construction in vacant unit spaces is subject to issuance of appropriate permits by Vilas County and Town of St. Germain.  
3) For orientation to north or any limited common elements, see sheet 1.

NOTE: Units 105 & 106 may have to be reduced in size to meet 75' setback from Big St Germain Lake.

Foltz and Associates, Inc.

Surveyors Engineers  
8612 Highway 51 North, Wisconsin, Wisconsin 54548  
(715) 358-6485 Fax: (715) 358-1841

Sheet 3 of 3

C. Vinkler 2,7618-38-489