

**SECOND AMENDMENT TO
CONDOMINIUM DECLARATION OF
MOUNTAIN BAY CONDOMINIUM AND
SECOND AMENDED PLAT OF
MOUNTAIN BAY CONDOMINIUM**

Recording area
Name and return address:

Attorney Frank W. Kowalkowski
345 S. Jefferson Street
Green Bay, WI 54301

SECOND
AMENDMENT TO CONDOMINIUM
DECLARATION OF MOUNTAIN BAY CONDOMINIUM
AND
SECOND AMENDED PLAT
OF MOUNTAIN BAY
CONDOMINIUM

WHEREAS, the Declarant filed a Declaration of Condominium Ownership for MOUNTAIN BAY CONDOMINIUM, which is dated July 26, 2000 and was recorded July 28, 2000, as Document No. 1764808, Brown County Records (the "Declaration"); and

WHEREAS, the original Declaration was amended by the First Amendment thereto, dated April 18, 2002, and which was recorded April 24, 2002, as Document No. 1895484, Brown County Records (the "First Amendment"); and,

WHEREAS, the Declarant is entitled, under the terms and provisions of the Condominium Declaration and the First Amendment to the Condominium Declaration, to alter the layout and dimensions of the buildings and units shown on the Plat, which are not yet fully constructed, provided that such changes shall not substantially alter the nature and quality of the buildings and units. Declarant further has the right to amend the Declaration, at its sole discretion, for the purpose of recording a plat or survey depicting any changes of the layout, location, unit number and/or dimensions of the buildings and units as finally located and erected, and any such amendment shall be recorded in the office of the Register of Deeds for Brown County, Wisconsin; and,

WHEREAS, the Declarant has determined that the building identified as 2539 shall be decreased from a 16-unit building to a 10-unit building, thereby reducing the number of units contemplated in the Mountain Bay Condominium from 131 to 125; and further, it is determined that the building identified as 2531 shall be moved, all under the terms and provisions of the Condominium Declaration, and under Chapter 703, Wis. Stats., and wishes to amend the Condominium Declaration and Condominium Plat to reflect these changes, and subject said real estate to this Second Amendment to the Condominium Declaration and the Second Addendum to the Plat for the Mountain Bay Condominium.

NOW, THEREFORE, the undersigned Declarant, hereby certifies the following amendments to the Declaration:

1. Section 4 of the Declaration, as modified by the First Amendment to the Declarations, shall be struck and replaced with the following:

Section 4: Description and Location of Buildings

The condominium shall consist of twelve (12) buildings, ten (10) of which are existing structures, one (1) which is under construction and one (1) which is planned for construction upon the Real Estate. Said buildings shall contain a total of 125 units. All said buildings comprising the condominium will have basements and will be two stories in height.

Complete construction details are contained in the working plans and drawings available for inspection at the office of the Declarant. The buildings are to be located on the Real Estate as shown on the Mountain Bay Condominium Plat Addendum 2, and any addenda thereto, attached hereto as Exhibit "A." The units are more fully described in the building and floor plans contained in the Condominium Plat, and any addenda thereto. Declarant reserves the right to alter the layout and dimensions of the buildings and units shown on the Plat, which are not yet fully constructed, provided that such changes shall not substantially alter the nature and quality of the buildings and units. Declarant shall have the right to amend this Declaration, at its sole discretion, for the purpose of recording a plat or survey depicting any changes of the layout, location, unit numbers and/or dimensions of the buildings and units as finally located and erected, and any such amendment shall be recorded in the office of the Register of Deeds for Brown County.

2. Section 5 of the Declaration, as amended in the First Amendment, shall be struck and replaced with the following:

5.1 Number. There shall be 125 condominium units in MOUNTAIN BAY CONDOMINIUM.

5.2 Identification. A unit is that part of a building intended for individual or private use, comprised of one or more rooms within one or more vertical levels of space, having outer boundaries formed by the interior surfaces of the perimeter walls, floors, ceilings, windows, window frames, doors and door frames of the building, as said unit boundaries are shown in the floor plans contained within the Condominium Plat, and any addendums thereto, together with all fixtures and improvements therein contained.

The units are designated by five or six digit identifying numbers, and their locations, approximate area, number of rooms, limited common elements to which the units have access and further details identifying and outlining the units are as set forth in the Condominium Plat, and addendum thereto, and described and explained hereunder.

3. Section 8 of the Declaration, as amended in the First Amendment, shall be struck and replaced with the following:

8. Percentage of Ownership in Common Elements. Each unit owner shall own an undivided interest in the common elements and limited common elements as a tenant in common with all other unit owners and, except as otherwise limited in this Declaration, shall have the right to use and occupy the common elements and limited common elements for all purposes incidental to the use and occupancy of their unit as a place of residence, and such other incidental uses permitted by this Declaration, which rights shall be appurtenant to and run with their unit.

The percentage of such undivided interest in the common elements and limited common elements appertaining to each unit and its owner shall be, fractionally, (1/125th) each. This fractional interest is based upon the fact that one hundred twenty-five (125) units shall be built within five (5) years from the date hereof.

4. The Plat shall be amended for the purpose of depicting the reduction in units in Building 2539 and the new location of Building 2531. A copy of the Mountain Bay Condominium Plat Addendum 2 is attached hereto and marked as Exhibit A.
5. The floor plans of the Units in Building 2539, specifically showing the new layout, are attached hereto as Exhibit B.

The amendments as described herein to the Condominium are made subject to, and benefited by, all of the terms of the Declaration and pursuant to the applicable provisions of Chapter 703 of the Wis. Stats.

IN WITNESS WHEREOF, the Declarant has caused this document to be executed this 31 day of 12, 2002.

WHIRTHINGTON ESTATES, INC.

By:

Wade T. Micoley,

Its: President

STATE OF WISCONSIN)
) SS
COUNTY OF BROWN)

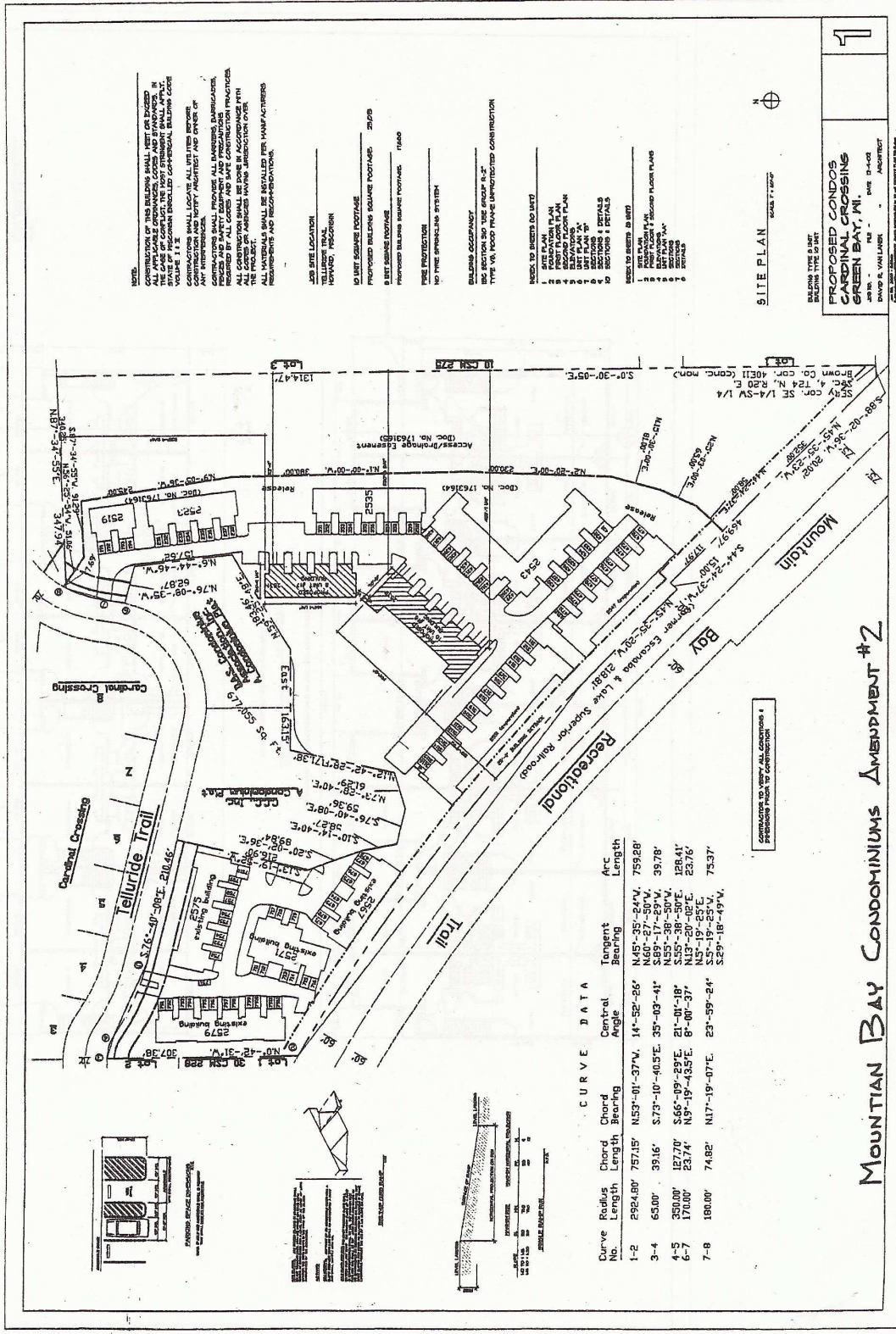
Personally came before me this 31 day of 12, 2002, Wade T. Micoley, to me known to be the person who executed the foregoing instrument and to me known to be such President of the above named corporation and acknowledged that he executed the foregoing instrument as such officer with full power and authority to execute the same.

Notary Public, Brown County, WI

My Commission Expires: 7/18/2004

THIS INSTRUMENT WAS DRAFTED BY:

Attorney Frank W. Kowalkowski
HANAWAY & ROSS
345 S. Jefferson St.
Green Bay, WI 54301
(920) 432-3381



SITE PLAN
SCALE: 1" = 40'-0"

PROPOSED CONDOS
CARDINAL CROSSING
GREEN BAY, MI.
JOB NO. DATE 12-1-02
DAVID E. VALLIER, ARCHITECT

CURVE DATA

Curve No.	Radius	Chord Length	Chord Bearing	Central Angle	Tangent Bearing	Arc Length
1-2	2924.80'	757.15'	N53°-01'-37"W	14°-52'-26"	N45°-35'-24"W	759.28'
3-4	65.00'	39.16'	S73°-10'-40.5"E	35°-03'-41"	S69°-17'-29"W	39.78'
4-5	3500.00'	127.70'	S66°-09'-29"E	21°-01'-18"	S55°-38'-30"W	128.41'
6-7	176.00'	23.74'	N9°-19'-43.5"E	8°-00'-37"	N5°-19'-23"E	23.76'
7-8	180.00'	74.82'	N17°-19'-07"E	23°-59'-24"	S29°-18'-49"W	75.37'

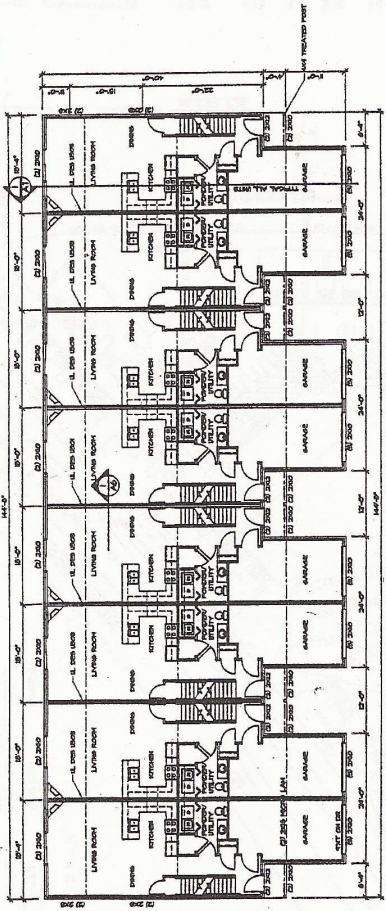
CONTRACTOR TO VERIFY ALL CONDITIONS & EXISTING UTILITIES TO CONSTRUCTION

MOUNTAIN BAY CONDOMINIUMS AMENDMENT #2

NOTES:
CONSTRUCTION OF THIS BUILDING SHALL BE DONE IN ACCORDANCE WITH ALL APPLICABLE ORDINANCES, CODES AND STANDARDS, IN THE CITY OF GREEN BAY, WISCONSIN. THE BUILDING SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE BUILDING CODE VOLUME 11.1E.
CONTRACTOR SHALL LOCATE ALL UTILITIES BEFORE CONSTRUCTION AND NOTIFY ARCHITECT AND OWNER OF ANY DISCREPANCIES.
CONTRACTOR SHALL PROVIDE ALL HANDS, EMERGENCY, AND SAFETY EQUIPMENT AND PROCEDURES.
ALL CONSTRUCTION SHALL BE DONE IN ACCORDANCE WITH THE PROVISIONS OF THE BUILDING CODE.
ALL MATERIALS SHALL BE INSTALLED PER MANUFACTURERS RECOMMENDATIONS.

- 1. SEE SITE LOCATION
- 2. SEE SITE LOCATION
- 3. SEE SITE LOCATION
- 4. SEE SITE LOCATION
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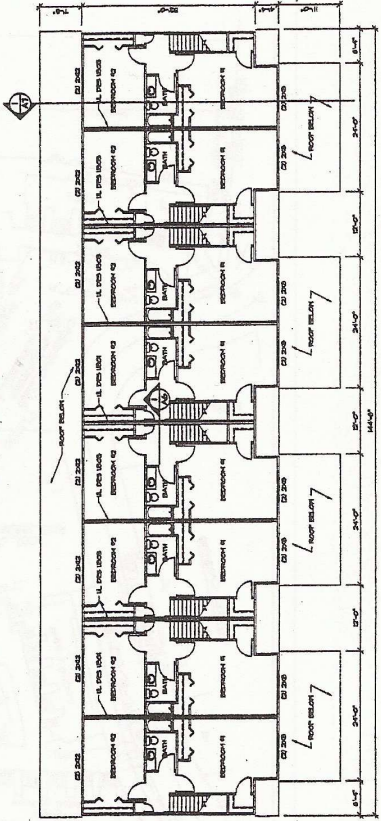
- 1. SEE TO SHEETS 20-21
- 2. SEE TO SHEETS 22-23
- 3. SEE TO SHEETS 24-25
- 4. SEE TO SHEETS 26-27
- 5. SEE TO SHEETS 28-29
- 6. SEE TO SHEETS 30-31
- 7. SEE TO SHEETS 32-33
- 8. SEE TO SHEETS 34-35
- 9. SEE TO SHEETS 36-37
- 10. SEE TO SHEETS 38-39
- 11. SEE TO SHEETS 40-41
- 12. SEE TO SHEETS 42-43
- 13. SEE TO SHEETS 44-45
- 14. SEE TO SHEETS 46-47
- 15. SEE TO SHEETS 48-49
- 16. SEE TO SHEETS 50-51
- 17. SEE TO SHEETS 52-53
- 18. SEE TO SHEETS 54-55
- 19. SEE TO SHEETS 56-57
- 20. SEE TO SHEETS 58-59



ALL DIMENSIONS UNLESS NOTED OTHERWISE TO BE 2 PLACE ROUNDED UP DIMENSIONS

FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"

SEE DETAIL PLANS FOR DETAILS AND DIMENSIONS



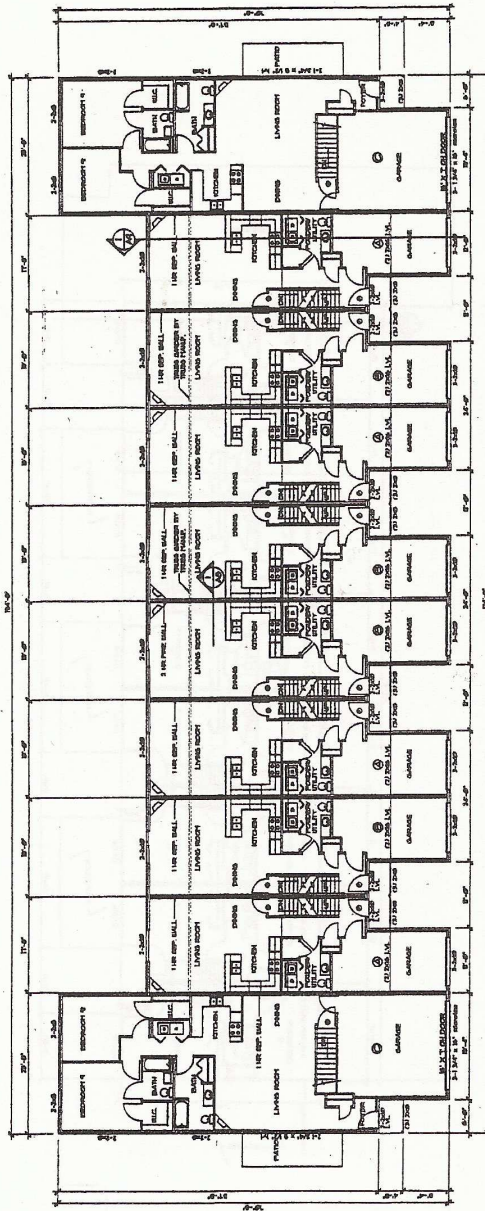
ALL DIMENSIONS UNLESS NOTED OTHERWISE TO BE 2 PLACE ROUNDED UP DIMENSIONS

SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"

SEE DETAIL PLANS FOR DETAILS AND DIMENSIONS

ALL DIMENSIONS UNLESS NOTED OTHERWISE TO BE 2 PLACE ROUNDED UP DIMENSIONS
CONTRACTOR TO VERIFY ALL DIMENSIONS & DISCREPANCIES PRIOR TO CONSTRUCTION

BUILDING TYPE: 8 UNIT
PROPOSED CONDOS
 CROSSING
 GREEN BAY, WI
 JOB NO.: 14-02 DATE: 04-02
 DRAWN BY: VAN LAM ARCHITECT



FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"

SEE UNIT PLANS FOR DETAILS AND DIMENSIONS

NOTES: CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS AND CONDITIONS PRIOR TO CONSTRUCTION.

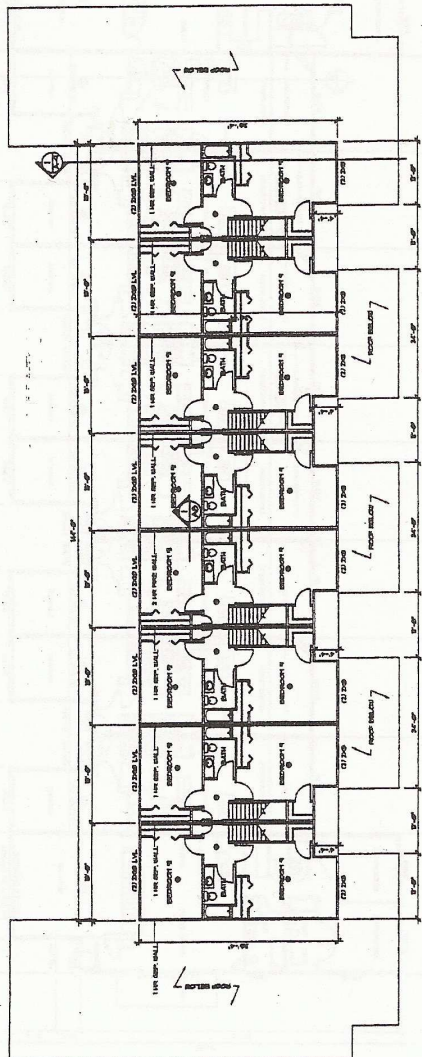
CONTRACTOR TO VERIFY ALL CONDITIONS PRIOR TO CONSTRUCTION.

BELOW TYPE IS SET

PROPOSED CONDOS
CARDINAL CROSSING
GREEN BAY, WI.

DATE: 11/11/11
BY: J. M. L. ARCHITECT

3



SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"

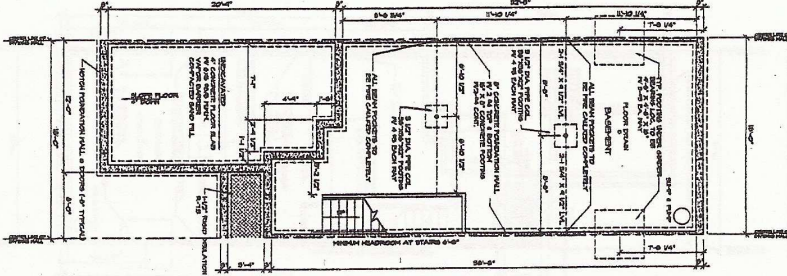
SEE INT. PLANS FOR DETAILS AND DIMENSIONS

ALL DIMENSIONS SHOWN SHALL BE
AS SHOWN ON THIS PLAN UNLESS
OTHERWISE SPECIFIED.

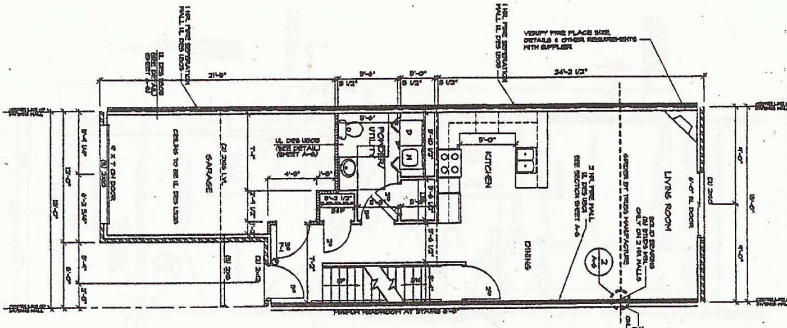
CONTRACTOR TO VERIFY ALL CONDITIONS &
DIMENSIONS PRIOR TO CONSTRUCTION.

RELATIONS TYPE 99 SET
PROPOSED CONDOS
CARDINAL CROSSING
GREEN BAY, WI.
 DATE: 11-14-08
 DRAWN BY: S. VAN LARUE
 ARCHITECT

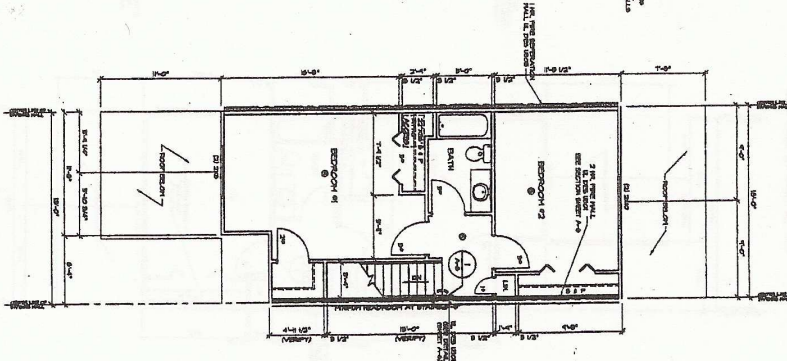
BASEMENT/FOUNDATION PLAN
SCALE: 1/8" = 1'-0"



FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"



SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"



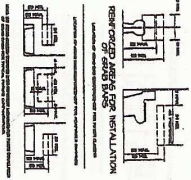
UNIT PLANS "AA"

SEE UNIT PLAN FOR FINISHES
SEE UNIT PLAN FOR FLOORING
SEE UNIT PLAN FOR CEILING
SEE UNIT PLAN FOR WALLS
SEE UNIT PLAN FOR DOORS
SEE UNIT PLAN FOR WINDOWS
SEE UNIT PLAN FOR STAIRS
SEE UNIT PLAN FOR ELEVATORS
SEE UNIT PLAN FOR RAMP

DESIGNING TYPE A UNIT
PROPOSED CONDOS
CAPITAL CROSSING
GREEN BAY, WI
NO. 114-01
DAVID R. VAN LAMEN ARCHITECT

COMPLIANT TO VERIFY ALL CONDITIONS
AND CONDITIONS TO BE OBSERVED

MANUFACTURER ACCESSIBILITY NOTES:
ALL TIGHT FITS SHALL BE TO THE MANUFACTURER'S SPECIFICATIONS.
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MATERIALS
FLOOR FINISH:
20M STAIRS UP OR DOWN OR OTHER STAIRS
SEE UNIT PLAN FOR FINISHES

- SYMBOLS**
- SPOKE FINISH
 - WALL, TYPE ALUMINUM
 - 20" WALL TYPE POOR & FIN.
 - 20" WALL TYPE POOR & FIN.

