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**BETH PABST
REGISTER OF DEEDS
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EXEMPT #:

REC FEE 30.00

PAGES: 13

Document Number

Document Title

**SECOND AMENDMENT TO THE DECLARATIONS OF
CONDOMINIUM, COVENANTS, CONDITIONS, RESTRICTIONS AND
EASEMENTS FOR THE CONDOMINIUM PLAT OF TROY
COMMERCIAL PARK CONDOMINIUM**

Recording Area

Name and Return Address

**Leo A. Beskar
Attorney at Law
219 N. Main Street
River Falls, WI 54022**

13

Parcel Identification Number (PIN)

Legal description is attached hereto and incorporated herein as Exhibit A.

**PINs: 040-1062-30-002, 040-1330-01-000, 040-1330-02-000, 040-1330-03-000, 040-1330-04-000,
040-1330-05-000, 040-1330-06-000, 040-1330-07-000, 040-1330-08-000, 040-1330-09-000,
040-1330-10-000, 040-1330-11-000, 040-1330-12-000, 040-1330-13-000, 040-1330-14-000,
040-1330-15-000, 040-1330-16-000, 040-1330-17-000, 040-1330-18-000, 040-1330-19-000,
040-1330-20-000, 040-1330-21-000, 040-1330-22-000, 040-1330-23-000, 040-1330-24-000,
040-1330-25-000, 040-1330-26-000, 040-1330-27-000**

THIS PAGE IS PART OF THIS LEGAL DOCUMENT – DO NOT REMOVE.

This information must be completed by submitter: document title, name & return address, and PIN (if required). Other information such as the granting clause, legal description, etc., may be placed on this first page of the document or may be placed on additional pages of the document.

WRDA Rev. 12/22/2010

**SECOND AMENDMENT TO THE DECLARATIONS
OF CONDOMINIUM, COVENANTS, CONDITIONS, RESTRICTIONS
AND EASEMENTS FOR THE CONDOMINIUM PLAT
OF TROY COMMERCIAL PARK CONDOMINIUM**

THIS SECOND AMENDMENT is made on this 30th day of October, 2023, by E.W. Homes, Inc., a Wisconsin corporation, by Mark Sylla, its president (hereinafter referred to as "Declarant").

RECITALS

1. On or about April 13, 2022, Declarant entered into a Declaration of Condominium, Covenants, Conditions, Restrictions and Easements for the Condominium Plat of Troy Commercial Park Condominium (hereinafter referred to as "Covenants"). These Covenants were recorded in the Office of the Register of Deeds for St. Croix County, Wisconsin on May 3, 2022, as Document No. 1152480 for real estate *now* legally described on Exhibit A, which is attached hereto and incorporated herein.

2. On or about June 22, 2022, Declarant entered into a First Amendment to the Declaration of Condominium, Covenants, Conditions, Restrictions and Easements for the Condominium Plat of Troy Commercial Park Condominium (hereinafter referred to as "First Amendment"). This First Amendment was recorded in the Office of the Register of Deeds for St. Croix County, Wisconsin on August 4, 2022, as Document No. 1157010 for real estate *now* legally described on Exhibit A, which is attached hereto and incorporated herein.

3. The Declarant desires to amend the above described Declaration and First Amendment to expand the condominium by adding 26 units with the land described in Exhibit D and the property is hereby submitted to the condominium form of ownership as provided in Chapter 703, Wisconsin statutes.

NOW, THEREFORE, the Declarant hereby amends the Covenants as follows:

A. Page 2 of the Covenants (Table of Contents), the heading 'USES AND RESTRICTION ON USE OF PROPERTY FOR UNITS 101-127" shall be deleted and the following heading shall be inserted:

USES AND RESTRICTION ON USE OF PROPERTY

B. Page 3, second paragraph of Paragraph B, of the Covenants shall be deleted and the following shall be inserted in its place:

The maximum number of Units in the Condominium shall be 224. The total number of Units in the condominium shall now be 53 Units.

C. Article III, Section 1, shall be deleted and the following paragraph shall be inserted in

its place.

Section 1. Percentage Interest. The undivided percentage interest in the Common Elements appurtenant to each Unit shall be a percentage equal to one divided by the total number of Units. If the number of Units changes due to expansion of the Condominium, the percentage interest shall be recalculated. Each Unit's percentage shall be 1.8867%.

D. Article VII of the Covenants shall be deleted and the following shall be inserted in its place:

ARTICLE VII
MEMBERSHIP AND VOTING RIGHTS
LIMITED COMMON ELEMENTS

Section 1. Percentage Interest. The undivided percentage interest in the Limited Common Elements appurtenant to each Unit shall be a percentage equal to one divided by the total number of Units. If the number of Units changes due to expansion of the Condominium, the percentage interest shall be recalculated. Initially, each Unit's percentage shall be 1.8867%.

Section 2. Conveyance, Lease or Encumbrance of Percentage Interest. Any deed, mortgage, lease, or other instrument purporting to convey, encumber or lease any Unit shall be deemed to include the Unit Owner's undivided percentage interest in the Limited Common Elements and in the insurance proceeds or condemnation awards even though such interest is not expressly described or referred to therein.

Section 3. Voting. The vote of each Unit at meetings of the Association shall be equal to the percentage of interest in the Limited Common Elements pertaining to such Unit.

Section 4. Multiple Owners. If there are multiple owners of any Unit, their votes shall be counted in the manner provided in the Bylaws.

Section 5. Limitations on Voting Rights. No Unit Owner shall be entitled to vote on any matter submitted to a vote of the Unit Owners until the Unit Owner's name and current mailing address, and the name and address of the Mortgagee of the Unit, if any, has been furnished to the secretary of the Association. The Bylaws of the Association may contain a provision prohibiting any Unit Owner from voting on any matter submitted to a vote of the Unit Owners if the Association has recorded a statement of condominium lien on the Unit and the amount necessary to release the lien has not been paid at the time of voting.

E. The heading of Article VIII of the Covenants, "LIMITED COMMON ELEMENTS 100" shall be deleted and the following heading shall be inserted:

LIMITED COMMON ELEMENTS

F. The heading for Article IX shall be deleted and the following heading shall be inserted:

**ARTICLE IX
USES AND RESTRICT ON USE
OF PROPERTY**

G. Article IX, Section 8, is hereby deleted and the following language shall be inserted:

Section 8. Hours of Use. Unit Owners, invitees and guests may only be on the premises during the hours of 6:00 a.m. and 12:00 a.m. (midnight) Central Standard Time. The Association may assess the Unit Owner a penalty of \$100.00 per day for a continued violation of this Section, which assessment shall be applied in ultimate good faith by the Association and may become a lien against said Unit.

H. Exhibit B of the Covenants, the legal description for the expansion area, shall be deleted and shall be replaced by Exhibit B which is attached hereto and incorporated herein.

I. The legal description contained on Exhibit C of the Covenants shall be deleted and shall be replaced by Exhibit C, which is attached hereto and incorporated herein.

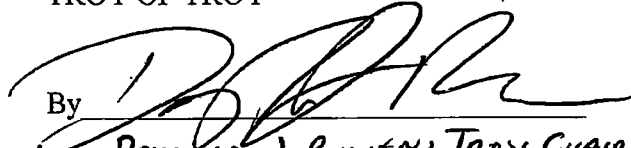
J. All other terms and conditions of the original Covenants and First Amendment which are not affected by the Second Amendment shall remain in full force and effect.

APPROVAL

The Town of Troy has reviewed the above Second Amendment to the Declaration of Condominium, Covenants, Conditions, Restrictions and Easements for the Condominium Plat of Troy Commercial Park Condominium and has approved the same.

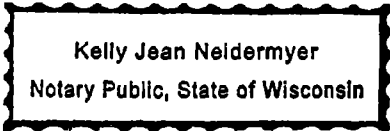
Dated this 19TH day of OCTOBER, 2023.


TROY OF TROY

By 
DOUGLAS J ROWEN, TROY CHAIRPERSON

STATE OF WISCONSIN)
COUNTY OF St Croix) ss.

Personally came before me this 19th day of October, 2023, the above named Town of Troy, by Douglas J Rowen, its Chairperson, to me known to be the person who executed the foregoing instrument and acknowledged the same.


Kelly Jean Neidermyer
Notary Public, State of Wisconsin


Notary Public
State of Wisconsin
My commission expires Feb 8, 2027

CONSENT OF MORTGAGEE

Alliance Bank, the owner and holder of a Mortgage upon the real property described in the foregoing instrument herewith joins and consents therein.

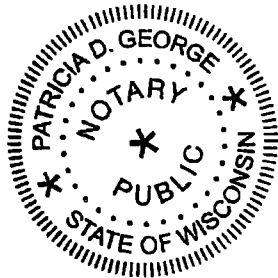
Dated this 17th day of October, 2023.

Alliance Bank

By: Gordon Boas

STATE OF WISCONSIN)
COUNTY OF Buffalo) ss.

Personally came before me this 17th day of October, 2023, the above named Alliance Bank, by Gordon Boas, its Senior Lender, to me known to be the person who executed the foregoing instrument and acknowledged the same.



Patricia D. George
Notary Public
State of Wisconsin
My commission expires 9-15-24

THIS INSTRUMENT WAS DRAFTED BY:

Leo A. Beskar
Rodli, Beskar, Neuhaus, Murray & Pletcher, S.C.
219 N. Main Street
River Falls, WI 54022

EXHIBIT A

Units 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126 and 127 of the Plat of Troy Commercial Park Condominium, St. Croix County, Wisconsin being part of Lot One (1) of Certified Survey Map No. 327113 in page 7113, as Document Number 1152469 filed in St. Croix County Register of Deeds Office on May 3, 2022, being part of the Southwest Quarter of the Southeast Quarter and part of the Northwest Quarter of the Southeast Quarter of Section 15, Township 28 North, Range 19 West, Town of Troy, St. Croix County, Wisconsin.

EXHIBIT B

Part of the Southwest Quarter of the Southeast Quarter and part of the Northwest Quarter of the Southeast Quarter of Section 15, Township 28 North, Range 19 West, Town of Troy, St. Croix County, Wisconsin being Lot 1 of a Certified Survey Map recorded in Volume 32, Page 7113 as Document Number 1152469 in the Register of Deeds Office for said county, EXCEPT that part described as follows:

Commencing at the Northwest corner of said Lot 1; thence the following along the exterior boundary of Lot 1, N89°12'44"E for a distance of 150.54 feet; thence S48°57'51"E for a distance of 430.09 feet; thence N89°29'16"E for a distance of 185.36 feet to the Point of Beginning; thence N89°29'16"E for a distance of 128.18 feet; thence S44°47'32"E for a distance of 597.04 feet; thence S00°29'55"E for a distance of 461.77 feet; thence S57°15'59"W for a distance of 312.85 feet; thence leaving said exterior boundary N32°51'14"W for a distance of 546.89 feet; thence S57°08'41"W for a distance of 240.00 feet; thence N32°51'19"W for a distance of 281.00 feet; thence N57°08'41"E for a distance of 369.82 feet; thence along the arc of a curve, concave northerly a distance of 173.26 feet, said curve having a radius of 80.00 feet and a chord which bears N04°53'52.5"W for a distance of 141.33 feet; thence N23°03'34"E for a distance of 159.50 feet to the Point of beginning.

EXHIBIT C

Units 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 201, 202, 203, 204, 205, 206, 207, 208, 301, 302, 303, 304, 305, 306, 307, 308, 401, 402, 403, 404, 405, 406, 407, 408, 409 and 410 of the Plat of Troy Commercial Park Condominium, St. Croix County, Wisconsin being part of Lot One (1) of Certified Survey Map No. 327113 in page 7113, as Document Number 1152469 filed in St. Croix County Register of Deeds Office on May 3, 2022, being part of the Southwest Quarter of the Southeast Quarter and part of the Northwest Quarter of the Southeast Quarter of Section 15, Township 28 North, Range 19 West, Town of Troy, St. Croix County, Wisconsin.

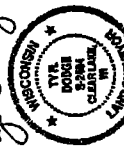
AND

The attached Troy Commercial Park Condominium First Addition.

TROY COMMERCIAL PARK CONDOMINIUM FIRST ADDENDUM

AN EXPANDABLE CONDOMINIUM
TOWN OF TROY, ST. CROIX COUNTY

Ty Dodge

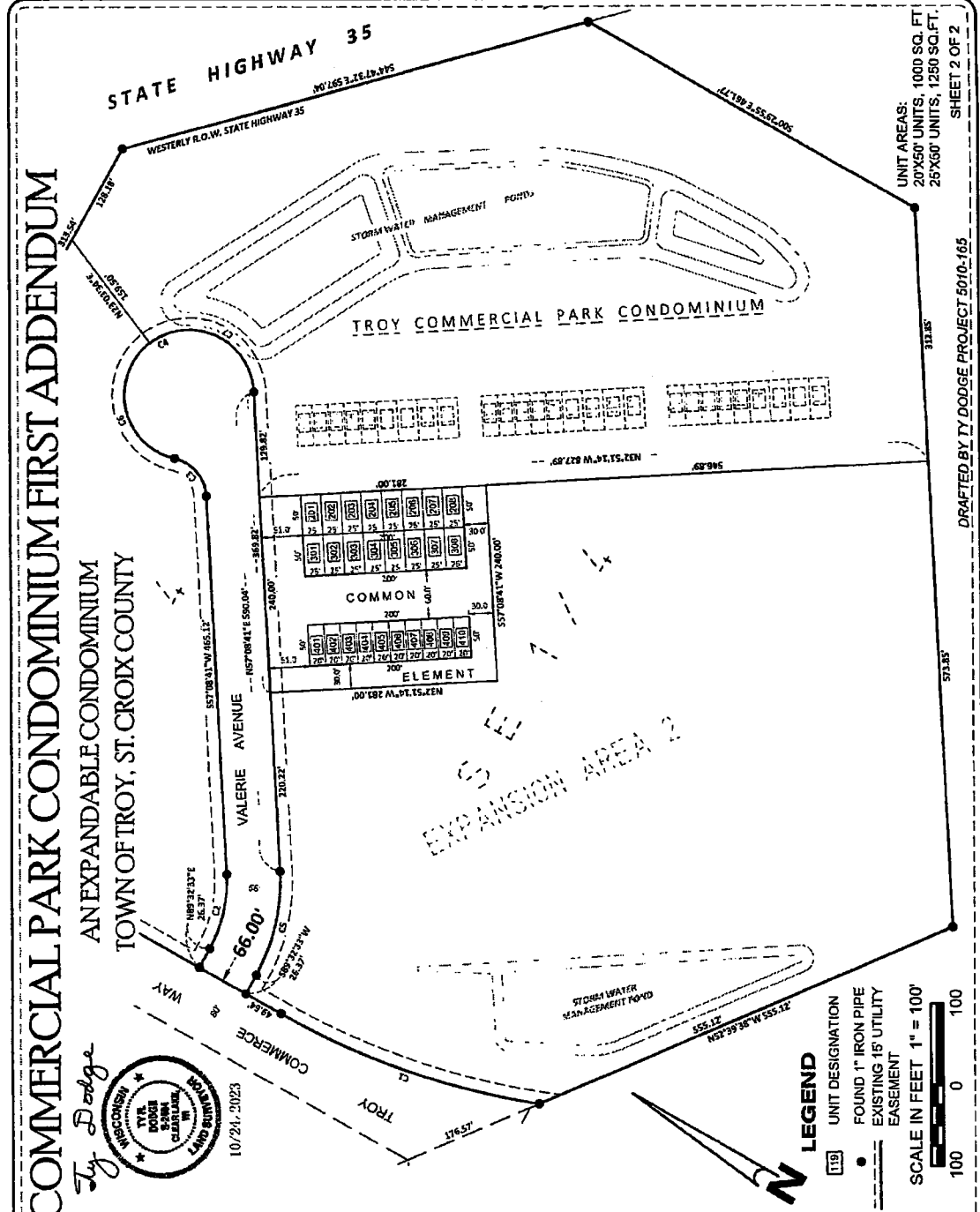


First Addendum declared area property description:
Part of the Southwest Quarter of the Southeast Quarter and part of the Northwest Quarter of the Southeast Quarter of Section 15, Township 28 North, Range 19 West, Town of Troy, St. Croix County, Wisconsin, being part of Lot 1 of a Certified Survey Map recorded in Volume 32 Page 7113 as document number 1152469 in the Register of Deeds Office for said county and described as follows:

Commencing at the northwest corner of said Lot 1;
Thence the following along the exterior boundary of Lot 1,
N 89° 12' 44" E for a distance of 150.54 feet;
Thence, S 48° 57' 51" E for a distance of 430.08 feet;
Thence, N 89° 29' 10" E for a distance of 313.54 feet;
Thence, S 48° 47' 32" E for a distance of 597.04 feet;
Thence, S 00° 29' 55" E for a distance of 461.77 feet;
Thence, S 57° 19' 59" W for a distance of 312.85 feet;
Thence leaving said exterior boundary, N 32° 51' 14" W for a distance of 546.89 feet to the Point of Beginning;
Thence, S 57° 08' 41" W for a distance of 240.00 feet;
Thence, N 32° 51' 10" W for a distance of 281.00 feet;
Thence, N 57° 08' 41" E for a distance of 240.02 feet;
Thence, S 32° 51' 14" E for a distance of 281.00 feet to the Point of Beginning.
Containing 2.816 Acres.

Remaining Potential area property description:
Part of the Southwest Quarter of the Southeast Quarter and part of the Northwest Quarter of the Southeast Quarter of Section 15, Township 28 North, Range 19 West, Town of Troy, St. Croix County, Wisconsin, being Lot 1 of a Certified Survey Map recorded in Volume 32 Page 7113 as document number 1152469 in the Register of Deeds Office for said county, EXCEPT that part described as follows:

Commencing at the northwest corner of said Lot 1;
Thence the following along the exterior boundary of Lot 1,
N 89° 12' 44" E for a distance of 150.54 feet;
Thence, S 48° 57' 51" E for a distance of 430.08 feet;
Thence, N 89° 29' 10" E for a distance of 165.36 feet to the Point of Beginning;
Thence, N 89° 29' 10" E for a distance of 138.18 feet;
Thence, S 48° 47' 32" E for a distance of 597.04 feet;
Thence, S 00° 29' 55" E for a distance of 461.77 feet;
Thence, S 57° 15' 59" W for a distance of 312.85 feet;
Thence leaving said exterior boundary, N 32° 51' 14" W for a distance of 546.89 feet;
Thence, S 57° 08' 41" W for a distance of 240.00 feet;
Thence, N 32° 51' 10" W for a distance of 281.00 feet;
Thence, N 57° 08' 41" E for a distance of 369.82 feet;
Thence, along the arc of a curve, concave northerly, a distance of 173.26 feet, said curve having a radius of 80.00 feet and a chord which bears N 04° 59' 51.5" W for a distance of 141.33 feet;
Thence, N 23° 03' 34" E for a distance of 159.50 feet to the Point of Beginning.
Containing 19.609 Acres.



UNIT AREAS:
20'x50' UNITS, 1000 SQ. FT.
25'x50' UNITS, 1250 SQ. FT.
SHEET 2 OF 2

DRAFTED BY TY DODGE PROJECT 5010-165

EXHIBIT D

Part of the Southwest Quarter of the Southeast Quarter and part of the Northwest Quarter of the Southeast Quarter of Section 15, Township 28 North, Range 19 West, Town of Troy, St. Croix County, Wisconsin, being part of Lot 1 of a Certified Survey Map recorded in Volume 32, page 7113 as Document Number 1152469 in the Register of Deeds for said county and described as follows:

Commencing at the Northwest corner of said Lot 1; thence the following along the exterior boundary of Lot 1, N89°12'44"E for a distance of 150.54; thence S48°57'51"E for a distance of 430.09; thence N89°29'16"E for a distance of 313.54 feet; thence S44°47'32"E for a distance of 597.04 feet; thence S00°29'55"E for a distance of 461.77 feet; thence S57°15'59"W for a distance of 312.85 feet; thence leaving said exterior boundary N32°51'14"W for a distance of 546.89 feet to the point of beginning; thence S57°08'41"W for a distance of 240.00 feet; thence N32°51'19"W for a distance of 281.00 feet; thence N57°08'41"E for a distance of 240.02 feet; thence S32°51'14"E for a distance of 281.00 feet to the point of beginning.