

AFFIDAVIT

We, the undersigned, Don Althaus, John E. Hall, O.D., and R. C. Siemers, as duly elected members of the Building Committee for the Second Addition to Cool Hill Park, LaGrange Township, Wisconsin, in accordance with the terms and provisions of the Restrictive Covenants that apply to the development of property within said subdivision and in accordance with the laws of the State of Wisconsin relative to the amendment of said covenants, do state as follows:

- 1) That a notice to amend the Restrictive Covenants, dated December, 1981, signed by each of the members of the Building Committee, was sent to each property owner of record within said subdivision by certified mail, a copy of which is attached hereto and identified as "Exhibit A".
- 2) That a copy of the proposed amendment to paragraph 6 of the Restrictive Covenants accompanied each notice, a copy of which is attached hereto and identified as "Exhibit B".
- 3) That a pre-printed ballot for return was included with each notice on which an owner could vote yes or no as to the adoption of the amendment and as indicated in the cover letter, ballots were to be signed and returned by February, 1982. Unsigned ballots and abstentions were to be considered "yes" votes.
- 4) That on or about February 3, 1982, the Building Committee met to open and count the ballots. the results were as follows:  
Fifteen owners voted "yes". No owners voted "no" and Seven owners abstained.
- 5) That the members of the Building Committee do hereby certify that the amendment was approved unanimously in accordance with the terms and conditions for amending the Restrictive Covenants and the procedure adopted by the Building Committee for voting on this amendment.
- 6) That the Building Committee does hereby consider the Restrictive Covenants to be amended as to paragraph 6, and hereby

I hereby certify that I have on this 7 day of April, 1982 microphotographed the above document in accordance with standards established by Wis. Stat. Sec. 19.41 of Statutes and with established procedures. Jeanne Anne August Micro Operator.

directs the appropriate State and County officials, title officers and other interested parties to take note of this amendment and to place this amendment of record as part of the Restrictive Covenants that attach to property in the subdivision commonly known as Cool Hill Park, Second Addition.

7) That the results of the balloting will be furnished to all property owners along with a copy of the Restrictive Covenants as amended.

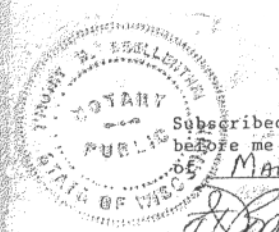
Wherefore, we do hereby state that the facts contained within this affidavit are true correct and do hereby set our seal to attest thereto, as members of the Building Committee for Cool Hill Park, Second Addition, LaGrange Township, Wisconsin.

Dated: MARCH 27, 1982

Don Althaus  
Don Althaus

John E. Hall  
John E. Hall, O.D.

R. C. Siemers  
R. C. Siemers



Subscribed and Sworn to before me this 27<sup>th</sup> day of March, 1982

[Signature]  
Notary Public

Drafted by:  
Ronald W. Wietecha

December, 1981

Dear Property Owner:

When you purchased your lot in Cool Hill Park Addition No. 2 you also became an owner -in -common of a set of restrictive covenants designed to guarantee the continuing value of your property.

Recently a controversy about whether or not utility sheds should be allowed has arisen. This results from the fact that two such structures have been erected without the approval of the building committee as required in restriction number five.

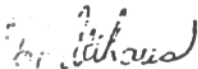
Since a majority of property owners present at a recent meeting expressed the opinion that a change should be made to allow utility sheds, we are proposing an amendment to the covenants which would allow for such structures within certain limitations and still protect our neighborhood.


We have enclosed the proposed amendment and a ballot so that you may vote on this amendment. Legal opinion is that in order to amend the covenants we need unanimous approval of the property owners.


Ballots must be returned signed by February 2, 1982. Unsigned ballots and abstentions will be considered "yes" votes.

Cordially,

The building committee

  
Don Althaus

  
John E. Hall, O.D.

  
R. C. Siemers

To amend paragraph 6 of the restrictive covenants for Cool Hill Park Addition No. 2 to allow for the construction of small utility sheds under the following conditions:

Only one per occupied lot.

Only one outbuilding or free standing outbuilding per occupied lot.

May not be constructed until after the exterior of the dwelling on that lot is completed.

Must be of wood frame construction, of a permanent nature, built on a permanent foundation or footings.

If located near the dwelling, the building must have the same general appearance as the dwelling (shape, siding, roof pitch etc.).

Location should be behind the dwelling unless other suitable site can be agreed upon by the building committee and the homeowner.

When not near the dwelling, the building should be finished so as to maintain harmony with its surroundings.

When placed near a lot line, the homeowner on the adjacent lot must be consulted before the building committee may give approval.

Buildings must be kept within dimensions not more than twelve feet wide, by fourteen feet deep by ten feet high at the peak.

Such buildings are intended for use as storage sheds for lawn equipment, tools, recreational equipment etc.

The building committee has responsibility for approval of utility sheds as outlined in the procedure in restriction 5.

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R. Manley

5.00 p/c

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