

1913471

DOCUMENT NO.

FIRST AMENDED DECLARATION OF COVENANTS AND RESTRICTIONS FOR POLO POINT SUBDIVISION

FIRST AMENDED DECLARATION OF COVENANTS AND RESTRICTIONS (the "Declaration") is hereby made and established as of the 28th day of May, 2002, by Polo Point, LLC, a Wisconsin limited liability company (hereinafter the "Developer"). The Declarations, Covenants and Restrictions contained herein shall replace and supercede those previously recorded on February 1, 2001 and recorded in the Office Of the Register of Deeds of Brown County, Wisconsin as Document Number 1792620.

BROWN COUNTY REGISTER OF DEEDS CATHY WILLIQUETTE

2002 JUL 17 P 4: 03

RECITALS:

WHEREAS, Developer owns all those lands located in the Village of Hobart, Brown County, Wisconsin, as legally described on Exhibit A attached hereto (the "Land");

WHEREAS, Developer intends to develop the Land as a residential subdivision containing approximately One hundred twenty-eight (128) lots known as "POLO POINT SUBDIVISION" (the "Subdivision"); and

WHEREAS, Developer desires to subject all of the Land (except dedicated streets and utilities), to the conditions, restrictions, covenants, reservations and easements hereinafter set forth, for the benefit of the Subdivision as a whole and for the benefit of each Lot Owner.

DECLARATION

NOW, THEREFORE, DEVELOPER hereby declares that the real estate described on the attached Exhibit A (except for dedicated streets and utilities), shall be used, held, leased, transferred, sold and conveyed subject to the conditions, restrictions, covenants, reservations and easements hereinafter set forth, which shall inure to the benefit of and shall pass with each Lot as covenants running with the land and shall apply to and bind all successors in interest, users and owners.

DEFINITIONS, PURPOSE AND USE RESTRICTIONS

1.01 DEFINITIONS

- (a) "Association" shall mean the POLO POINT HOMEOWNERS ASSOCIATION, an association which may be created under this Declaration.
(b) "Developer" shall mean POLO POINT, LLC, as well as any successor Developer.
(c) "Family" shall mean one or more persons related by bond, marriage or adoption who are living, sleeping, cooking and eating on the premises as a single housekeeping unit and shall exclude any person or groups of persons where three or more are not so related or engaged as household employees.
(d) "Home" shall mean a residential building designed and used as a dwelling for one family (which shall not include any attached garage).
(e) "Limited Common Areas" shall include property accessible by members of the Homeowner's Association, whether title is retained by the Developer or conveyed to the Association, for general use by all residents of the subdivision.

THIS SPACE RESERVED FOR RECORDING DATA NAME AND RETURN ADDRESS

Schober & Ulatowski, S.C. P.O. Box 1780 Green Bay, WI 54305-1780

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