

1646376

EXHIBIT "A" TO
AMENDMENT TO DECLARATION OF
COVENANTS AND RESTRICTIONS FOR
THORNBERRY CREEK ESTATES

LOTS ONE HUNDRED ONE THRU ONE HUNDRED FORTY-ONE (101-141), ACCORDING TO THE RECORDED PLAT OF THORNBERRY CREEK ESTATES FIRST ADDITION, IN THE TOWN OF HOBART, BROWN COUNTY, WISCONSIN.

AND

A PARCEL OF LAND LOCATED IN PART OF GOVERNMENT LOTS THREE (3) AND FOUR (4), SECTION TWENTY-FOUR (24), TOWNSHIP TWENTY-FOUR (24) NORTH, RANGE NINETEEN (19) EAST, TOWN OF HOBART, BROWN COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF GOVERNMENT LOT 3, SECTION 24, TOWNSHIP 24 NORTH, RANGE 19 EAST; THENCE SOUTH $89^{\circ}28'40''$ EAST A DISTANCE OF 426.90 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH $89^{\circ}28'40''$ EAST ALONG THE SOUTH LINE OF LOT 85, THORNBERRY CREEK ESTATES A DISTANCE OF 126.97 FEET; THENCE SOUTH $04^{\circ}16'39''$ WEST A DISTANCE OF 190.90 FEET; THENCE SOUTH $38^{\circ}26'54''$ WEST A DISTANCE OF 180.18 FEET; THENCE NORTH $00^{\circ}07'06''$ WEST ALONG THE EAST LINE OF LOT 107, THORNBERRY CREEK ESTATES FIRST ADDITION, A DISTANCE OF 332.63 FEET TO THE POINT OF BEGINNING.

AND

LOTS ONE (1), TWO (2) AND THREE (3), VOLUME 37 CERTIFIED SURVEY MAPS, PAGE 24 AS DOCUMENT NUMBER 1594107, BROWN COUNTY RECORDS, SAID MAP BEING PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW 1/4 OF THE NW 1/4), SECTION TWENTY-FOUR (24), TOWNSHIP TWENTY-FOUR (24) NORTH, RANGE NINETEEN (19) EAST, TOWN OF HOBART, BROWN COUNTY, WISCONSIN.

1646376

**AMENDMENT TO
DECLARATION OF COVENANTS
AND RESTRICTIONS FOR
THORNBERRY CREEK ESTATES**

**BROWN COUNTY
REGISTER OF DEEDS
CATHY WILLIQUETTE**

1998 OCT 13 P 12: 28

THIS AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS (hereinafter the "Amendment") is hereby made and established as of the 14th day of September, 1998, by TROUT CREEK, L.L.C., a Wisconsin limited liability company (hereinafter the "Developer").

RECITALS

WHEREAS, on May 18, 1995, Developer recorded a Declaration of Covenants and Restrictions for Thornberry Creek Estates (hereinafter the "Declaration") in the Office of the Register of Deeds for Brown County, Wisconsin, as Document No. 1450530; and

WHEREAS, Developer intends to amend the Declaration by recording this Amendment pursuant to Section 4.04 of the original Declaration to cause additional lands in the Town of Hobart to become subject to the original Declaration and, therefore, said land shall be deemed a part of the lots within the subdivision for all purposes.

DECLARATION

NOW, THEREFORE, Developer hereby declares that pursuant to Section 4.04 of the Declaration, which encumbers Lots 1-100 of the recorded plat of Thornberry Creek Estates, Document Number 1450529, Volume 20-Plats-page 13, Brown County Records, Brown County, Wisconsin, said lots and the land described on the attached Exhibit "A" shall be subject to the terms of said Declaration as well as this Amendment.

That all of said real estate shall be used, held, leased, transferred, sold, and conveyed subject to the conditions, restrictions, covenants, reservations and easements as set forth in said Declaration and this Amendment, 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.

IN WITNESS WHEREOF, this Amendment to Declaration of Covenants and Restrictions is executed by the Developer as of the date first above written.

TROUT CREEK, L.L.C.,
a Wisconsin limited liability company

By: John D. Schweiner
John D. Schweiner, Member

ACKNOWLEDGMENT

STATE OF WISCONSIN:
 : SS.
COUNTY OF BROWN :

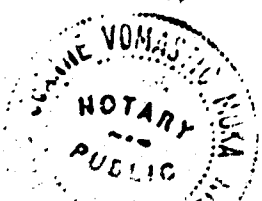
Personally came before me this 2nd day of October, 1998, the above-named John D. Schweiner to me known to be the person who executed the foregoing instrument and acknowledged the same.

Joanne Vomastic Muka

Joanne Vomastic Muka (Print Name)

Notary Public, State of Wisconsin

My Commission: expires September 30, 2001



RETURN TO:

Attorney Ronald F. Metzler
Metzler and Hager, S.C.
222 Cherry Street
Green Bay, WI 54301-4223

PARENT PARCEL Nos - HB 714-1,
HB-715, HB-716, HB-720
HB-728, HB-729, HB-740
Parcel Identification Number

1400
③

CONSENT BY LAND OWNER OF LOT 125

The undersigned owners of Lot 125, Thornberry Creek Estates First Addition, do hereby consent to, approve, and agree to be bound by the provisions of the above-described Declaration and Amendment.

Dated: 10-1-98

Gary C Hill
Gary C. Hill

Dated: 10-1-98

Elizabeth F. Hill
Elizabeth F. Hill

CONSENT BY LAND OWNER OF LOT 3, 37 CSM 24

The undersigned owners of Lot 3, Vol. 37 CSM 24, as part of Document No. 1594107, Brown County Records, said map being part of the NW 1/4 of the NW 1/4, Section 24, Township 24 North, Range 19 East, Town of Hobart, Brown County, Wisconsin, do hereby consent to, approve, and agree to be bound by the provisions of the above-described Declaration and Amendment.

Dated: 9-27-98

Paul G. Welhouse
Paul G. Welhouse

Dated: 9-27-98

Lauri A. Welhouse
Lauri A. Welhouse

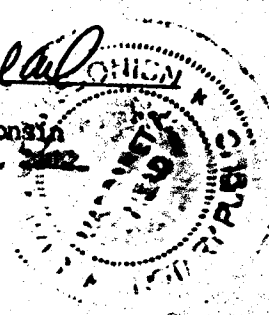
THIS DOCUMENT WAS DRAFTED BY:
Attorney Ronald F. Metzler
Metzler and Hager, S.C.

ACKNOWLEDGEMENT

STATE OF WISCONSIN:
: SS
COUNTY OF BROWN :

Personally came before me this 1st day of October, 1998 the above-named Gary C. Hill and Elizabeth F. Hill, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Margaret A. Mead
Margaret A. Mead
Notary Public, State of Wisconsin
My Commission Expires May 26, 2002.




ACKNOWLEDGEMENT

STATE OF WISCONSIN:
: SS
COUNTY OF BROWN :

Personally came before me this 27th day of September, 1998, the above-named Paul G. Welhouse and Lauri A. Welhouse, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Margaret A. Mead
Margaret A. Mead
Notary Public, State of Wisconsin
My Commission Expires May 26, 2002.



Thornberry Creek Estates South Addition

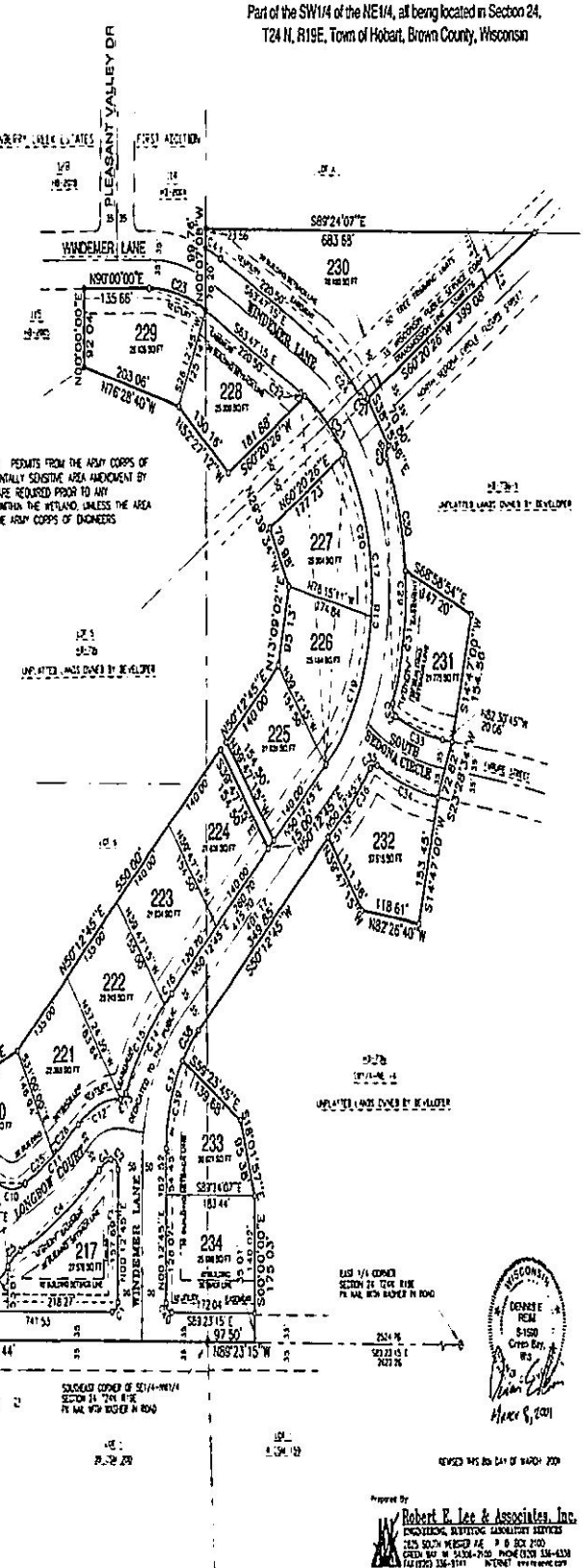
Part of Government Lots 5 and 6;
Part of the SW1/4 of the NE1/4, all being located in Section 24,
T24 N, R19E, Town of Hobart, Brown County, Wisconsin

CURVE DATA

NUMBER	DELTA	CHORD DIRECTION	TANGENT	RAIUS	ARC LENGTH	CHORD LENGTH	1ST TAY BEARING	2ND TAY BEARING
C1	992308	N45°24'19"E	12.03	12.00	18.91	17.03		
C2	1044524	S52°10'27"E	15.57	12.00	21.94	19.07	N75°26'21"E	
C3	242123	N63°53'55"E	14.03	65.00	27.63	27.43	N61°04'48"E	N75°26'21"E
C4	181648	S60°15'07"W	95.73	595.00	689.83	593.03	N51°04'48"E	S89°21'34"E
C5	291432	S54°42'33"W	INFINITE	65.00	33.24	32.88	S40°42'33"W	S67°21'34"E
C6	2645013	N11°31'21"E	81.76	65.00	291.37	101.65	S40°03'33"W	N63°08'15"W
C7	1174317	N81°02'19"S	187.76	65.00	433.65	111.32		
C8	751259	N15°28'15"E	50.07	65.00	65.33	79.33		
C9	674257	N84°59'16"E	43.47	65.00	72.49	68.77		
C10	513139	S88°53'04"E	31.33	65.00	58.49	56.54	S85°20'08"W	N63°08'15"W
C11	141920	N58°12'26"E	65.65	525.00	430.62	320.23	S85°20'08"W	N51°04'48"E
C12	432529	N01°17'20"E	49.70	135.00	95.24	83.27	N51°04'48"E	S88°30'05"E
C13	654407	N59°07'51"E	7.61	12.00	13.56	12.85	S88°30'05"E	N65°45'43"E
C14	232857	N38°29'16"E	77.63	375.00	153.47	152.44	N26°45'48"E	
C15	262858	N37°07'45"E	67.81	375.00	134.16	134.43		
C16	625702	N48°44'11"E	9.66	375.00	19.31	19.31		
C17	1140020	N66°47'15"W	428.06	265.00	527.78	444.50		
C18	884820	N65°49'35"E	259.38	265.00	410.58	370.75	S38°33'35"E	
C19	441038	N28°37'26"E	127.54	265.00	264.32	193.30		
C20	443547	N16°15'44"W	128.67	265.00	266.28	201.09		
C21	2311435	N50°10'56"E	24.31	265.00	107.57	105.78	S38°33'35"E	N51°45'18"W
C22	015859	N62°47'48"E	4.59	265.00	9.17	9.17	N61°48'18"W	
C23	261245	N65°53'56"E	67.70	265.00	124.24	120.18		
C24	195120	S83°31'20"E	58.66	335.00	116.14	115.56	N43°52'25"W	
C25	072742	N61°38'45"E	33.65	525.00	67.61	67.56		
C26	1665238	N54°31'05"E	31.56	525.00	63.02	63.89		
C27	754408	S01°47'29"E	9.33	12.00	15.58	14.73	N43°56'25"W	N67°20'28"E
C28	885146	S18°02'33"W	17.71	12.00	18.56	16.76	S18°15'20"E	N60°20'28"E
C29	510674	S02°12'08"E	169.17	335.00	288.81	289.01	S18°15'20"E	N22°31'04"E
C30	3234337	S16°21'01"E	70.63	335.00	139.72	138.22	S18°15'20"E	N04°26'43"W
C31	271747	S09°12'10"E	81.34	335.00	159.60	158.09	N22°31'04"E	N04°26'43"W
C32	681146	S21°18'04"E	11.64	12.00	18.43	16.71	N22°31'04"E	N55°23'12"W
C33	110733	S73°36'58"E	51.20	340.00	101.63	101.25	N65°23'12"W	
C34	182542	N73°16'24"W	66.69	410.00	132.33	131.66	S42°32'45"E	S64°02'01"E
C35	1721839	S77°13'15"E	9.63	12.00	16.23	15.02	S42°32'45"E	S64°02'01"E
C36	114337	S44°31'01"E	34.33	335.00	68.56	68.43	S38°28'10"E	
C37	500000	S25°12'45"E	65.27	385.00	161.44	155.37		
C38	751215	S42°36'37"E	24.69	165.00	49.01	43.65	N25°00'30"E	
C39	344745	S17°36'37"E	57.97	185.00	112.35	110.63	N37°02'30"E	
C40	693800	S44°15'15"E	11.62	12.00	18.77	16.91		
C41	654636	S66°40'33"E	16.90	335.00	33.78	33.76	N69°37'51"W	
C42 REC 28°24"	N76°53'37"W	61.70	265.00	21.24	120.18	563.47°4"E		

There are no objections to this plat with respect to
Lots 236, 237, 238, 239, 240 and 241 in 111 and 121,
Wis. Stats.
Created April 3rd 2001
Renee M. Pate
Department of Administration

LOT 230 CONTAINS A MAPPED WETLAND AREA. PERMITS FROM THE ARMY CORPS OF ENGINEERS AND APPROVAL OF AN ENVIRONMENTALLY SENSITIVE AREA AMENDMENT BY THE BROWN COUNTY PLANNING COMMISSION ARE REQUIRED PRIOR TO ANY DEVELOPMENT OR LAND DISTURBING ACTIVITY WITHIN THE WETLAND UNLESS THE AREA IS DETERMINED NOT TO BE A WETLAND BY THE ARMY CORPS OF ENGINEERS.

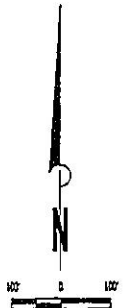


LEGEND

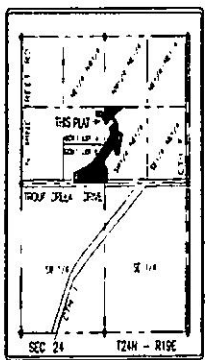
- Ø Testing 2" Dia Iron Pipe
- Set 2" Dia x 30" Iron Pipe w/spacing 3/8" @ 40' R
- ⊙ Recorded County Monument
- All other 1/4 corners marked with a 1" Dia x 24" Iron Pipe w/spacing 1" @ 40' R

NOTES

- ALL LOTS SHOWN ON THIS PLAN ARE LOCATED WITHIN DISTRICT C OF THE AUSTIN STRABEL INTERNATIONAL AIRPORT ZONING ORDINANCE. HEIGHT PERMITS MAY BE REQUIRED.
- VEHICULAR ACCESS TO TROUT CREEK ROAD IS RESTRICTED FOR LOTS 217, 218 AND 234. VEHICULAR ACCESS TO WANDERER LANE IS RESTRICTED FOR LOT 217. LOTS 217 AND 218 MUST ACCESS LONGBORN COURT. LOT 234 MUST ACCESS WANDERER LANE.
- AREA DEDICATED TO THE PUBLIC FOR STREET PURPOSES CONTAINS 200'± SQ. FT. OR 1/40 ACRES OF LAND MORE OR LESS.



BEARINGS ARE INTRODUCED TO THE SOUTH LINE OF THE WESTERLY 1/4 OF SECTION 24, T24N, R19E, REFERRED TO BEAM S874407E.



PREPARED BY
DESIGNED BY
CHECKED BY
DATE

Prepared By
Robert E. Lee & Associates, Inc.
ENGINEERING, SURVEYING, ARCHITECTURAL SERVICES
215 SOUTH WISCONSIN AVE. # 8 BOX 200
GREEN BAY WISCONSIN 54301-2000
(608) 785-1100 FAX (608) 785-1101
www.relee.com



CERTIFICATE OF THE TOWN OF HOBART

APPROVED THIS 19th DAY OF April 2001 FOR THE TOWN OF HOBART

Mary R. Wood, Mayor



Thornberry Creek Estates South Addition

Part of Government Lots 5 and 6, Part of the SW1/4 of the NE1/4, all being located in Section 24, T24 N. R19E, Town of Hobart, Brown County, Wisconsin

SURVEYOR'S CERTIFICATE

I, DENNIS E. REIM, REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT UNDER THE DIRECTION OF JOHN D. SCHWENGER, I HAVE SURVEYED, DIVIDED AND MAPPED PART OF GOVERNMENT LOTS 5 AND 6...

CERTIFICATE OF TOWN TREASURER

STATE OF WISCONSIN, BROWN COUNTY, SS. Being the duly elected qualified and acting town treasurer of the town of Hobart...

OWNER'S CERTIFICATE

AS OWNERS WE THE UNDERSIGNED HEREBY CERTIFY THAT WE CAUSED THE LAND DESCRIBED ON THIS PLAN TO BE SURVEYED, MAPPED AND RECORDED AS REPRESENTED ON THIS PLAN...

John D. Schwenger, Plaintiff

STATE OF WISCONSIN, BROWN COUNTY, SS. PERSONALLY CAUSE BEFORE ME THIS 19th DAY OF April 2001, THE ABOVE NAMED PERSONS TO ME KNOWN TO BE THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT

Mary R. Wood, Notary Public

CERTIFICATE OF COUNTY TREASURER

STATE OF WISCONSIN, BROWN COUNTY, SS. I, KEVIN W. BLAND, BEING THE DULY ELECTED, QUALIFIED AND ACTING TREASURER OF THE COUNTY OF BROWN, DO HEREBY CERTIFY THAT THE RECORDS IN MY OFFICE SHOW NO UNPAID TAXES OR UNPAID SPECIAL ASSESSMENTS AS OF 4/19/01...

Kevin W. Bland, County Treasurer

CERTIFICATE OF THE CITY OF GREEN BAY COMMON COUNCIL

APPROVED FOR THE CITY OF GREEN BAY COMMON COUNCIL THIS 19th DAY OF April 2001

CERTIFICATE OF THE BROWN COUNTY PLANNING COMMISSION

APPROVED FOR THE BROWN COUNTY PLANNING COMMISSION THIS 19th DAY OF April 2001

Walter Schmitt, Senior County Planner

CONSENT OF CORPORATE MORTGAGE

SHYLAKE BANK, A CORPORATION DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, HEREBY CONSENTS TO THE SURVEYING, DIVISION, MAPPING AND RECORDATION OF THE LAND DESCRIBED HEREON...

Notary Public, Brown County, Wisconsin

STATE OF WISCONSIN, COUNTY OF BROWN, SS.

REGISTERED OFFICE, Brown Co, Wis. Received by record for 24.00 by et al. 4/19/01 at 3:35 p.m. and recorded in Vol. 24 of 2001 on page 124.

There are no objections to this plan with respect to Secs 234.01, 234.04, 234.06 and 234.21 (1) and (2) Wis Stats. Certified April 3rd 2001



Robert W. Lee & Associates, Inc. ENGINEERING SURVEYING LAND SURVEYING