

FINAL AMENDMENT TO DECLARATION OF
CONDITIONS, COVENANTS AND
RESTRICTIONS

DANE COUNTY
REGISTER OF DEEDS

DOCUMENT #
3703517

05/02/2003 02:11:26PM

Trans. Fee:
Exempt #:

Rec. Fee: 23.00
Pages: 7

001014

Record this document with the Register of Deeds

Name and Return Address:

Gregory J. Paradise
Mohs, MacDonald, Widder & Paradise
20 North Carroll Street
Madison, WI 53703

Document Number

Title of Document

RE: See Exhibit "A," attached hereto and incorporated herein by reference.

This Amendment to the Declaration of Conditions, Covenants and Restrictions for Valley Ridge, a subdivision located in Dane County, Wisconsin, is made as of this 30 day of April, 2003, by Don Simon Homes, Inc., a Wisconsin Corporation (the "Developer"), by David P. Simon, President of the Developer and the designated representative of the Architectural Control Committee created by the foregoing Declaration.

WITNESSETH:

(Parcel Identification Number)

See Exhibit "A"

WHEREAS, Developer caused to be recorded that certain Declaration of Conditions, Covenants and Restrictions for Valley Ridge, which was recorded in the office of the Dane County Register of Deeds on the 20th day of October, 1999, as Document No. 3165082 (the "Declaration"); and

WHEREAS, pursuant to Section A-1(G) of the Declaration, Developer reserved the right to subject additional phases of the Valley Ridge Plat to the terms of the Declaration.

NOW, THEREFORE, Developer does hereby declare that the real property described in Exhibit "A," attached hereto and incorporated herein by reference, shall be and hereby is made subject to the terms, covenants and conditions of the Declaration. Said real property shall be hereinafter referred to as Final Phase. The minimum dwelling unit sizes for Final Phase shall be as set forth in Exhibit "B," attached hereto and incorporated herein by reference. The minimum number of required landscaping points is set forth on the attached Exhibit "C", the Landscape Elements Schedule is set forth on Exhibit "D" and the Fence Standard is set forth on Exhibit "E".

Dated as of the date and year first above written.

DON SIMON HOMES, INC., A Wisconsin Corporation

By: David P. Simon

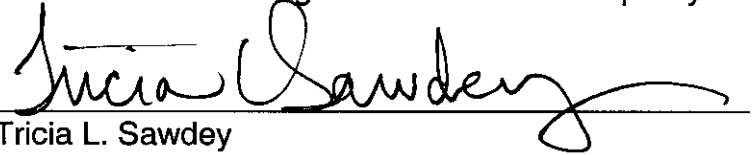
David P. Simon, President, and as the designated representative of the Architectural Control Committee established under the Declaration

7/23

STATE OF WISCONSIN)
)ss>
COUNTY OF DANE)

001015

Personally came before me this 30th day of April, 2003,
the above named David P. Simon, President and as the designated representative of the
Architectural Control Committee established under the Declaration, to me known to be the
person who executed the foregoing instrument and acknowledged the same in the capacity and
for the purposes therein intended.



Tricia L. Sawdey
Notary Public, State of Wisconsin
My Commission expires: 11-16-2003

THIS DOCUMENT DRAFTED BY:
Attorney Gregory J. Paradise
MOHS, MACDONALD, WIDDER & PARADISE
20 North Carroll Street
Madison, WI 53703

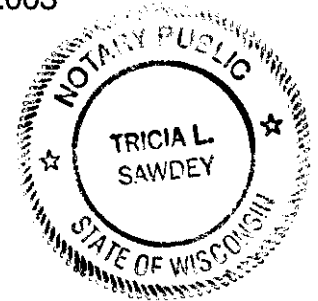


EXHIBIT "A"

Final Phase

001016

Legal Description:

Lots 26 through 37, 39, 40 through 46, 298 through 304, 306 through 323, Inclusive of the Plat of Valley Ridge, in the City of Madison, Wisconsin.

Parcel Identification Numbers:

| | |
|--------------------|--------------------|
| 60-0708-352-0226-2 | 60-0708-353-0927-4 |
| 60-0708-352-0227-0 | 60-0708-353-0928-2 |
| 60-0708-352-0228-8 | 60-0708-353-0929-0 |
| 60-0708-352-0230-3 | 60-0708-353-0930-7 |
| 60-0708-352-0231-1 | 60-0708-353-0602-2 |
| 60-0708-352-0232-9 | 60-0708-353-0603-0 |
| 60-0708-352-0233-7 | 60-0708-353-0604-8 |
| 60-0708-352-0234-5 | 60-0708-353-0605-6 |
| 60-0708-352-0235-3 | 60-0708-353-0606-4 |
| 60-0708-352-0236-1 | 60-0708-353-0607-2 |
| 60-0708-352-0237-9 | 60-0708-353-0608-0 |
| 60-0708-352-0238-7 | 60-0708-353-0609-8 |
| 60-0708-352-0601-6 | 60-0708-353-0610-5 |
| 60-0708-352-0602-4 | 60-0708-353-0611-3 |
| 60-0708-352-0603-2 | 60-0708-353-0612-1 |
| 60-0708-352-0604-0 | 60-0708-353-0613-9 |
| 60-0708-352-0605-8 | 60-0708-353-0614-7 |
| 60-0708-352-0606-6 | 60-0708-353-0615-5 |
| 60-0708-352-0607-4 | 60-0708-353-0616-3 |
| 60-0708-352-0608-2 | 60-0708-353-0617-1 |
| 60-0708-353-0924-0 | 60-0708-353-0618-9 |
| 60-0708-353-0925-8 | 60-0708-353-0619-7 |
| 60-0708-353-0926-6 | |

EXHIBIT "B"

Minimum Dwelling Unit Sizes

001017

| LOTS | TYPE | MINIMUM SQUARE FOOTAGE |
|-------------|-------------|-------------------------------|
| 39, 40-46 | Ranch | 1,500 |
| | 2-Story | 1,800 |
| | Multi-Level | 1,400 |
| <hr/> | | |
| 26-37 | Ranch | 1,700 |
| | 2-Story | 2,000 |
| | Multi-Level | 1,600 |

NOTE: If no minimum dwelling unit sizes are specified in this Exhibit "B" for this phase, then Developer reserves the right to impose minimum dwelling unit sizes at a later date by an Amendment to the Declaration.

| Lots | Minimum Points For Foundation Plantings | Total Minimum Landscaping Points |
|-------------|--------------------------------------------------------|---------------------------------------------|
| 26-37 | 200 | 700 |
| 39 | 200 | 700 |
| 40-46 | 200 | 700 |
| 298-304 | 130 | 450 |
| 306-323 | 130 | 450 |

EXHIBIT "D"

001019

LANDSCAPE ELEMENTS

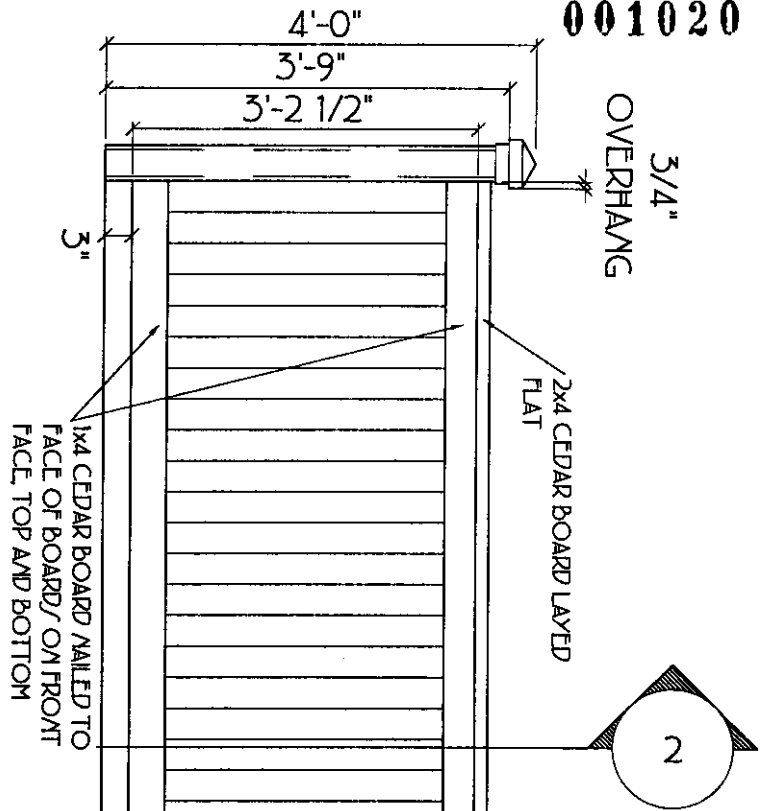
| Elements | Point Schedule |
|----------------------------------------------------------------------------------------------------------------------------------------|-----------------------|
| A) Small Shade Trees (balled and burlaped) (1.5"-2" caliper at 6" from the roots) | 50 |
| B) Medium Shade Trees (balled and burlaped) (2"-3" caliper at 6" from the roots) | 100 |
| C) Large Shade Trees (balled and burlaped) (3"-4" caliper at 6" from the roots) | 150 |
| D) Extra-Large Shade Trees (balled and burlaped) (4" + caliper at 6" from the roots) | 200 |
| E) Ornamental Trees (balled and burlaped) (1.5"-2" caliper at 6" from the roots) | 50 |
| F) Small Evergreen Trees (3' to 4.5' when planted) | 25 |
| G) Medium Evergreen Trees (5' to 6.5' when planted) | 50 |
| H) Large Evergreen Trees (7' + when planted) | 100 |
| I) Evergreen Shrubs (18" minimum diameter) | 20 |
| J) Small Deciduous Shrubs (18" to 35" in diameter) | 10 |
| K) Medium Deciduous Shrubs (35" to 60" in diameter) | 15 |
| L) Large Deciduous Shrubs (balled and burlaped) (60" or greater in diameter) | 25 |
| M) Decorative Retaining Walls (Points are per face foot. Boulders, timbers, and stones only - no concrete walls included.) | 10 |
| N) Paver Stone Walks, Paths or Patios (Points per square foot - no driveways included.) | 1 |

The final point totals must consist of a balanced variety of the listed elements acceptable to the Developer (or Architectural Control Committee). Existing vegetation, trees and shrubs may be included in the point totals if they are properly protected and maintained during the construction process and located as such on the landscape plans submitted to the Developer (or Architectural Control Committee) for approval.

EXHIBIT "E"
FENCE STANDARD

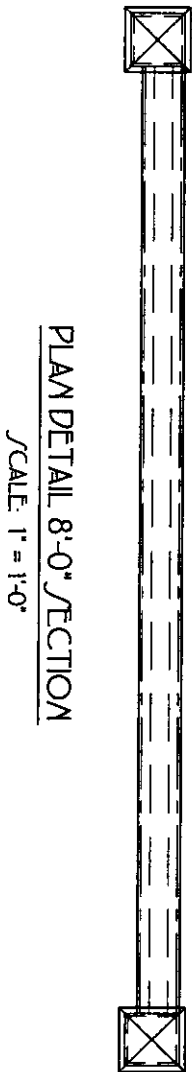
001020

4'0" APPROVED NEIGHBORHOOD FENCE



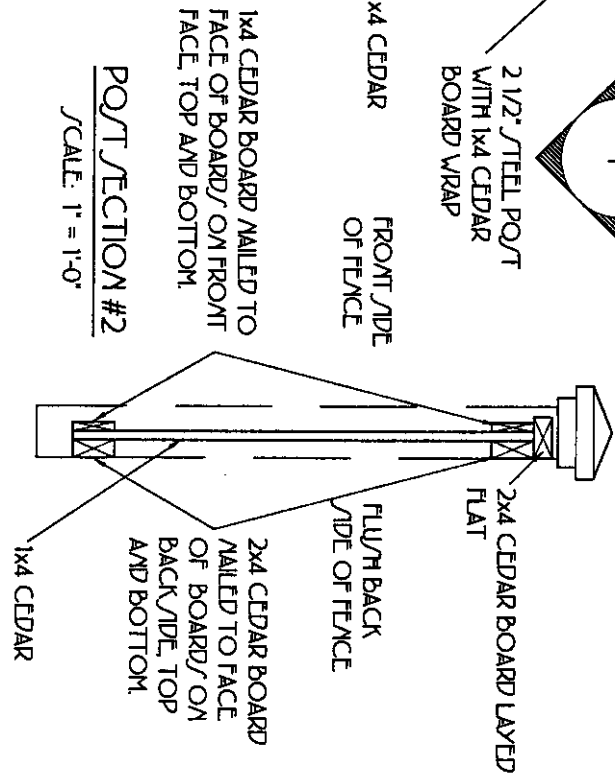
ELEVATION TYPICAL 8'-0" SECTION

SCALE: 3/4" = 1'-0"



PLAN DETAIL 8'-0" SECTION

SCALE: 1" = 1'-0"



POST SECTION #2

SCALE: 1" = 1'-0"

POST SECTION #1

SCALE: 1 1/2" = 1'-0"

| | | |
|--------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| Model: _____ 4'0 VALLEY RIDGE FENCE DETAIL | Custom Designed For: <u>HE/DRAWING/DETAIL/F/FENCE/A/VALDRGFENCE.DWG</u> | DON SIMON HOMES We Make Building Easy 2800 Royal Avenue Ste 210 - Madison, WI 53713 (608)223-2626 Fax: (608)223-0623 |
| Base Plan _____ Plan: 10-15-99 Revised: 0-21-02 | Lot/Subdivision: _____ Address: _____ | |
| Do Not Scale Note: All dimensions are stud to stud | Drawn By: _____ Date: _____ | Customer Approval: _____ /2002 DSH Approval: _____ /2002 |
| | Note: Please review carefully. What is shown in this plan represents what will be constructed. We will not be held responsible for errors if work is built according to the customer's approved plan. Revised: _____ | |