

*Sharon A. Martin*  
SHARON A MARTIN  
WASHINGTON COUNTY  
REGISTER OF DEEDS  
Fee: **\$30.00**

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Pages: **6**

**FOURTH AMENDMENT TO  
DECLARATION OF RESTRICTIONS  
FOR THE PRESERVE SUBDIVISION**

THIS AMENDMENT was adopted by a vote  
of the membership of The Preserve at  
Germantown Homeowners Association, Inc.

The legal description is attached.

This amendment is amending the original  
"DECLARATION OF RESTRICTIONS  
FOR THE PRESERVE SUBDIVISION"  
which was recorded on June 21, 1995 in the  
Office of the Washington County Register of  
Deeds in Volume 1521, on pages 39 through  
49, inclusive, as Document No. 693592, as  
amended.

Return to:

Adam S. Bazelon, Esq.  
von Briesen & Roper, s.c.  
411 E. Wisconsin, Suite 1000  
Milwaukee, WI 53202

**Section 15 of the Declaration of Restrictions For the Preserve  
Subdivision ("Declaration") is amended to read as follows:**

15. TERM – This Declaration of Restrictions is reinstated as of the  
date of the recording of this amendment.

These restrictions shall continue run with the land and shall be binding  
upon all parties and persons having any interest in the land affected  
hereby for a period of twenty (20) years from the date this amendment  
is recorded. Following the twenty (20) year period, this Declaration of  
Restrictions, and all amendments thereto, shall be automatically  
renewed for successive periods of ten (10) years each, unless an  
amendment reducing or terminating the term hereof is recorded prior  
to the expiration of such period.

**FOURTH AMENDMENT TO  
DECLARATION OF RESTRICTIONS  
FOR THE PRESERVE SUBDIVISION**

THIS AMENDMENT was adopted by a vote of the membership of The Preserve at Germantown Homeowners Association, Inc.

The legal description is attached.

This amendment is amending the original "DECLARATION OF RESTRICTIONS FOR THE PRESERVE SUBDIVISION" which was recorded on June 21, 1995 in the Office of the Washington County Register of Deeds in Volume 1521, on pages 39 through 49, inclusive, as Document No. 693592, as amended.

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Adam S. Bazelon, Esq.  
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411 E. Wisconsin, Suite 1000  
Milwaukee, WI 53202

**Section 15 of the Declaration of Restrictions For the Preserve Subdivision ("Declaration") is amended to read as follows:**

15. TERM – This Declaration of Restrictions is reinstated as of the date of the recording of this amendment.

These restrictions shall continue run with the land and shall be binding upon all parties and persons having any interest in the land affected hereby for a period of twenty (20) years from the date this amendment is recorded. Following the twenty (20) year period, this Declaration of Restrictions, and all amendments thereto, shall be automatically renewed for successive periods of ten (10) years each, unless an amendment reducing or terminating the term hereof is recorded prior to the expiration of such period.

**CERTIFICATION**

I, Richard Thomas, being the President of The Preserve at Germantown Homeowners Association, Inc., do hereby certify that:

1. Owners of at least eighty percent (80%) of the lots in the Subdivision have consented to and approved this amendment to the Declaration of Condominium.
2. The vote was taken by written ballot.
3. The written ballots are on file with the The Preserve at Germantown Homeowners Association, Inc., or other Board member, or agent of the Association.

Signed this 12 day of April, 2021.

The Preserve at Germantown Homeowners  
Association, Inc.

By: \_\_\_\_\_

Richard Thomas  
President

**ACKNOWLEDGEMENT**

State of Wisconsin            )  
  ) ss.  
County of Washington        )

Personally came before me this 12 day of April, 2021, the above-named Richard Thomas to be known to be the person who executed the foregoing instrument and acknowledge the same.

Print name: David Lovejoy  
Notary Public, State of Wisconsin  
My commission expires: April 15 2023



VILLAGE CONSENT

By signing below, the Village of Germantown acknowledges its consent and approval of this amendment to the Declaration of Restrictions For the Preserve Subdivision.

Signed this 10 day of May, 2021.

VILLAGE OF GERMANTOWN

By: *Dean M. Woldter*  
Print Name: Village President  
Title: Dean M. Woldter

ACKNOWLEDGEMENT

State of Wisconsin )  
County of Washington ) ss.

Personally came before me this 10 day of May, 2021, the above-named Dean Mubtter to be known to be the person who executed the foregoing instrument and acknowledge the same.

*Deanna B Braunschweig*  
Print Name: Deanna B Braunschweig  
Notary Public, State of Wisconsin  
My commission expires: June 25, 2024

**DEANNA BRAUNSCHWEIG  
NOTARY PUBLIC  
STATE OF WISCONSIN**

This document was drafted by:  
Adam S. Bazelon, Esq.  
von Briesen & Roper, s.c.  
411 E. Wisconsin Avenue, Suite 1000  
Milwaukee, WI 53202

### Legal Description

"THE PRESERVE", being a subdivision of a part of the Southeast 1/4 and Southwest 1/4 of the Northwest 1/4 and the Northeast 1/4 of the Southwest 1/4 of Section 26, Town 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, being more particularly bounded and described as follows:

Commencing at the Southwest corner of the Northwest 1/4 of Section 26, running thence North 88 degrees 26' 16" East along the South line of the said Northwest 1/4 Section, 485.00 feet to a point in the Southeast corner of "Bel Aire" and the place of beginning of lands hereinafter described:

Continuing thence North 01 degrees 33' 44" West along the East line of "Bel Aire", 193.00 feet to a point; thence North 48 degrees 26' 16" East along the East line of "Bel Aire", 164.00 feet to a point; thence North 02 degrees 21' 51" East along the East line of "Bel Aire", 461.74 feet to a point in the South line of "Pilgrim Estates"; thence North 88 degrees 17' 49" East along the South line of "Pilgrim Estates", 603.43 feet to a point in the Southeast corner of "Pilgrim Estates"; thence North 01 degree 45' 56" West along the East line of "Pilgrim Estates", 150.00 feet to a point in the South line of Lyle Lane; thence North 88 degrees 17' 49" East along the South line of Lyle Lane, 61.36 feet to a point; thence North 01 degrees 42' 11" West 60.00 feet to a point in a curve; thence Southeasterly, 141.54 feet along the arc of said curve, whose center lies to the Southwest, whose radius is 230.00 feet and whose chord bears South 74 degrees 04' 21.5" East, 139.32 feet to a point; thence North 50 degrees 40' 00" East, 232.91 feet to a point; thence South 39 degrees 20' 00" East, 112.85 feet to a point; thence Due South, 364.15 feet to a point; thence South 46 degrees 09' 27" East, 134.40 feet to a point; thence South 68 degrees 40' 00" East, 166.43 feet to a point in a curve thence Southwesterly, 90.99 feet along the arc of said curve, whose center lies to the Northwest, whose radius is 305.00 feet and whose chord bear South 29 degrees 52' 47.5" West, 90.65 feet to a point; thence South 54 degrees 18' 13" East, 234.55 feet to a point; thence South 72 degrees 09' 20" East, 99.49 feet to a point; thence North 88 degrees 29' 31" East, 341.74 feet to a point; thence North 78 degrees 25' 29" East, 115.93 feet to a point in the East line of "High Pointe"; thence South 02 degrees 04' 59" East along the East line of "High Pointe" 225.28 feet to a point in the Southeast corner of the said Northwest 1/4 Section and the Northwest corner of "Heritage Hills Addition No. 1"; Thence South 02 degrees 04' 19" East along the East line of the Southwest 1/4 of Section 26, and the West line of "Heritage Hills Addition No. 1", 994.74 feet to a point; thence South 88 degrees 26' 39" West, 1315.72 feet to a point; thence North 01 degrees 46' 58" West, 994.56 feet to a point in the South line of the Northwest 1/4 of Section 26; thence South 88 degrees 26' 16" West along the South line of the said Northwest 1/4 Section, 825.70 feet to the point of beginning.

Containing 57.96 acres more or less.

"The Preserve II", Being a subdivision of a part of the Northwest 1/4 of the Northeast 1/4 and the Northeast 1/4 and Southeast 1/4 of the Northwest 1/4 of Section 26, T. 9 N., R. 20 E., Village of Germantown, Washington County, Wisconsin, being more particularly bounded and described as follows:

Commencing at the Southwest corner of the Northwest 1/4 of Section 26, running thence North 88°26'16" East along the South line of the said 1/4 Section, 2621.40 feet to the Southeast corner of the Northwest 1/4 of Section 26; thence North 02°04'59" East along the East line of the said Northwest 1/4 Section, 225.28 feet to a point in the West line of "High Pointe"; thence running along the North line of "The Preserve" The following courses: South 78°25'29" West, 115.93 feet to a point, thence South 88°29'31" West 341.74 feet to a point; thence North 72°09'20" West, 99.49 feet to a point; thence North 54°18'13" West, 95.74 feet to the place of beginning of lands hereinafter described:

Continuing along the North and East lines of "The Preserve" The following courses: North 54°18'13" West, 138.82 feet, to a point in a curve, thence Northeasterly, 90.99 feet along the arc of said curve, whose radius is 305.00 feet and whose chord bears North 29°52'47.5" East, 90.65 feet; North 68°40'00" West, 166.43 feet North; 46°09'27" West, 134.40 feet, North 00°00'00" West, 364.15 feet; North 39°20'00" West, 112.85 feet; South 50°40'00" West, 232.91 feet to a point in a curve; thence Northwesterly, 141.54 feet along the arc of said curve, whose center lies to the Southwest, whose radius is 230.00 feet and whose chord bears North 74°04'21.5" West, 139.32 feet to a corner point of the Preserve; thence North 01°49'12" West, 1162.58 feet to a point; thence North 88°30'06" East, 331.10 feet to a point; thence North 01°35'56" West, 306.49 feet to a point in the centerline of Fond Du Lac Avenue; thence South 68°48'59" East along the centerline of Fond Du Lac Avenue, 1100.73 feet to a point of curve; thence Southeasterly, 456.94 feet along the arc of said curve whose center lies to the Southwest, whose radius is 1188.24 feet and whose chord bears South 57°47'59" East 454.15 feet, thence South 43°13'01" West, 60.00 feet to a point; thence North 76°14'16" West, 31.97 feet to a point; thence South 89°58'36" West, 31.05 feet to a point; thence South 45°34'41" West, 62.13 feet to a point; thence South 19°09'23" West, 75.64 feet to a point; thence South 43°57'58" West, 112.02 feet to a point; thence South 39°43'13" West, 41.64 feet to a point, thence South 31°31'12" West, 52.82 feet to a point, thence South 47°24'03" West, 54.54 feet to a point; thence South 28°09'34" West, 86.14 feet to a point; thence South 22°14'53" West, 75.83 feet to a point; thence South 82°20'07" West, 99.44 feet to a point; thence South 85°58'14" West, 83.29 feet to a point; thence North 74°47'19" West, 55.13 feet to a point; thence North 86°52'54" West, 162.16 feet to a point; thence South 01°00'00" West, 226.36 feet to a point in the South line of "Preserve Parkway" and the point of a curve; thence Southwesterly, 60.48 feet along the arc of said curve, whose center lies to the Southeast, whose radius is 270.00 feet and whose chord bears South 84°35'00" West 60.35 feet, thence South 11°50'00" East, 125.71 feet to a point, thence South 23°45'12" West, 128.32 feet to a point, thence South 08°07'38" East, 163.44 feet to a point; thence South 15°10'00" West, 190.00 feet to a point in a curve, thence Southeasterly, 40.59 feet along the arc of said curve, whose center lies to the Southwest, whose radius is 150.00 feet, and whose chord bears South 71°30'40" East, 40.56 feet to a point, thence South 30°22'57" West, 201.84 feet to the point of beginning.

Containing 42.11 acres more or less

"The Preserve III", Being a subdivision of a part of the Southeast 1/4 of the Northwest 1/4 and the Northwest 1/4 and the Southwest 1/4 of the Northeast 1/4 of Section 26, Town 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, being more particularly bounded and described as follows:

Commencing at the Southeast corner of the Northwest 1/4 of Section 26, running thence North 02°04'59" West along the East line of said 1/4 Section, 225.28 feet to the place of beginning of lands hereinafter described:

Thence along the North lines of "High Points" the following courses; North 33°14'57" East, 514.11 feet, thence North 43°13'01" East, 594.84 feet to a corner point of "High Points", thence along the North line of "High Point" South 46°46'58" East, 220.39 feet to a corner point of "High Points", thence North 43°13'01" East, 275.01 feet to a point in the centerline of State Highway 145; thence along said centerline of state highway 145 North 48°48'59" West 925.76 feet to a point; thence South 43°13'01" West, 60.00 feet to a point on the east line of "The Preserve II"; thence along lines of "The Preserve II" the following courses; North 76°14'16" West, 31.97 feet; thence South 89°58'36" West, 31.05 feet to a point; thence South 45°34'41" West, 62.13 feet to a point; thence South 19°09'23" West 75.64 feet to a point; thence South 43°57'58" West, 112.02 feet to a point; thence South 39°43'13" West 41.64 feet to a point; thence South 31°31'12" West 52.82 feet to a point; thence South 47°24'03" West 54.54 feet to a point; thence South 28°09'34" West 86.14 feet to a point; thence South 22°14'53" West 75.83 feet to a point; thence South 82°20'07" West 99.43 feet to a point; thence South 85°58'15" West 83.29 feet to a point; thence North 74°47'19" West 55.13 feet to a point; thence North 86°52'54" West 162.16 feet to a corner point of "The Preserve II"; thence along the East line of "The Preserve II" the following courses: South 01°00'00" West 226.38 feet to a point on a curve; thence Southwesterly 60.48 feet along the arc of said curve, whose radius is 270.00 feet and whose chord bears South 84°35'00" West 60.35 feet, to a corner point of "The Preserve II"; thence South 11°50'00" East 125.71 feet to a point; thence South 23°45'12" West 128.32 feet to a point; thence South 08°07'38" East 163.45 feet to a point; thence South 15°10'00" West 190.00 feet to a point on a curve; thence 40.59 feet along the arc of said curve, whose radius is 350.00 feet and whose chord bears South 71°30'34" East 40.57 feet to a corner point of "The Preserve II"; thence along the East line of "The Preserve II" the following course: South 30°22'57" West 202.21 feet to a corner point of "The Preserve"; thence along the North line of "The Preserve" the following courses: South 54°18'13" East 95.74 feet to a point; thence South 72°09'20" East 99.49 feet to a point; thence North 88°29'31" East 341.74 feet to a point; thence North 78°25'29" East 115.93 feet to the point of beginning.

Containing 29.62 acres more or less.

Excepting therefrom those parts described for public street purposes.

This amendment affects the following lots:

The Preserve - lots 1-86, outlots 1-3

The Preserve II - lots 87-106, outlots 4-5

The Preserve III - lots 107-141, outlot 6