

WAUKESHA COUNTY, WI
REGISTER OF DEEDS
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FIRST Amendment
TO Declaration

Document Number

Document Title

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**FIRST AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
OF QUIETWOOD
ADDING LOTS 31-49 AND OUTLOTS 6, 7, 11 AND 12, KNOWN
AS QUIETWOOD ADDITION #1**

This First Amendment to Declaration of Covenants, Conditions and Restrictions of QuietWood, hereinafter known as "QuietWood" (this "Amendment") is made and entered into this 1st day of August, 2025, by QuietWood Development, LLC ("Declarant").

Recitals

WHEREAS, Declarant owns certain real estate previously made subject to Declaration of Covenants, Conditions and Restrictions of QuietWood pursuant to recording made on the 17th day of January, 2025, in the Waukesha County Register of Deeds Office, as Document No. 4801796 (the "Declaration") identified on Exhibit B; and

WHEREAS, Declarant owns certain real estate described on the attached Exhibit A and intends to develop an addition to the existing subdivision for residences and related improvements; and

WHEREAS, by this Amendment, Declarant adds additional property described on Exhibit A intending to subject such property and improvements to certain easements, rights, restrictions and obligations with respect to the ownership, use and maintenance of such property and improvements and all components thereof.

NOW, THEREFORE, Declarant, as fee owner of such property, by this Amendment (1) establishes and imposes certain additional provisions, restrictions, conditions, easements and uses upon such real property; and (2) specifies that the provisions of this Amendment shall constitute covenants running with the land which shall be binding upon Declarant, its successors and assigns, and all subsequent owners and occupants of all or any part of such real property.

Although the Declarant is implementing this Amendment with the intentions set forth above, the Declarant makes no assurance, representation or guaranty that the intentions of these covenants shall be achieved, or as to the ultimate value of lots in the Subdivision, or as to any stability or increase in value as a result of the imposition of this Amendment and the Declaration is hereby amended as follows:

1. Paragraph 1.13 is deleted and replaced as follows:

1.13 QuietWood Documents. "QuietWood Documents" shall consist of the Declaration and this Amendment, Articles of Incorporation of the Association, the

Bylaws of the Association, Storm Water Management Plan and Storm Water Maintenance Agreement, and Developer Agreement.

2. Paragraph 1.23 is deleted and replaced as follows:

1.23 Property. The "Property" shall mean the real estate subject to this Declaration and the Amendment, as described on Exhibit A and Exhibit B and all Buildings and other improvements constructed or to be constructed thereon.

3. Section 2.6 of the Declaration, Ownership of Common Areas, shall be modified that the Common Areas shall be owned in 1/49th fractional share.

4. Paragraph 5.11 is deleted and replaced as follows:

5.11 Building Setbacks. No improvements shall be located on any lot in a manner which violates any area or setback restrictions required under the approved Planned Unit Development which can vary based on the location of various lots.

Lots 19 – 30 are:

Lot Width	110'
Front Setback	30'
Rear Setback	30'
Side Setback	15'

Lots 1-18, Lots 31 - 49 are:

Lot Width	90'
Front Setback	30'
Rear Setback	30'
Side Setback	12.5'

The committee may impose further modifications or restrictions to harmonize and coordinate improvement placements as a condition to approval of submissions.

5. Paragraph 6.3.1 is deleted and replaced as follows:

6.3.1 Only one single-family home may be constructed on each Lot. The following types of homes on Lots shall have the following minimum sizes:

<u>Residence Type</u>	<u>Minimum Size</u>
Lots 1 – 18:	
One story	2300 square feet
More than one story	2700 square feet

Lots 19 – 30:	
One story	2600 square feet
More than one story	3000 square feet
Lots 31 – 49:	
One story	2300 square feet
More than one story	2700 square feet

[Signature On Following Page]

The Declarant has caused this Amendment to be executed as of the date set forth above.

QuietWood Development, LLC

By: [Signature]
Manager Marvin A. Berg, III

ACKNOWLEDGMENT

STATE OF WISCONSIN)
) SS.
COUNTY OF WAUKESHA)

August 19th 2025

Personally came before me this 19th day of August, 2025, the above named Marvin A. Berg, III, Manager, to me known to be the person who executed the foregoing instrument and acknowledged the same.

[Signature]
Notary Public-State of Wisconsin
My Commission 1-15-29

DRAFTED BY:
George B. Erwin, III
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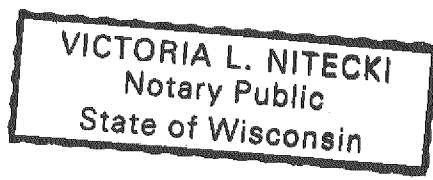


EXHIBIT A

PHASE II EXPANSION LAND BY THIS AMENDMENT

EXHIBIT B

PRIOR LAND SUBJECT TO DECLARATION

EXHIBIT “A”

EXPANSION LAND BY THIS AMENDMENT

LEGAL DESCRIPTION:

All of Outlot 5 of “QUIETWOOD”, recorded in the Office of the Register of Deeds office on January 17, 2025, in Book 56 of Subdivision Plats, at Pages 115-124 inclusive, as Document No. 4801797. Being located in a part of the Southwest 1/4 and Southeast 1/4 of the Northwest 1/4 and the Northwest 1/4, Northeast 1/4, Southwest 1/4 and Southeast 1/4 of the Southwest 1/4 of Section 33, Town 8 North, Range 20 East, in the Village of Menomonee Falls, Waukesha County, Wisconsin.

Said Parcel contains 4,629,177 Square Feet (or 106.2713 Acres) of land, more or less.

EXHIBIT "B"

PRIOR LAND SUBJECT TO DECLARATION

LEGAL DESCRIPTION:

All that part of Outlot 4 of "Cranes Crossing Addition No. 1" and Unplatted Lands, being located in a part of the Northeast 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 32 and the Southwest 1/4 and Southeast 1/4 of the Northwest 1/4 of Section 33 and the Northwest 1/4, Northeast 1/4, Southwest 1/4 and Southeast 1/4 of the Southwest 1/4 of Section 33, all in Town 8 North, Range 20 East, in the Village of Menomonee Falls, Waukesha County, Wisconsin, now being more particularly bounded and described as follows:

Commencing at the Northwest corner of the said Southwest 1/4 of said Section 33; Said point being the place of beginning of lands hereinafter described:

Thence North 00°09'08" West and along the West line of the said Northwest 1/4 of said Section 33, 1324.18 feet to the Southwest corner of Lot 3 of Certified Survey Map No. 4234; Thence North 88°05'52" East and along the South line of said Lot 3 of said Certified Survey Map No. 4234 and along the North line of the South 1/2 of the said Northwest 1/4 Section, 621.26 feet to the Northwest corner of lands described in Document No. 3617228; Thence South 00°31'45" East and along the West line of said lands described in said Document No. 3617228, 1290.63 feet to a point; Thence North 88°04'14" East being parallel to and at a right angle distance of 33.00 from the South line of the said Northwest 1/4 of said Section 33, 656.75 feet to a point; Thence North 00°01'07" West being parallel to and at a right angle distance of 33.00 from the East line of the said Southwest 1/4 of the said Northwest 1/4 of said Section 33, 628.81 feet to a point; Thence North 88°05'03" East and along the North line of the South 1/2 of the said Southeast 1/4 of the said Northwest 1/4 of said Section 33, 1029.20 feet to a point on the West line of Certified Survey Map No. 154; Thence South 00°06'53" West and along the said West line of said Certified Survey Map No. 154, 4.29 feet to a point; Thence North 88°21'05" East and along the South line of said Certified Survey Map No. 154, 324.75 feet to a point on the East line of the said Northwest 1/4 of said Section 33; Thence South 00°06'53" West and along the East line of the said Northwest 1/4 of said Section 33 and the centerline of "Marcy Road", 655.76 feet to a point marking the Northeast corner of the said Southwest 1/4 of said Section 33; Thence South 00°11'30" East and along the East line of the said Southwest 1/4 of said Section 33, 340.63 feet to a point; Thence North 89°50'10" West and along the North line of lands described in Document No. 4372909, 156.70 feet to a point; Thence South 00°42'40" East and along the West line of said lands described in said Document No. 4372909, 179.46 feet to a point on the North line of Parcel 1 of Certified Survey Map No. 5315; Thence South 89°15'50" West and along the said North line of said Parcel 1 and then the North line of Lot 1 of Certified Survey Map No. 9818 and the Westerly extension thereof, 440.18 feet to a point; Thence South 00°09'10" West, 1030.35 feet to the Northeast corner of "Cranes Crossing" (A Subdivision Plat of Record); Thence North 77°53'41" West and along the North line of said "Cranes Crossing", 112.29 feet to a point; Thence South 86°46'05" West and along the said North line, 166.95 feet to a point on the East Right-of-Way line of "Green Crane Drive"; Thence North 07°15'26" West and along the said East Right-of-Way line, 9.47 feet to a point; Thence South 82°44'34" West and along the said North line of said "Cranes Crossing", 60.00 feet to a point on the West Right-of-Way line of said "Green Crane Drive"; Thence South 87°25'36" West and along the said North line of said "Cranes Crossing", 143.30 feet to the Northeast corner of "Cranes Crossing Addition No. 2" (A Subdivision Plat of Record); Thence North 74°20'48" West and along the North line of said "Cranes Crossing Addition No. 2", 223.75 feet to a point; Thence South 65°15'57" West and along the said North line, 138.82 feet to a point; Thence South 01°25'23" West and along the said North line, 122.86 feet to a point on the North Right-of-Way line of "Green Meadow Court"; Thence North 87°49'15" West and along the said North Right-of-Way line, 8.51 feet to a point of curvature; Thence Southwesterly 41.20 feet along the said North Right-of-Way line and the arc of a curve, whose center lies to the Southeast, whose radius is 280.00 feet, whose central angle is 08°25'51", and whose chord bears South 87°57'49.5" West, 41.16 feet to a point; Thence North 88°27'08" West and along the said North line of said "Cranes Crossing Addition No. 2", 52.21 feet to a point of curvature; Thence Northwesterly 38.66 feet along the said North line and the arc of a curve, whose center lies to the Northeast, whose radius is 25.00 feet, whose central angle is 88°35'58", and whose chord bears North 44°09'09" West, 34.92 feet to a point of tangency; Thence North 00°08'50" East and along the said North line, 187.38 feet to a point of curvature; Thence Northeasterly 69.88 feet along the said North line and the arc of a curve, whose center lies to the Southeast, whose radius is 970.00 feet, whose central angle is 04°07'40", and whose chord bears North 02°12'40" East, 69.87 feet to a point; Thence North 85°43'30" West and along the said North line, 60.00 feet to a

point; Thence North $86^{\circ}54'32''$ West and along the said North line, 146.46 feet to the Northwest corner of said "Cranes Crossing Addition No. 2"; Thence South $00^{\circ}09'10''$ West and along the West line of said "Cranes Crossing Addition No. 2", 15.97 feet to a point; Thence North $89^{\circ}28'29''$ West and along the South line of said Outlot 4 of said "Cranes Crossing Addition No. 1", 139.97 feet to a point on the East Right-of-Way line of "Emerald Hills Drive"; Thence Northeasterly 22.57 feet along the arc of a curve, whose center lies to the Northwest, whose radius 8030.00 feet, whose central angle is $00^{\circ}09'40''$, and whose chord bears North $00^{\circ}34'06''$ East, 22.57 feet to a point; Thence North $89^{\circ}30'44''$ West, 60.00 feet to a point on the West Right-of-Way line of said "Emerald Hills Drive; Thence Due West and along the North line of Lot 41 of said "Cranes Crossing Addition No. 1", 156.24 feet to the Southwest corner of said Outlot 4; Thence North $80^{\circ}43'10''$ West and along the North line of said Lot 41 and then Lot 48 of said "Cranes Crossing Addition No. 1", 118.08 feet to a point; Thence South $81^{\circ}16'36''$ West and along the said North line of said Lot 48 and then Lot 49 of said "Cranes Crossing Addition No. 1", 267.56 feet to a point; Thence South $48^{\circ}30'37''$ West and along the said North line of said Lot 49, 62.54 feet to a point; Thence North $87^{\circ}47'26''$ West and along the North line of Lot 71 of Certified Survey Map No. 11102 and the Westerly extension thereof, 167.22 feet to a point; Thence North $85^{\circ}57'36''$ West, 56.79 feet to a point on the West Right-of-Way line of "Red Crown Trail"; Thence Northeasterly 16.08 feet along the said West Right-of-Way line and the arc of a curve, whose center lies to the Southeast, whose radius is 260.00 feet, whose central angle is $03^{\circ}32'35''$, and whose chord bears North $02^{\circ}02'59.5''$ East, 16.08 feet to a point; Thence North $89^{\circ}55'23''$ West and along the North line of Lot 72 of said Certified Survey Map No. 11102, 149.64 feet (recorded as 150.56') to a point on the East line of Block 5 of "Emerald Hills" (a Subdivision Plat of record); Thence North $00^{\circ}04'37''$ East and along the said East line of said Block 5, 523.95 feet to a point; Thence North $72^{\circ}04'23''$ West and along the North line of said Block 5, 351.80 feet to a point; Thence North $56^{\circ}55'23''$ West and along the Northeasterly line of Certified Survey Map No. 969 and then the Northeasterly line of Parcel 2 of Certified Survey Map No. 9211, 379.71 feet to a point; Thence North $89^{\circ}55'23''$ West and along the North line of Parcel 1 and said Parcel 2 of said Certified Survey Map No. 9211 and then the North line of Parcel 1 of Certified Survey Map No. 5638, 369.70 feet to a point on the East Right-of-Way line of "One Mile Road"; Thence North $00^{\circ}03'50''$ East and along the said East Right-of-Way line, 452.11 feet to a point on the North line of the said Southeast 1/4 of said Section 32; Thence North $89^{\circ}10'15''$ East and along the said North line of the said Southeast 1/4 of said Section 32, 1291.01 feet to the point of beginning of this description.

Said Parcel contains 5,827,893 Square Feet (or 133.7900 Acres) of land, more or less.