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DANE COUNTY
REGISTER OF DEEDS

DOCUMENT #

4375005

11/19/2007

09:48AM

Exempt #:

Rec. Fee: 33.00

Pages: 12

**FIRST AMENDMENT TO
DECLARATION OF
LAS CASITAS CONDOMINIUMS**

Document Number

Document Title

There are no objections to this condominium
with respect to Sec. 703.115 Wis. Stats.
and is hereby approved for recording:

Dated this 16 day of NOVEMBER, 2007


Dane County Planning and Development

Recording Area

Name and Return Address:

Daniel A. O'Callaghan
Michael Best & Friedrich LLP
One South Pinckney St., Ste 700
Madison, WI 53703

PIN:

0609-052-0403-2;
0609-052-0402-4;
0609-052-0401-6;
0609-052-0303-4;
0609-052-0305-0; and
0609-052-0304-2

This First Amendment to Declaration of Las Casitas Condominiums ("First Amendment") is made by Davis Holdings & Properties, LLC, a Wisconsin limited liability company and Davis Holdings-Carling, LLC, a Wisconsin limited liability company (collectively, "Declarant"), pursuant to the Wisconsin Condominium Ownership Act.

RECITALS

A. Declarant has executed a declaration of condominium (the "Declaration") for Las Casitas Condominiums (the "Condominium"); recorded August 29, 2007, as Document No. 4351385 in the office of the Dane County Register of Deeds.

B. As initially declared, the Condominium consisted of thirty-two (32) Units located in four (4) Buildings. Pursuant to Wis. Stat. § 703.26, article 10 of the Declaration reserved to Declarant the right to expand the Condominium.

C. Declarant now desires to amend the Declaration to expand the Condominium to include the real property described as Parcel E and Parcel F on the attached Exhibit A, which includes fourteen (14) additional Units located in two (2) additional Buildings, on the terms as set forth herein. Capitalized terms used herein shall have the meaning given in the Declaration unless the context specifically provides otherwise.

AMENDMENT

NOW, THEREFORE, Declarant hereby amends the Declaration as follows:

1. Las Casitas Condominium is expanded to include all that real property as set forth on the attached Exhibit A. The remaining Expansion Real Estate is set forth on the attached Exhibit B.

12
33

2. Section 1.23 of the Declaration is amended to read:

PLAT. "Plat" shall mean that certain condominium plat of Las Casitas Condominiums and the First Addendum to condominium plat of Las Casitas Condominiums, recorded in the Register's Office, as may be amended from time to time.

3. Section 2.1 of the Declaration is amended to read:

Units. The Condominium includes forty-six (46) Units, with Unit identification set forth on the Plat. The boundaries of each Unit consist of the unfinished interior plane of the perimeter walls as depicted on the Plat; the unfinished interior plane of the lowest floor and the unfinished interior plane of the upper ceiling. Each Unit also includes (i) all windows and doors, (ii) all mechanical and utility installations which exclusively service the Unit and (iii) all finished surfaces, including paint, wallpaper, carpeting, or other flooring.

4. Section 2.2 (b) of the Declaration is amended to read:

The Limited Common Elements are reserved for the exclusive use of the Unit to which they are appurtenant. The Limited Common Elements of each Unit consist of (i) the parking space or spaces assigned to such Unit, if any, (ii) the storage unit assigned to such Unit, if any, and (iii) the corridors, stairways and basement areas of the Building in which the Unit is located, as indicated on the Condominium Plat. The parking spaces identified on the Plat as LCE-1 through LCE-52 shall be assigned by the Declarant to one or more of the Units upon the initial conveyance of such Units. The parking spaces located on Parcel D, Parcel E and Parcel F (as those parcels are legally described on Exhibit A) shall be Limited Common Elements, which may be assigned to a particular Unit by the Association.

5. Exhibit C to the Declaration is deleted and replaced with Exhibit C attached to this First Amendment.

6. Except as amended herein, all terms and conditions of the Declaration shall remain unchanged and in full force and effect.

[Signatures and acknowledgments appear on the following pages.]

Executed as of the 14 day of Nov, 2007.

DECLARANT:
DAVIS HOLDINGS & PROPERTIES, LLC

By: 
David Malin, Sole Member

ACKNOWLEDGMENT

STATE OF WISCONSIN)
) SS.
COUNTY OF DANE)

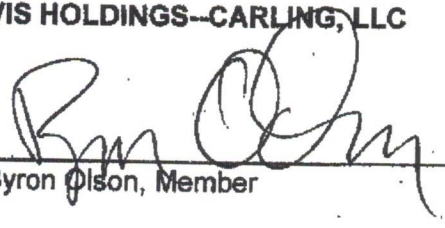
Personally came before me this 14 day of Nov, 2007, the above-named David Malin as the sole member of Davis Holdings & Properties, LLC, known to me to be the person who executed the foregoing instrument in such capacity and acknowledged the same.

Mary A. Shutter
Name: Mary A. Shutter
Notary Public, Dane County
My Commission: 11/30/11

MARY A. SHUTTER
NOTARY PUBLIC
STATE OF WISCONSIN
EXPIRES 01-30-11

Executed as of the 14 day of Nov, 2007.

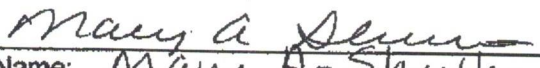
DECLARANT:
DAVIS HOLDINGS--CARLING, LLC

By: 
Byron Olson, Member

ACKNOWLEDGMENT

STATE OF WI)
COUNTY OF Dane) SS.

Personally came before me this 14 day of Nov, 2007, the above-named Byron Olson as Member of Davis Holdings--Carling, LLC, known to me to be the person who executed the foregoing instrument in such capacity and acknowledged the same.


Name: Mary A. Shutter
Notary Public, Dane County
My Commission: 1/30/11

MARY A. SHUTTER
NOTARY PUBLIC
STATE OF WISCONSIN
EXPIRES 01-30-11

MORTGAGEE CONSENT AND SUBORDINATION

The undersigned, First Business Bank, a Wisconsin banking corporation ("Bank"), as the holder of a mortgage or other security instrument affecting the real estate described within the Declaration to which this Mortgagee Consent and Subordination is attached, does hereby consent to such Declaration and subordinate the lien of Bank's mortgage to said Declaration.

This Mortgagee Consent and Subordination is made as of the 14 day of Nov, 2007.

BANK:
FIRST BUSINESS BANK

By: [Signature]
Name/Title: Mark J. Meloy, President + CEO

By: [Signature]
Name/Title: Dennis J. Samasin, SVP

ACKNOWLEDGMENT

STATE OF WISCONSIN

COUNTY OF DANE

)
) SS.
)

Personally came before me this 14th day of Nov., 2007, the above-named Mark J. Meloy and Dennis J. Samasin as the President and CEO and Senior Vice President respectively of First Business Bank to me known to be the persons who executed the foregoing instrument in such capacity and acknowledged the same.

[Signature]
Name: Charles H. Miller
Notary Public, Wisconsin
My Commission: 12-6-09

MORTGAGEE CONSENT AND SUBORDINATION

The undersigned, Entrust Chicago, LLC, an Illinois limited liability company ("Mortgagee"), as the holder, FBO ROTH IRA 24432, of a mortgage affecting the real estate described within the Declaration to which this Mortgagee Consent and Subordination is attached, does hereby consent to such Declaration and subordinate its mortgage to said Declaration.

This Mortgagee Consent and Subordination is made as of the 14 day of Nov, 2007.

MORTGAGEE:
ENTRUST CHICAGO, LLC
FBO ROTH IRA 24432

By: [Signature]
Byron Olson, Member

ACKNOWLEDGMENT

STATE OF WI)
COUNTY OF Dane) SS.

Personally came before me this 14 day of Nov, 2007, the above-named Byron Olson as Member of Entrust Chicago, LLC, to me known to be the person who executed the foregoing instrument in such capacity and acknowledged the same.

Mary A. Shutter
Name: Mary A. Shutter
Notary Public, Dane County
My Commission: 1/30/11

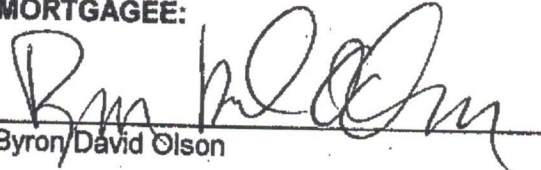
MARY A. SHUTTER
NOTARY PUBLIC
STATE OF WISCONSIN
EXPIRES 01-30-11

MORTGAGEE CONSENT AND SUBORDINATION

The undersigned, Byron David Olson, an individual ("Mortgagee"), as the holder of a mortgage or other security instrument affecting the real estate described within the Declaration to which this Mortgagee Consent and Subordination is attached, does hereby consent to such Declaration and subordinate its mortgage to said Declaration.

This Mortgagee Consent and Subordination is made as of the 14 day of Nov, 2007.

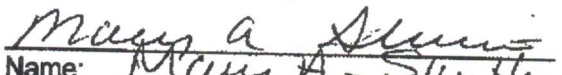
MORTGAGEE:


Byron David Olson

ACKNOWLEDGMENT

STATE OF WI)
COUNTY OF Dane) SS.

Personally came before me this 15 day of Nov, 2007, the above-named Byron David Olson, to me known to be the person who executed the foregoing instrument and acknowledged the same.


Name: Mary A. Shutter
Notary Public, Wisconsin
My Commission: 1/30/11

MARY A. SHUTTER
NOTARY PUBLIC
STATE OF WISCONSIN
EXPIRES 01-30-11

This instrument was drafted by:
Daniel A. O'Callaghan
Michael Best & Friedrich LLP
608.283.0117

MORTGAGEE CONSENT AND SUBORDINATION

The undersigned, AnchorBank, fsb ("Bank"), as the holder of a mortgage or other security instrument affecting the real estate described within the Declaration to which this Mortgagee Consent and Subordination is attached, does hereby consent to such Declaration and subordinate the lien of Bank's mortgage to said Declaration.

2007. This Mortgagee Consent and Subordination is made as of the 14 day of November,

BANK:
ANCHORBANK, fsb

By: Andris A. Ariani
Name/Title: ANDRIS A. ARIANI / V.P.

By: Todd M. Cusack
Name/Title: Todd M. Cusack / V.P.

ACKNOWLEDGMENT

STATE OF WISCONSIN)
) SS.
COUNTY OF DANE)

Personally came before me this 14th day of November, 2007, the above-named Andris A Arians and Todd M Cegelski as the Vice President and Vice President respectively of AnchorBank, fsb, to me known to be the persons who executed the foregoing instrument in such capacity and acknowledged the same.

Alma R Howland
Name: Alma R Howland
Notary Public, Wisconsin
My Commission: expires 12/27/2009



EXHIBIT A

LEGAL DESCRIPTION OF CONDOMINIUM

PARCEL A

LOTS SIXTY-TWO (62) AND SIXTY-THREE (63), FIRST ADDITION TO ALLIED TERRACE, RECORDED IN VOLUME 27 OF PLATS ON PAGE 1 AS DOCUMENT NO. 1077805, DANE COUNTY REGISTRY, LOCATED IN THE CITY OF MADISON, DANE COUNTY, WISCONSIN.

2338 ALLIED DRIVE, MADISON, WI
PIN: 0609-052-0403-2

PARCEL B

LOTS SIXTY-FOUR (64) AND SIXTY-FIVE (65), FIRST ADDITION TO ALLIED TERRACE, RECORDED IN VOLUME 27 OF PLATS ON PAGE 1 AS DOCUMENT NO. 1077805, DANE COUNTY REGISTRY, LOCATED IN THE CITY OF MADISON, DANE COUNTY, WISCONSIN.

2346 ALLIED DRIVE, MADISON, WI
PIN: 0609-052-0402-4

PARCEL C

LOTS SIXTY-SIX (66) AND SIXTY-SEVEN (67), FIRST ADDITION TO ALLIED TERRACE, RECORDED IN VOLUME 27 OF PLATS ON PAGE 1 AS DOCUMENT NO. 1077805, DANE COUNTY REGISTRY, LOCATED IN THE CITY OF MADISON, DANE COUNTY, WISCONSIN.

2354 ALLIED DRIVE, MADISON, WI
PIN: 0609-052-0401-6

PARCEL D

LOTS FORTY-SIX (46) AND FORTY-SEVEN (47), ALLIED TERRACE, RECORDED IN VOLUME 26 OF PLATS ON PAGE 41 AS DOCUMENT NO. 1073193, DANE COUNTY REGISTRY, LOCATED IN THE CITY OF MADISON, DANE COUNTY, WISCONSIN.

2325 CARLING DRIVE, MADISON, WI
PIN: 0609-052-0305-0

PARCEL E

LOTS FORTY-FOUR (44) AND FORTY-FIVE (45), ALLIED TERRACE, RECORDED IN VOLUME 26 OF PLATS ON PAGE 41 AS DOCUMENT NO. 1073193, DANE COUNTY REGISTRY, LOCATED IN THE CITY OF MADISON, DANE COUNTY, WISCONSIN.

2317 CARLING DRIVE, MADISON, WI
PIN: 0609-052-0303-4

PARCEL F

LOTS FORTY-TWO (42) AND FORTY-THREE (43), ALLIED TERRACE, RECORDED IN VOLUME 26 OF PLATS ON PAGE 41 AS DOCUMENT NO. 1073193, DANE COUNTY REGISTRY, LOCATED IN THE CITY OF MADISON, DANE COUNTY, WISCONSIN.

2309 CARLING DRIVE, MADISON, WI
PIN: 0609-052-0304-2

EXHIBIT B

EXPANSION REAL ESTATE

LOTS 48 AND 49, ALLIED TERRACE, RECORDED IN VOLUME 26 OF PLATS ON PAGE 41 AS DOCUMENT NO. 1073193, DANE COUNTY REGISTRY; LOTS 60 AND 61 FIRST ADDITION TO ALLIED TERRACE, RECORDED IN VOLUME 27 OF PLATS ON PAGE 1 AS DOCUMENT NO. 1077805, DANE COUNTY REGISTRY; AND LOTS 1 AND 2, CERTIFIED SURVEY MAP NO. 137, RECORDED IN VOLUME 1 OF CERTIFIED SURVEY MAPS PAGE 137 AS DOCUMENT NO. 1099179, DANE COUNTY REGISTRY; LOCATED IN THE NW1/4 OF THE NW1/4 OF SECTION 5, T6N, R9E, CITY OF MADISON, DANE COUNTY, WISCONSIN.

EXHIBIT C

PERCENTAGE INTERESTS

Unit No.	Street Address	No. of Bedrooms	Share of Common Expenses	Sq. Ft.	Percentage Interest in Common Elements	Heat & Hot Water Charge*
2338-1	2342 Allied Dr # 1	2	2.119%	708	1.968%	--
2338-2	2342 Allied Dr # 2	2	2.119%	708	1.968%	--
2338-3	2342 Allied Dr # 3	2	2.119%	708	1.968%	--
2338-4	2342 Allied Dr # 4	2	2.119%	708	1.968%	--
2338-5	2338 Allied Dr # 1	2	2.119%	708	1.968%	--
2338-6	2338 Allied Dr # 2	2	2.119%	708	1.968%	--
2338-7	2338 Allied Dr # 3	2	2.119%	708	1.968%	--
2338-8	2338 Allied Dr # 4	2	2.119%	708	1.968%	--
2346-1	2350 Allied Dr # 1	2	2.119%	708	1.968%	--
2346-2	2350 Allied Dr # 2	2	2.119%	708	1.968%	--
2346-3	2350 Allied Dr # 3	2	2.119%	708	1.968%	--
2346-4	2350 Allied Dr # 4	2	2.119%	708	1.968%	--
2346-5	2346 Allied Dr # 1	2	2.119%	708	1.968%	--
2346-6	2346 Allied Dr # 2	2	2.119%	708	1.968%	--
2346-7	2346 Allied Dr # 3	2	2.119%	708	1.968%	--
2346-8	2346 Allied Dr # 4	2	2.119%	708	1.968%	--
2354-1	2358 Allied Dr # 1	2	2.119%	708	1.968%	--
2354-2	2358 Allied Dr # 2	2	2.119%	708	1.968%	Yes
2354-3	2358 Allied Dr # 3	2	2.119%	708	1.968%	Yes
2354-4	2358 Allied Dr # 4	2	2.119%	708	1.968%	Yes
2354-5	2354 Allied Dr # 1	2	2.119%	708	1.968%	Yes
2354-6	2354 Allied Dr # 2	2	2.119%	708	1.968%	Yes
2354-7	2354 Allied Dr # 3	2	2.119%	708	1.968%	Yes
2354-8	2354 Allied Dr # 4	2	2.119%	708	1.968%	Yes
2325-1	2325 Carling Dr # 1	3	2.542%	948	2.636%	Yes
2325-2	2325 Carling Dr # 2	3	2.542%	1,454	4.042%	Yes
2325-3	2325 Carling Dr # 3	3	2.542%	946	2.630%	Yes
2325-4	2325 Carling Dr # 4	3	2.542%	948	2.636%	Yes
2325-5	2329 Carling Dr # 1	1	1.695%	600	1.668%	Yes
2325-6	2329 Carling Dr # 2	1	1.695%	584	1.624%	Yes
2325-7	2329 Carling Dr # 4	1	1.695%	600	1.668%	Yes
2325-8	2329 Carling Dr # 3	1	1.695%	584	1.624%	Yes
2309-1	2309 Carling Dr #1	3	2.542%	948	2.636%	Yes
2309-2	2309 Carling Dr #2	3	2.542%	946	2.630%	Yes
2309-3	2309 Carling Dr #3	3	2.542%	946	2.630%	Yes
2309-4	2309 Carling Dr #4	3	2.542%	948	2.636%	Yes
2309-5	2313 Carling Dr #1	1	1.695%	600	1.668%	Yes
2309-6	2313 Carling Dr #2	1	1.695%	584	1.624%	Yes
2309-7	2313 Carling Dr #3	3	2.542%	1,184	3.292%	Yes

[Continued on following page.]

Unit No.	Street Address	No. of Bedrooms	Share of Common Expenses	Sq. Ft.	Percentage Interest In Common Elements	Heat & Hot Water Charge*
2317-1	2317 Carling Dr #1	3	2.542%	948	2.636%	Yes
2317-2	2317 Carling Dr #2	3	2.542%	946	2.630%	Yes
2317-3	2317 Carling Dr #3	3	2.542%	946	2.630%	Yes
2317-4	2317 Carling Dr #4	3	2.542%	948	2.636%	Yes
2317-5	2321 Carling Dr #1	1	1.695%	600	1.668%	Yes
2317-6	2321 Carling Dr #2	1	1.695%	584	1.624%	Yes
2317-7	2321 Carling Dr #3	3	2.542%	1,184	3.292%	Yes

Total

100%

35,968

100%

* All Units served with heat and hot water by commonly-metered natural gas shall pay, on a monthly basis, a pro-rata share of charges for natural gas as calculated and assessed by the Association. Units 2338-1 through 2346-8, inclusive, have individual furnaces and water heaters with separately-metered natural gas. Owners of these Units are individually responsible for payment directly to the utility providing service. Accordingly, these Unit Owners shall not be charged by the Association a pro-rata share of the commonly-metered natural gas paid by the Association. See section 5.2 of the Declaration.