Document Number	**AMENDMENT TO CONDOMINIUM DECLARATION OF CONDITIONS, COVENANTS, RESTRICTIONS AND EASEMENTS FOR SILVERNAIL VILLAGE SHOPPING CENTER CONDOMINIUM** Document Title

2304816

REGISTER'S OFFICE
WAUKESHA COUNTY, WIS } SS

98 APR -6 PM 1:10

REEL 2632 IMAGE 0270

REGISTER OF DEEDS

STATE OF WISCONSIN)
) ss
WAUKESHA COUNTY)

THIS AMENDMENT TO CONDOMINIUM DECLARATION OF CONDITIONS, COVENANTS, RESTRICTIONS AND EASEMENTS FOR SILVERNAIL VILLAGE SHOPPING CENTER CONDOMINIUM (the "Amendment") is made on this 24 day of March, 1998, by JMK Enterprises, with its principal business address at 1185 Green Bay Road, Highland Park, IL 60035, Attention: Jack Marszalek (the "Declarant").

Recording Area

Name and Return Address
Stacy L. Alvarez, Esq.
Davis & Kuelthau, S.C.
111 East Kilbourn Avenue
Suite 1400
Milwaukee, WI 53202-6613

Parcel Identification Number (PIN)

WHEREAS, the Declarant is the declarant under that certain Condominium Declaration of Conditions, Covenants, Restrictions and Easements for Silvernail Village Shopping Center Condominium, dated June 21, 1991 (the "Condominium Declaration"), and recorded in the Office of the Register of Deeds of Waukesha County, Wisconsin, on June 24, 1991, Reel 1320, Images 49, as Document No. 1657473, as amended by Amendment to Condominium Declaration dated August 25, 1994 (the "First Amendment") and recorded in the Office of the Register of Deeds of Waukesha County, Wisconsin, on August 25, 1994, in Reel 1979, Image 600, as Document No. 1989920, as further amended by an Amendment to Condominium Declaration dated May 13, 1996 (the "Second Amendment") and recorded in the Office of the Register of Deeds of Waukesha County, Wisconsin, on May 16, 1996, in Reel 2233, Image 183, as Document No. 2124810, and assigned to Declarant by an Assignment of Declarant's Interests, dated May 15, 1996 (the "Assignment"), and further amended by an Amendment to Condominium Declaration dated March 27, 1997, (the "Third Amendment") and recorded in the Office of the Register of Deeds of waukesha County, Wisconsin on May 5, 1997, in Reel 2430, Image 132, as Document No. 2209911;

WHEREAS, pursuant to Section 23 of the Condominium Agreement, Declarant, as the owner of certain condominium units constituting a percentage greater than two-thirds (2/3) of all votes entitled to be cast under the Condominium Declaration, is authorized to amend the Condominium Declaration; and

WHEREAS, Declarant desires to amend certain provisions of the Condominium Declaration and has obtained all necessary consents of any mortgagee relating thereto.

NOW, THEREFORE, the Declarant does hereby amend the Condominium Agreement as follows:

1. Amendment of Condominium.

(a) Exhibit A referenced in Section 6 of the Condominium Agreement shall be stricken in its entirety and a new Exhibit A shall be substituted in lieu thereof. The new Exhibit A is attached hereto and by this reference incorporated herein. More particularly, the new Exhibit A shall represent that Unit 2339 shall be divided into two (2) approximately equal units, Unit 2339A and Unit 2339B. Unit 2339A shall have a 1.8% interest in the Common Elements of the Condominium and 1.8 votes. Unit 2339B shall have a 1.6% interest in the Common Elements of the Condominium and 1.6 votes.

(b) The Condominium Plat of Survey for Silvernail Village Condominium and the Key Plan attached to the Condominium Agreement shall be null and void. Pursuant to Section 10 of the Condominium Agreement, said Plat of Survey and Key Plan shall be replaced by that certain Second Amendment to Condominium Plat of Survey and Key Plan for Silvernail Village Condominium attached hereto as Exhibit B and by this reference incorporated herein. The Plat of Survey and the Key Plan shall, among other things, represents the division of Unit 2339 into two (2) approximately equal parts, Unit 2339A and Unit 2339B.

2. Remaining Provisions. All other terms and provisions of the Condominium Agreement which are not inconsistent with this Amendment shall remain in full force and effect.

IN WITNESS WHEREOF, on the day and year first written above, JMK has reviewed this Amendment and hereby agrees to amend the Condominium Agreement accordingly.

JMK JOINT VENTURE,
an Illinois joint venture

By: _____
Jack Marszalek, Director

On March 24, 1998, before me personally came the above-named Jack Marszalek, known to me to be such Director of JMK Joint Venture described herein and who executed the foregoing instrument and acknowledged that he executed the same.

_____
* Stacy Alvarez
Notary Public, State of Wisconsin
My commission: is permanent

THIS INSTRUMENT DRAFTED BY:

Stacy L. Alvarez, Esq.
Davis & Kuelthau, S.C.
111 East Kilbourn Avenue, Suite 1400
Milwaukee, Wisconsin 53202-6613
(414) 276-0200

EXHIBIT A

Allocation of percentage interest in common elements and voting rights for units in Building A.

	Unit No.	Percentage Interest Common Elements	Number of Votes Appurtenant to Unit
1	2301, 2307	6.0	6.0
2	2303, 2305	5.7	5.7
3	2309	5.4	5.4
4	2311, 2313	5.7	5.7
5	2315	2.3	2.3
6	2317	2.3	2.3
7	2319	2.8	2.8
8	2321	2.8	2.8
9	2323	2.8	2.8
10	2325	2.8	2.8
11	2327	7.6	7.6
12	2329	3.8	3.8
13	2331	1.9	1.9
14	2333	1.9	1.9
15	2335	3.8	3.8
16	2337	3.8	3.8
17	2339A	1.8	1.8
17b	2339B	1.6	1.6
18	2341	3.4	3.4
19	2343	4.1	4.1
20	2345	4.1	4.1
21	2347, 2349	5.9	5.9
22	2353, 2355	5.9	5.9
23	2357, 2359	5.9	5.9
24	2351	5.9	5.9
	TOTALS	100.0	100.0

There shall be a total of 100 votes for all units of the condominium. Upon completion of an additional building, this table will be amended as set forth in Section 6(b) and (d) hereof.

SECOND AMENDMENT TO CONDOMINIUM PLAT OF SURVEY

SILVERNAIL VILLAGE CONDOMINIUM

CITY OF WAUKESHA, WAUKESHA COUNTY, WISCONSIN

ADDRESS: 2301 – 2369 SILVERNAIL ROAD
CITY OF WAUKESHA, WAUKESHA COUNTY, WISCONSIN

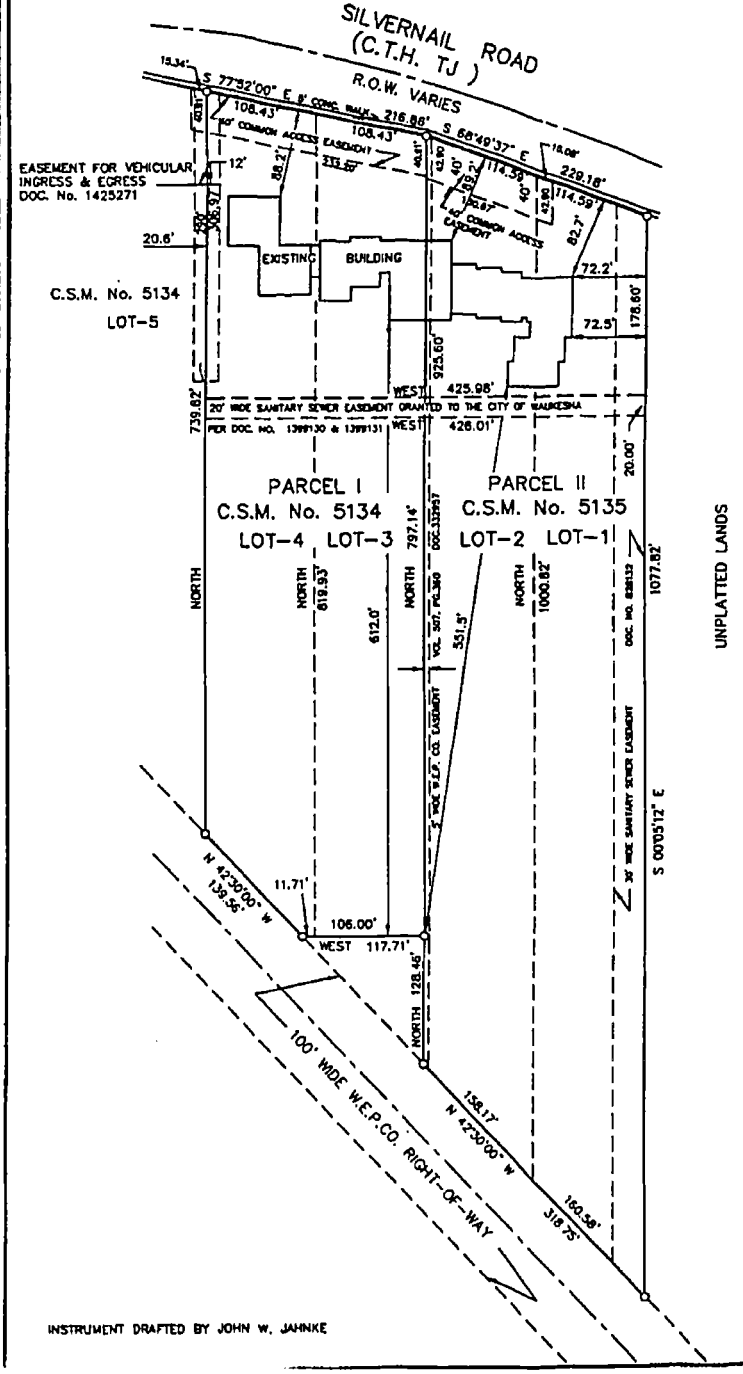
GRAPHIC SCALE

(IN FEET)
1 inch = 100 ft.

LEGAL DESCRIPTIONS:

Parcel I:
Lots Three (3) and Four (4), Certified Survey Map No. 5134 recorded in Volume 42 of Certified Survey Maps on Pages 65–67 as Document No. 1399130 being a part of the Northeast One–quarter (1/4) of Section Twenty–nine (29), Township Seven (7) North, Range Nineteen (19) East, City of Waukesha, Waukesha County, Wisconsin; together with an easement located on the East 12 feet of the North 290 feet of Lot 5 and the West 12 feet of the North 290 feet of Lot 4, in Certified Survey Map No. 5134; said easement to provide vehicular ingress and egress to Lots 4 and 5 and to be for the benefit and enjoyment of the owners of said Lots 4 and 5, their respective agents, employees, guests and visitors.

Parcel II:
Lots One (1) and Two (2) of Certified Survey Map No. 5135, recorded January 22, 1987 in Volume 42 of Certified Survey Maps on Pages 68 thru 70, as Document No. 1399131, being a part of the Northeast One–quarter (1/4) and Northwest One–quarter (1/4) of the Northwest One–quarter (1/4) of Section Twenty–eight (28), Township Seven (7) North, Range Nineteen (19) East, in the City of Waukesha, Waukesha County, Wisconsin.



NOTE:
UTILITY EASEMENT TO MILWAUKEE ELECTRIC RAILWAY AND LIGHT COMPANY DATED JANUARY 30, 1930 AND RECORDED APRIL 15, 1930, IN VOLUME 223 OF DEEDS ON PAGE 115, AS DOCUMENT No's. 172828 & 172829 IS GENERAL IN NATURE AND CANNOT BE DEPICTED.

NOTE: SEE PAGE 2 OF 4 PAGES FOR DETAIL OF CONDOMINIUM AND PARKING, DRIVES, ETC.

CERTIFICATE OF SURVEYOR:

I, John W. Jahnke, a registered land surveyor, authorized to practice that profession in the State of Wisconsin, do hereby certify that there is shown in the foregoing condominium Plat of Survey for the SILVERNAIL VILLAGE CONDOMINIUM, 2301–2359 SILVERNAIL ROAD, a correct representation of the condominium described in the Declaration. The identification and location of each and the common elements either as constructed or proposed can be determined from the Plat of Survey and the other documents and drawings attached.

John W. Jahnke – Wis.Reg.No. S-917
Dated this 27th day of January, 1998

STATE OF WISCONSIN)
COUNTY OF WAUKESHA)
The above certificate subscribed and sworn to me this 27th day of January 1998.

Geraldine E. Chaltry – Notary Public
My commission expires September 2, 2001

NOTARY PUBLIC GERALDINE E. CHALTRY STATE OF WISCONSIN

WISCONSIN JOHN W. JAHNKE S-917 WAUKESHA, WIS. LAND SURVEYOR

FILE No. PEWAUKEE 511–2A

INSTRUMENT DRAFTED BY JOHN W. JAHNKE

SECOND AMENDMENT TO CONDOMINIUM PLAT OF SURVEY

SILVERNAIL VILLAGE CONDOMINIUM

CITY OF WAUKESHA, WAUKESHA COUNTY, WISCONSIN

ADDRESS: 2301 – 2359 SILVERNAIL ROAD
CITY OF WAUKESHA, WAUKESHA COUNTY, WISCONSIN

GRAPHIC SCALE

(IN FEET)
1 inch = 60 ft.

LEGAL DESCRIPTION: (SEE PAGE 1 OF 4 PAGES FOR LEGAL DESCRIPTION)

NOTE: SEE PAGE 1 OF 4 PAGES FOR COMPLETE LOT & EASEMENT DIMENSIONS AND BUILDING OFFSETS

John W. Jahnke – Wis.Reg.No. S-917
Dated this 27th day of January, 1998

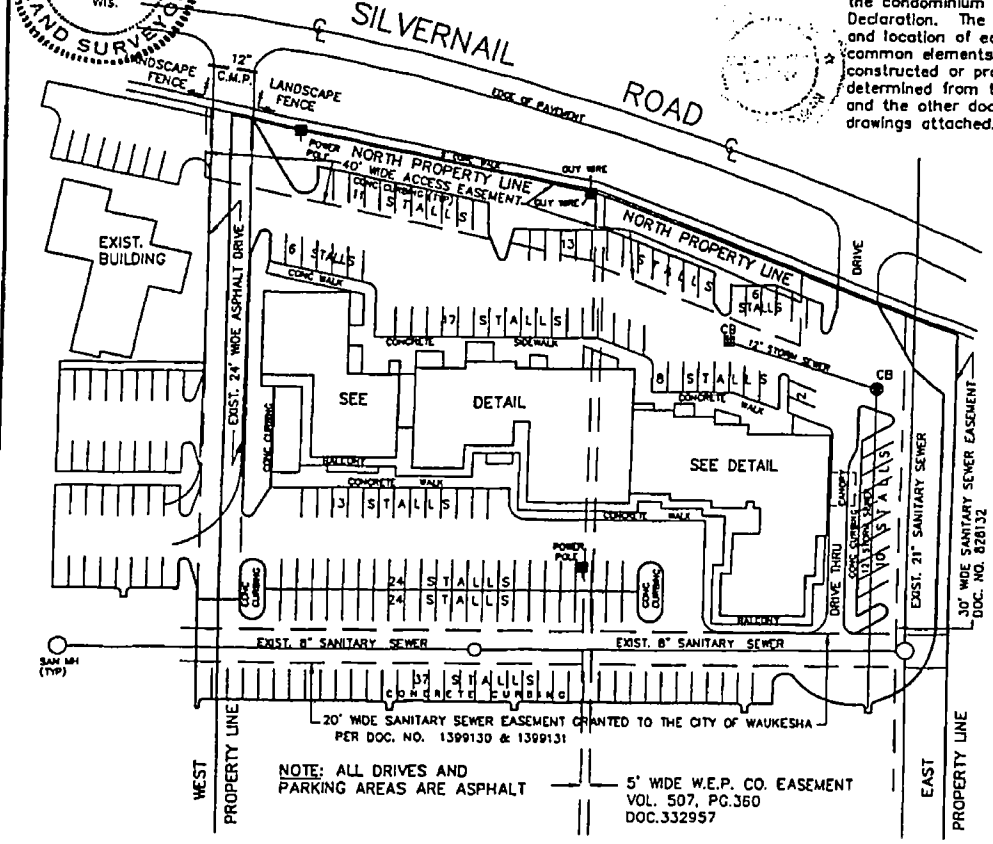
STATE OF WISCONSIN)
COUNTY OF WAUKESHA)
The above certificate subscribed and sworn to me this 27th day of January, 1998.

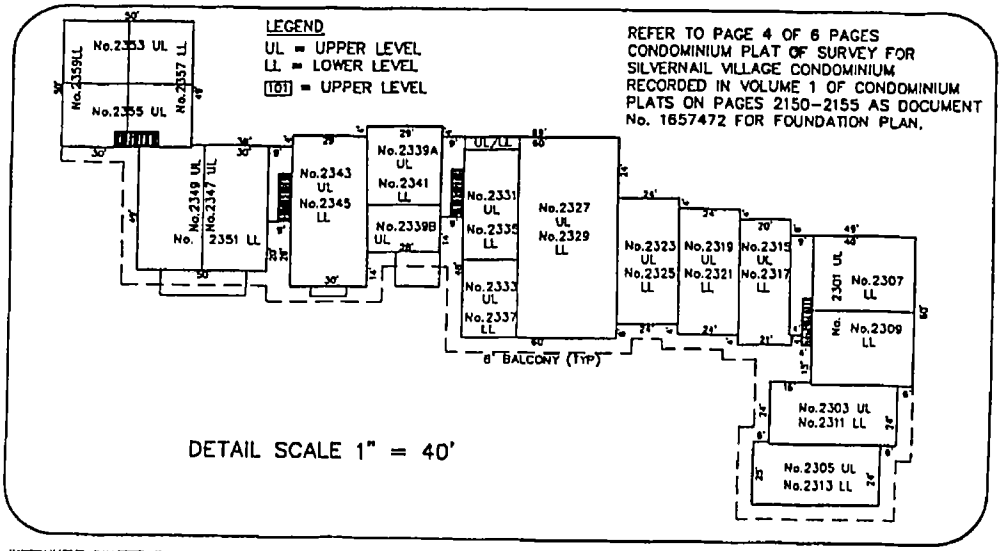
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WISCONSIN JOHN W. JAHNKE S-917 WAUKESHA, WIS. LAND SURVEYOR



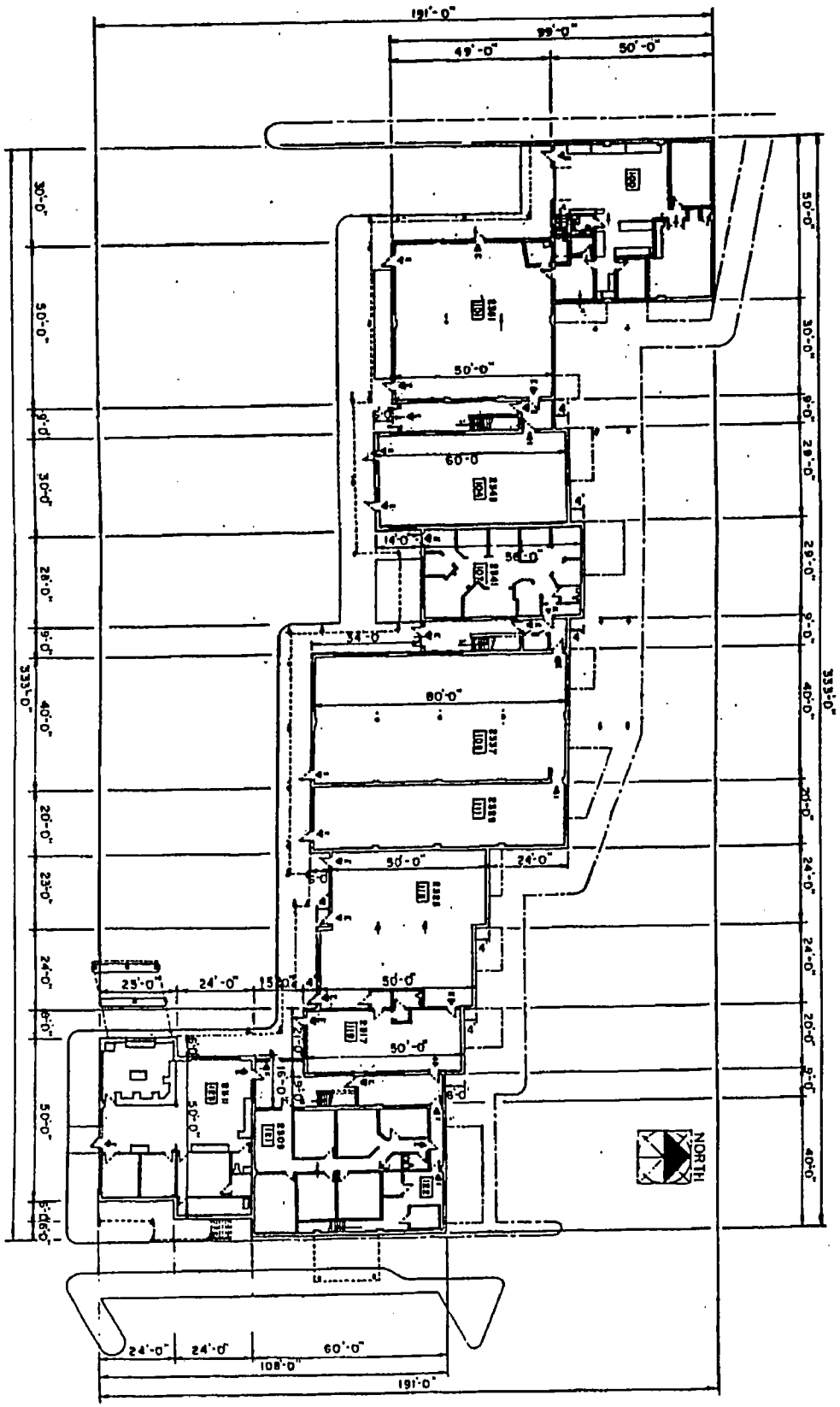


SECOND AMENDMENT TO CONDOMINIUM PLAT OF SURVEY

SILVERNAIL VILLAGE CONDOMINIUM

CITY OF WAUKESHA, WAUKESHA COUNTY, WISCONSIN

LOWER LEVEL FLOOR PLAN



INSTRUMENT DRAFTED BY JOHN W. JAHNKE

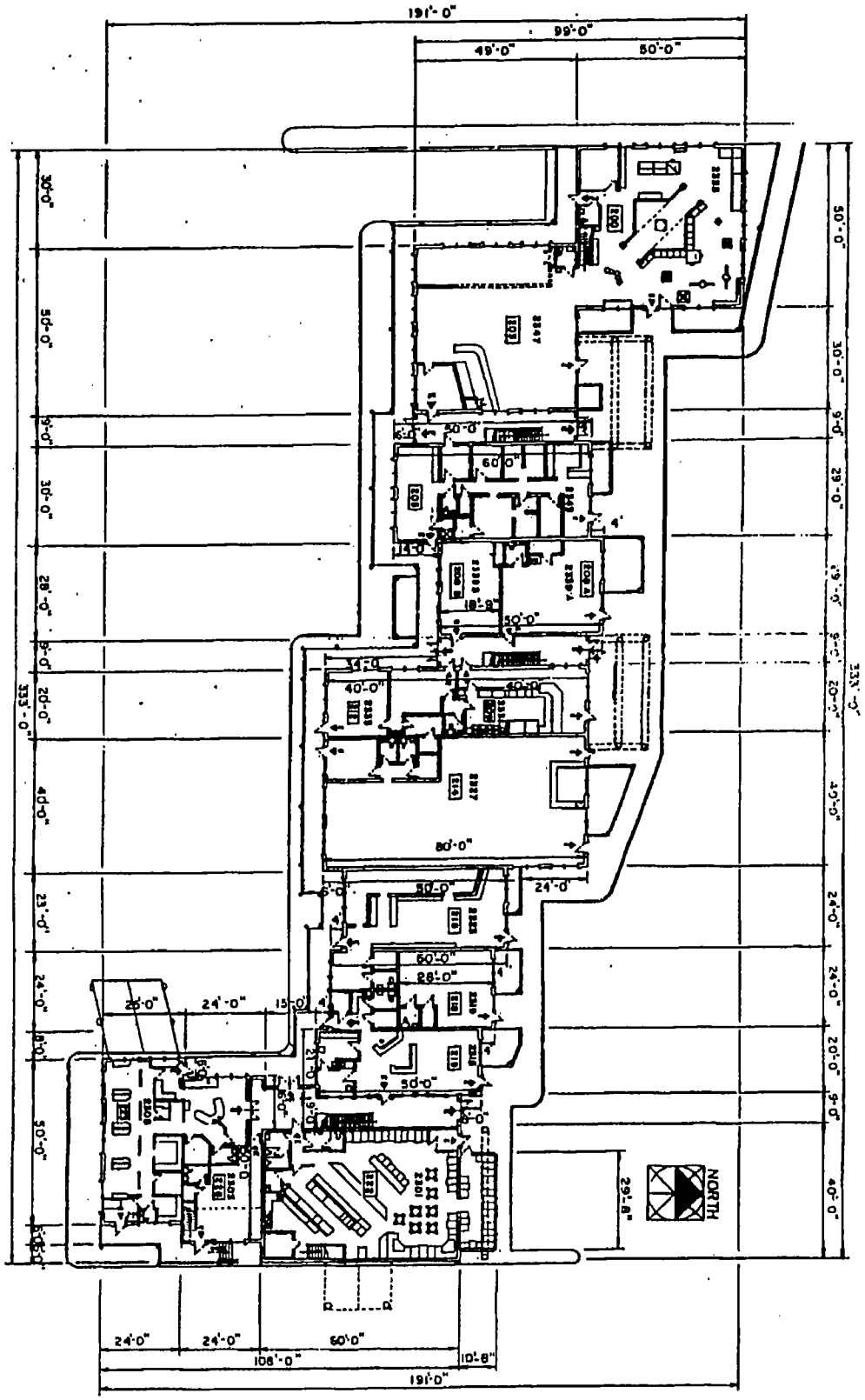
FILE No. PEWAUKEE 511-2A

SECOND AMENDMENT TO CONDOMINIUM PLAT OF SURVEY

SILVERNAIL VILLAGE CONDOMINIUM

CITY OF WAUKESHA, WAUKESHA COUNTY, WISCONSIN

UPPER LEVEL FLOOR PLAN



INSTRUMENT DRAFTED BY JOHN W. JAHNKE

FILE No. PEWAUKEE 511-2A