

# EXECUTIVE SUMMARY

## OF HILARY HEIGHTS CONDOMINIUM

This Executive Summary highlights some of the information the prospective condominium buyers are most interested in learning, as well as some of the information that they should consider when contemplating the purchase of a condominium unit. The following sections either briefly summarize pertinent information by answering the questions asked, direct prospective buyers to specific sections of the condominium disclosure materials that discuss each topic in detail or may be completed to both summarize the information and refer to the condominium documents. ***This summary, however, is not intended to replace the buyer's review of the condominium declaration, bylaws and other condominium disclosure materials nor is it a substitute for a professional review of the condominium documents.***

**Condominium Name:** Hilary Heights Condominium

### **1. How is the condominium association managed?**

- What is the name of the condominium association? Hilary Heights Condominium Owners' Association, Inc., an incorporated non-stock corporation.
- What is the address? The address is the home where the current Association President resides.
- How is the association managed? By the unit members and a professional financial management company.
- What is the address for the association management or the contact person? Please refer to your Association phone contact list for the list of current Board members.
- Whom should I contact with questions? The current President or a current Board member
- For more specific information about the management of this association, see Condominium Declaration, Article VI, "Association of Unit Owners", Page A-3, and Bylaws Article III, "Board of Directors", Page B-5.

### **2. What are the parking arrangements at this condominium?**

- Number of parking spaces assigned to each unit: Two inside units which are included as part of the unit.
- Do I have to pay for any extra parking fees? There is no extra parking fee. Parking is available to visitors as parallel parking on the private drive.
- What are the parking restrictions of this condominium? No parking on lawn areas.
- For more specific information about parking at this condominium, see: Rules and Regulations of the Hilary Heights Condominium Owners' Association, VEHICLE RESTRICTIONS, Item 1. Parking, Page 4.

### **3. May I have any pets at this Condominium?**

- Re: 1270 Eight-Plex: allowed one of the following scenarios:
  - A: one dog AND one cat
  - B: one dog
  - C: two cats.
- *Continued next page*

- Re: 1272 – 1278 Duplex: Up to two (2) pets (cat and/or dog) are allowed.
- For more specific information about the condominium pet rules, see Rules and Regulations of Hilary Heights Condominium Owners' Association, USE RESTRICTIONS, Item 1.

**4. *Are signs allowed on common or limited common elements?***

- To the extent this restriction is permitted by applicable law, no sign shall be displayed to the public view on or from any unit or the Commons without the prior written consent of the Board of Directors. Real estate "For Sale" signs are the exception; they may be displayed in a window or door of the owner's unit.

**5. *May I rent my condominium unit?***

- No.

**6. *Does this condominium have any special features?***

- No.

**7. *What are my maintenance and repair responsibilities for my unit?***

- A Unit Owner must repair and maintain the interior of his or her unit, including windows, sky lights, solar tubes, doors, and garage doors.
- For more specific information about unit maintenance and repairs, see Rules and Regulations, IMPROVEMENTS & ALTERATIONS, Section 2, "Maintenance", Page 4.

**8. *Who is responsible for maintaining, repairing, and replacing the common elements and limited common elements?***

- Private contractors contracted by the Association for Lawn Care, Snow Removal, Exterior Building Repair, Trim Painting, Roof Replacement and Road Sealing.
- How are repairs and replacements of the common elements funded? Unit owner assessment, general and reserve funds.
- Limited common element maintenance, repair and replacement are performed as follows: Maintenance of decks and patios, including painting and staining, is the responsibility of the individual unit owners. All others by the Association.
- How are repairs and replacements of the limited common elements funded? By a combination of Reserve funds and Unit Owner assessments.
- For more specific information about common elements maintenance, repairs and replacements, see Condominium Declaration, Article X, page A-4, Rules and Regulations, IMPROVEMENTS & ALTERATIONS, Section 2, "Maintenance", page 4.

**9. *Does the condominium association maintain reserve funds for the repair and replacements of the common elements?***

- Yes.
- Is there a statutory reserve fund? The Association's reserve fund more than covers statutory amounts under Wisconsin State Law. A registered Statutory Reserve Account Statement is on file.

- For specific information about this condominium's reserve funds for repairs and replacements, see Hilary Heights...Bylaws, Article V, Operation of the Property, Section 5.04 Operating, Page B-9. See also, Statutory Reserve Account Statement registered document recorded 8/10/2006.

**10. *How are condominium fees paid for on the developer's new units that have not yet been sold to a purchaser?***

- Is the developer's obligation to pay fees for unsold units different than the obligation of new unit purchasers to pay fees on their units? No.
- Are there any special provisions for the payment of assessment fees that apply only during the developer control period? No.
- For specific information about condominium fees during the developer control period, see Condominium Declaration, Article XI, page A-5.

**11. *Has the Declarant/Developer reserved the right to expand this condominium in the future?***

- Yes. How many additional units may be added through the expansion? As of May, 2021, existing units consist of (1) 8-Plex unit, (4) Duplex Units with (1) Additional Duplex Unit per amended Phase 2 dated 9/28/2009.
- Who will manage the condominium during the expansion period? The Association.
- For specific information about the condominium expansion plans, see Condominium Declaration, Amendment No. 3 Recorded September 23<sup>rd</sup>, 2009.

**12. *May I alter my unit or enclose any limited common elements?***

- Describe the rule, restrictions and procedures for altering a unit: Non Structural without permission, Structural with permission from the Board of Directors.
- Describe the rule, restrictions and procedures for enclosing limited common elements: Only upon permission from the Board of Directors.
- For specific information about unit alterations and limited common elements enclosures, see Rules and Regulations, IMPROVEMENTS & ALTERATIONS, Page 3.

**13. *Can any of the condominium materials be amended in a way that might affect my rights and responsibilities?***

- For amendment to the Declaration, see Condominium Declaration, Article XV, page A-6. For Amendment to the Bylaws, see Bylaws pages B-8A, B-10A. For Current Rules and Regulations, see Hilary Heights Rules and Regulations of the Association.

**14. *Does the condominium association have the right of "first purchase" when a condominium unit is offered for sale?***

- No.

**15. *Does the condominium association charge a fee in connection with the transfer of ownership of a unit?***

- No.

**16. Does the condominium association charge a fee for providing a payoff statement?**

- A first-time request there is no charge. A second-time request there is a \$25 charge. See Wisc. Statute 703.335

**17. Does the condominium association charge a fee for providing the condominium disclosure materials?**

- No. The condominium association disclosure materials are all available on the association website (<https://rroffice.wixsite.com/hilaryheights>).

**18. Does the condominium association charge a fee for providing special agency forms not required by Wisconsin Statute?**

- Yes. A charge of \$50 will be invoiced to the requester.

This executive summary was updated on this 14th day of August, 2022, by the Board of Directors of Hilary Heights Condominium Owners' Association.

# AMENDMENT TO HILARY HEIGHTS CONDOMINIUM - PHASE 2

A PART OF LOT 1, CERTIFIED SURVEY MAP, RECORDED IN VOL 21 OF CSM'S, PG. 23, DOC #886466 PART OF THE NW1/4 OF SECTION 28, T.17N., R.23E., VILLAGE OF CLEVELAND, MANITOWOC COUNTY, WISCONSIN

1074964

NOTE: The reason for this Amendment No. 3 is for the change of building types for Buildings C2 & C4.

LINE	BEARING	DISTANCE
L1	S20°-57'-55"E	132.01'
L2	S35°-40'-05"E	138.22'
L3	S25°-07'-51"E	72.05'
L4	S64°-35'-59"E	72.11'
L5	S77°-16'-14"W	63.55'
L6	N61°-23'-52"W	42.87'
L7	N84°-45'-52"W	7.45'
L8	S37°-14'-47"W	26.05'
L9	N07°-32'-49"E	125.45'
L10	N34°-04'-12"W	31.43'

REGISTRAR'S OFFICE  
MANITOWOC COUNTY, WI  
1000 Wisconsin  
SOUTH WAUKESHA, WI 53186  
PHONE: 262-781-1044  
FAX: 262-781-1044

## PHASE 2 LEGAL DESCRIPTION

A part of Lot 1 of Certified Survey Map recorded in Volume 21 of Certified Survey Maps, on Pages 23-25, as Document No. 886466, being a part of the Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) of Section Twenty-Eight (28), Township Sweetser (17), North, Range T-17N, Three (23) East, Village of Cleveland, Manitowoc County, Wisconsin containing 3.05 acres of land more or less and being described by:

Commencing at the Southwest Corner of said Lot 1; thence North 195.00 feet; thence West 149.05 feet to the point of beginning; thence continue West 78.05 feet; thence S00°-37'-43"E 115.33 feet to a point on the West line of the E1/2 of the NW1/4 of the NW1/4 of said Section 28; thence N00°-45'-32"E 700.10 feet along said West line to a meander point 19 feet more or less South of the waters edge of the South Branch of Centerville Creek; thence the following meander courses along the Southern side of said Creek; thence S30°-57'-55"E 132.91 feet, S38°-49'-05"E 138.22 feet, S25°-07'-51"E 72.05 feet, S64°-35'-59"E 72.11 feet to the terminus of said meander courses and to a meander point 27 feet more or less South of the waters edge of said Creek; thence South 285.38 feet to the point of beginning; including all lands lying between said meander courses and the waters edge of the South Branch of Centerville Creek.

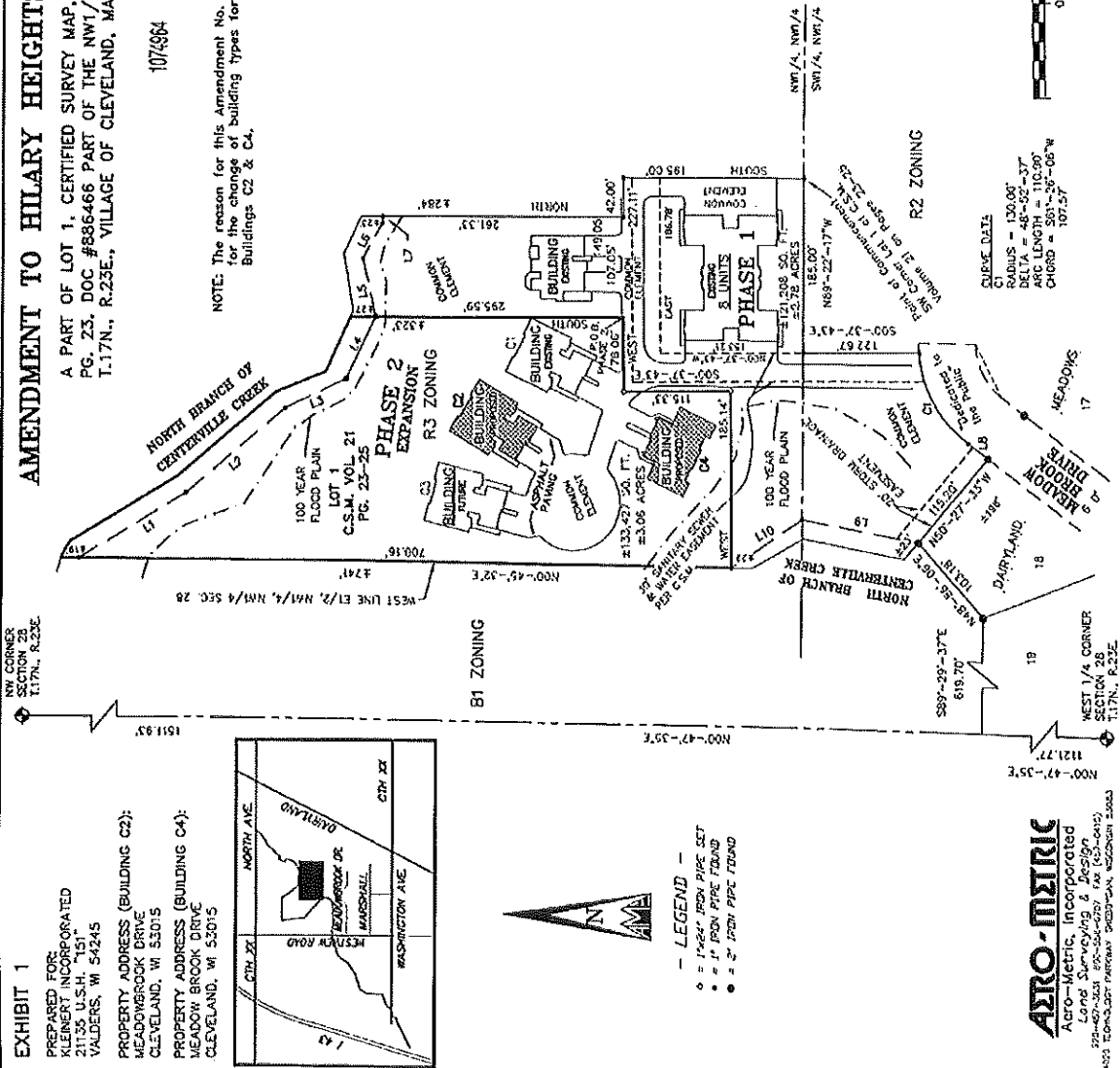
I, Anthony P. Lubert, Wisconsin Registered Land Surveyor of Lake-Metric, Wisconsin Registered Land Surveyor, do hereby certify that the above described PHASE 2 CONDOMINIUM - PHASE 2 is a true representation of said condominium, identifies the existing buildings and in conjunction with the declaration of said condominium the common elements will be determined from said plat.

Dated this 28th day of September, 2009.

*Anthony P. Lubert*  
ANTHONY P. LUBERT  
WISCONSIN REGISTERED LAND SURVEYOR  
JANUARY 5, 1985



DRAFTED 08-03-09 by B.J.B.  
HILARY.DWG - 200918  
SHEET 1 OF 3  
D - 23781

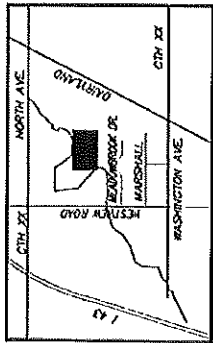


### EXHIBIT 1

PREPARED FOR:  
KLEINERT INCORPORATED  
21135 U.S.H. 1517  
VALDERS, WI 54245

PROPERTY ADDRESS (BUILDING C2):  
MEADOWBROOK DRIVE  
CLEVELAND, WI 53015

PROPERTY ADDRESS (BUILDING C4):  
MEADOW BROOK DRIVE  
CLEVELAND, WI 53015



**AERO-METRIC**  
Aero-Metric, Incorporated  
Land Surveying & Design  
529-667-3231 FAX 529-667-0707 FAX (608-6412)  
4553 EDWARDS PARKWAY, PEBDIPSAW, WISCONSIN 53083