

RESOLUTION NO. 04-05-10-01

**A Resolution Amending a Previously Approved and Previously Amended
Precise Implementation Plan
For The Project Known As The Cliffs of Fontana.**

WHEREAS, Par Development, Inc. ("Par") did previously petition the Village of Fontana-on-Geneva Lake to amend the Village's zoning ordinance (and accompanying zoning map) with regard to the property described more specifically in Addendum "A", attached hereto and incorporated herein by reference as if set forth at length herein (the "Subject Property"); and

WHEREAS, the Village did previously adopt Ordinance No. 10/24/05/1 rezoning the Subject Property to the Planned Development Zoning District and approving a General Development Plan ("GDP") for the Subject Property; and

WHEREAS, Par did subsequently petition the Village for approval of a Precise Implementation Plan ("PIP") for the Subject Property by filing the components of the PIP on January 13, 2006; and

WHEREAS, the Village did previously approve Resolution No. 08-07-06-02 whereby the proposed PIP for the Subject Property was approved; and

WHEREAS, Par did subsequently petition the Village for three amendments to said PIP; and

WHEREAS, the Village did previously approve said three prior amendments; and

WHEREAS, Par did subsequently petition for an additional fourth amendment to said PIP by the filing of materials with the Village on March 12, 2010 and received by the Village on March 12, 2010; and

WHEREAS, the Plan Commission has approved said proposed fourth amendment to the PIP for the Subject Property; and

WHEREAS, the Village Board has been asked to consider the proposed fourth amendment to the PIP for the Subject Property as submitted by Par and as approved by the Plan Commission.

NOW, THEREFORE, BE IT RESOLVED by the Village Board for the Village of Fontana-on-Geneva Lake, as follows:

SECTION 1.

That the recitals set forth above are incorporated herein by reference as if set forth at length herein.

SECTION 2.

A. That the previously approved PIP, as previously amended, for the Subject Property, herein defined, is hereby further amended to incorporate the following documents and those alterations to the PIP described in those documents. To the extent the following documents are inconsistent with the PIP components set forth in the original PIP Resolution or the first or second amendment to said original PIP Resolution, this Resolution shall control.

1. Correspondence from Cliffs of Fontana, Inc. dated March 11, 2010 and stamped received by the Village of Fontana on March 12, 2010 regarding "Cliffs of Fontana - Precise Implementation Plan - Fourth (4th) Amendment" (3 pages);
2. Building design drawings for "the Bay Hill" dated October 16, 2009 as prepared by Direct Design, Ltd. architects (4 pages);
3. Building design drawings for "the Wynbrooke" dated October 16, 2009 as prepared by Direct Design, Ltd. architects (4 pages);
4. Design information for "Premium Series" garage door by Clopay (2 pages);
5. New model location map as to units 43, 44 and 45 (1page);
6. The signage details for marketing signs along state highway 67, directional signs and internal signs (11 pages;)

B. That the terms and conditions set forth in the March 25, 2010 review memorandum (3 pages) and incorporated herein and by reference, shall be included as additional conditions of approval. Furthermore, the conditions and terms of the Village Board, as stated on the record on April 5, 2010 shall be included as additional conditions of approval.

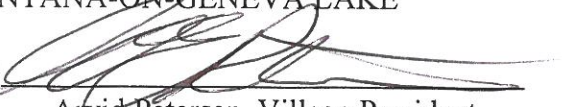
C. That non-substantive deviations from the details set forth in the PIP, as amended, for the Subject Property, herein defined, and as previously approved, may be reviewed and approved by the Village of Fontana, acting through the Village Administrator, without the need for additional review of said non-substantive changes by the Village Plan Commission or the Village Board.

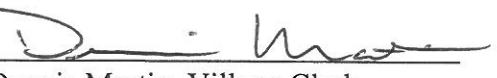
SECTION 3.

All other terms and conditions of the original PIP approval and the previous Amendments thereto not inconsistent, including referenced drawings and engineering and site plans, herewith shall remain in fully force and effect.

PASSED AND ADOPTED by the Village Board for the Village of Fontana-on-Geneva Lake
this 5th day of April, 2010.

VILLAGE BOARD OF THE VILLAGE OF
FONTANA-ON-GENEVA LAKE

By: 
Arvid Petersen, Village President

Attest: 
Dennis Martin, Village Clerk

ADDENDUM "A"

BEING PART OF OUTLOT 13 THRU 15 OF ASSESSOR'S PLAT #1 TO C.L. ADDITION TO THE VILLAGE OF FONTANA, WALWORTH COUNTY, WISCONSIN, BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE NE CORNER OF THE NE 1/4 SECTION 15, TOWN 1 NORTH, RANGE 16 EAST; THENCE S09°46'50"E, A DISTANCE OF 202.54' TO THE POINT OF BEGINNING; THENCE N89°21'10"E, A DISTANCE OF 459.00' TO A POINT ON A CURVE, SAID POINT BEING ON THE WESTERLY RIGHT OF WAY LINE OF S.T.H. "67"; THENCE ALONG SAID CURVE TO THE RIGHT 342.35' SAID CURVE HAVING A RADIUS OF 845.00' A CHORD THAT BEARS S22°37'49"W FOR A LENGTH OF 340.01' TO A POINT; THENCE S55°46'07"E, A DISTANCE OF 45.00' TO A POINT; THENCE S34°13'53"W, A DISTANCE OF 503.90' TO A POINT; THENCE S89°11'38"W, A DISTANCE OF 87.37' TO A POINT; THENCE S88°24'50"W, A DISTANCE OF 64.77' TO A POINT; THENCE S01°49'02"E, A DISTANCE OF 26.09' TO A POINT; THENCE S81°48'07"W, A DISTANCE OF 44.00' TO A POINT; THENCE N02°06'01"W, A DISTANCE OF 33.00' TO A POINT; THENCE S81°57'26"W, A DISTANCE OF 850.96' TO A POINT; THENCE N01°44'33"W, A DISTANCE OF 52.71' TO A POINT; THENCE S81°53'32"W, A DISTANCE OF 201.00' TO A POINT; THENCE S01°37'48"E, A DISTANCE OF 225.09' TO A POINT; THENCE S81°53'32"W, A DISTANCE OF 24.00' TO A POINT; THENCE N01°37'48"W, A DISTANCE OF 862.05' TO A POINT; THENCE N77°11'32"E, A DISTANCE OF 250.39' TO A POINT; THENCE N87°49'55"E, A DISTANCE OF 590.34' TO A POINT; THENCE N58°59'29"E, A DISTANCE OF 192.53' TO A POINT; THENCE N79°25'44"E, A DISTANCE OF 203.58' TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 24.14 ACRES MORE OR LESS.