

2801177

AMENDMENT TO  
HEATHERWOOD AREA  
HOMES ASSOCIATION DECLARATION

KANSAS  
REGISTER OF DEEDS  
1996 MAR 11 A 9:50 AM

THIS AMENDMENT ("Amendment") is made and entered into as of January 31, 1998 by and among the persons who have executed this document in their capacities as owners of record of the lots described below (collectively the "Owners") and The Haven Group L.L.C., as the developer of the lots described below (the "Developer").

WITNESSETH:

WHEREAS, the Developer is the developer of the residential area in the City of Overland Park, Johnson County, Kansas, commonly known as "Heatherwood" and "Villas of Heatherwood"; and

WHEREAS, the Developer has previously executed a certain document entitled Heatherwood Area Homes Association Declaration and caused such document to be recorded in the Office of the Register of Deeds of Johnson County, Kansas (the "Recording Office") on October 22, 1997, as Instrument No. 2754545 in Book 5345 at Page 981 (such declaration as being hereinafter called the "Declaration"); and

WHEREAS, the Declaration places certain covenants and assessments upon the following described residential lots (the "Lots"):

All of Lots 1, 2, 3, and 18 and 32, HEATHERWOOD, a subdivision of land in City of Overland Park, Johnson County, Kansas, according to the recorded plat thereof.

All of Lots 33 through 39 and 62 through 95, HEATHERWOOD, SECOND PLAT, a subdivision of land in City of Overland Park, Johnson County, Kansas, according to the recorded plat thereof.

All of Lots 96 through 132, HEATHERWOOD, THIRD PLAT, a subdivision of land in the City of Overland Park, Johnson County, Kansas, according to the recorded plat thereof.

WHEREAS, the Owners of the Lots and the Developer desire to amend the Declaration as provided herein;

NOW, THEREFORE, the parties hereto declare and agree as follows:

1. The last sentence of Section 1 of Article IV of the Declaration is hereby amended to read in its entirety as follows:

10 OK

BOOK 5493 PAGE 862

**AMENDMENT TO  
HEATHERWOOD AREA  
HOMES ASSOCIATION DECLARATION  
EXECUTION PAGE FOR LOT OWNERS**

Lots Owned in Heatherwood

Lots 1, 2, 19, 21, 24, 29, 30 Heatherwood  
Lots 33 through 39, 62 through 95 Heatherwood, Second Plat  
Lots 96 through 132 Heatherwood, Third Plat

**THE DEVELOPER:**

THE HAVEN GROUP L.L.C.

By: [Signature]  
James R. Lambie, Member

By: [Signature]  
John R. Geer, Member

By: [Signature]  
Donald C. Geer, Member

STATE OF KANSAS        )  
                                  ) ss.  
COUNTY OF JOHNSON    )

This instrument was acknowledged before me on January 17, 1998 by James R. Lambie, John R. Geer and Donald C. Geer, as members and on behalf of The Haven Group L.L.C., a Kansas limited liability company.

[Signature]  
Notary Public in and for  
Said County and State

Print Name: Deborah Hoschouer

My Commission Expires:  
1-17-2001

[SEAL]

**DEBORAH HOSCHOUER**  
Notary Public - State of Kansas  
My Appt. Expires 1-17-2001

21645 / 38428  
SNWOO: 110055