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STATE OF KANSAS }  
COUNTY OF JOHNSON } SS  
FILED FOR RECORD

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1400 SARA F. ULLMANN  
REGISTER OF DEEDS

RELEASE FROM HEATHERWOOD  
DECLARATION OF RESTRICTIONS

THIS RELEASE is made and entered into by and between The Haven Group L.L.C., a Kansas limited liability company ("Developer"), and the various "Owners" executing this instrument.

WITNESSETH:

WHEREAS, Developer is the developer of the residential subdivision in Overland Park, Kansas commonly known as "HEATHERWOOD"; and

WHEREAS, within such subdivision is an area commonly known as "Heatherwood" and an area commonly known as "Villas of Heatherwood"; and

WHEREAS, Developer has previously executed a certain Heatherwood Declaration of Restrictions (the "Heatherwood Declaration of Restrictions") 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. 2754546 in Book 5346 at Page 1; and

WHEREAS, the Heatherwood Declaration of Restrictions, in part, places certain obligations and restrictions upon the following specific lots (the "Specific Lots") which are the subject of this Release:

Lots 62 through 69 and 82 through 94, HEATHERWOOD, SECOND PLAT, a subdivision of land in City of Overland Park, Johnson County, Kansas; and

Lots 142 through 155, HEATHERWOOD, FIFTH PLAT, (a replat of Lots 70 through 81, HEATHERWOOD, SECOND PLAT), a subdivision of land in Overland Park, Johnson County, Kansas.

WHEREAS, the Owners (who are owners of lots covered by the Heatherwood Declaration of Restrictions) and Developer desire to release the Specific Lots from the Heatherwood Declaration of Restrictions so that the Specific Lots can be subjected to the recorded declarations for the area known as Villas of Heatherwood.

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

1. The Specific Lots are hereby released and removed from all of the provisions of the Heatherwood Declaration of Restrictions as if the Specific Lots had never been subjected thereto.
2. Pursuant to Section 18(a) of the Heatherwood Declaration of Restrictions, this Release shall become effective as to the Heatherwood Declaration of Restrictions upon execution

RET: P. B. SINELLI, WHITE WARDEMAN...  
6261 COLLEGE BLVD. STE 500  
O. P. KS 66211-2423

BOOK 6354 PAGE 567

THIS document was received from Adam Weisinger, Heatherwood President, 26 Jun 2012.

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hereof by the owners of record of at least two-thirds of the Lots within the Subdivision (as defined in the Heatherwood Declaration of Restrictions) and by the Developer, and the recordation hereof in the Recording Office.

IN WITNESS WHEREOF, the parties hereto have caused this Release From Heatherwood Declaration of Restrictions to be duly executed.

**DEVELOPER:**

Dated: September 22, 1999

THE HAVEN GROUP L.L.C.

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 September 22, 1999 by John R. Geer and Donald C. Geer, as members in 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:

1-17-2000

DEBORAH HOSCHOUER  
Notary Public - State of Kansas  
My Appt. Expires 1-17-2000

**RELEASE FROM HEATHERWOOD DECLARATION OF RESTRICTIONS  
EXECUTION PAGE FOR OWNERS**

Lots Owned:

Lots 62 through 66, 68, 69, 85, 87 through 94, Heatherwood,  
Second Plat, Overland Park, Johnson County, Kansas

Lots 142, 143, 145, 147, 150 through 155, Heatherwood, Fifth  
Plat, Overland Park, Johnson County, Kansas

Lots 173 through 178, 180, 181, 183 through 197, Heatherwood,  
Sixth Plat, Overland Park, Johnson County, Kansas

The undersigned "Owner" of the above-described Lots hereby executes this page for purposes of adopting the Release From Heatherwood Declaration of Restrictions.

Dated: September 22, 1999

THE HAVEN GROUP L.L.C.

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 September 22, 1999 by John R. Geer and Donald C. Geer, as Members in and on behalf of The Haven Group L.L.C., a Kansas limited liability company.

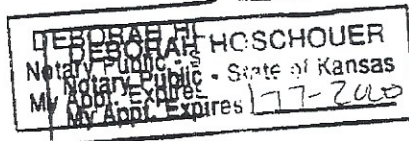
[Signature]  
Notary Public  
In and For Said County and State

Print Name: Deborah Hoschouer

My Commission Expires:

1-17-2000

21645 / 38428  
SNWOO 121952 v2



**RELEASE FROM HEATHERWOOD DECLARATION OF RESTRICTIONS  
EXECUTION PAGE FOR OWNERS**

Lots Owned:

Lots 67, 83 and 86, Heatherwood, Second Plat, Overland Park,  
Johnson County, Kansas

Lots 146, 148 and 149, Heatherwood, Fifth Plat, Overland Park,  
Johnson County, Kansas

The undersigned "Owner" of the above-described Lots hereby executes this page for purposes of adopting the Release From Heatherwood Declaration of Restrictions.

Dated: September 22, 1999

LAMBIE-GEER HOMES, INC.

By: [Signature]  
James R. Lambie, President

STATE OF KANSAS            )  
  ) ss.  
COUNTY OF JOHNSON        )

This instrument was acknowledged before me on September 22, 1999 by James R. Lambie, President of Lambie-Geer Homes, Inc., a Kansas corporation.

[Signature]  
Notary Public  
In and For Said County and State  
Print Name: Deborah Hoschouer

My Commission Expires:  
1-17-2000

21645 / 38428  
SNWOO 121952 v5

**DEBORAH HOSCHOUER**  
Notary Public - State of Kansas  
My Appt. Expires 1-17-2000

**RELEASE FROM HEATHERWOOD DECLARATION OF RESTRICTIONS  
EXECUTION PAGE FOR OWNERS**

Lots Owned:

Lots 39 and 82, Heatherwood, Second Plat, Overland Park,  
Johnson County, Kansas

Lot 144, Heatherwood, Fifth Plat, Overland Park, Johnson County,  
Kansas

Lots 179, 182 and 198, Heatherwood, Sixth Plat, Overland Park,  
Johnson County, Kansas

The undersigned "Owner" of the above-described Lots hereby executes this page for purposes of adopting the Release From Heatherwood Declaration of Restrictions.

Dated: September 22, 1999

DAKOTA, INC.

By: [Signature]  
Tony Plunkett, President

STATE OF KANSAS            )  
  ) ss.  
COUNTY OF JOHNSON    )

This instrument was acknowledged before me on September 22, 1999 by Tony Plunkett, President of Dakota, Inc., a Kansas corporation.

[Signature]  
Notary Public  
In and For Said County and State

Print Name: Deborah Hoschouer

My Commission Expires:

1-17-2000

21645 / 38428  
SNWOO 121952 v4

DEBORAH HOSCHOUER  
Notary Public - State of Kansas  
My Appt. Expires 1-17-2000

