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VILLAS OF HEATHERWOOD  
DECLARATION OF RESTRICTIONS  
ADDITIONAL PHASES

STATE OF KANSAS 155  
COUNTY OF JOHNSON  
FILED FOR RECORD  
3:55.2  
1999 JUN 23 P 3:49.8  
Haver Group MANN  
REGISTER OF DEEDS

THIS DECLARATION, made as of the 30 day of April, 1999, by The L.L.C., a Kansas limited liability company (the "Declarant");

WITNESSETH:

WHEREAS, the Declarant has executed and filed with the Office of the Register of Deeds of Johnson County, Kansas, additional plats of the subdivision known as "Heatherwood"; and

WHEREAS, such plats add the following lots to the area known as Villas of Heatherwood (the "Additional Lots"), to wit:

Lots 133 through 141, HEATHERWOOD, FOURTH PLAT, a subdivision in the City of Overland Park, Johnson County, Kansas.

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

Lots 156 through 172 and 199 through 201, HEATHERWOOD, SIXTH PLAT, a subdivision in City of Overland Park, Johnson County, Kansas.

WHEREAS, the Declarant, as the owner of the Additional Lots, desires to subject the Additional Lots to the covenants, restrictions, easements and other provisions contained in that certain Villas of Heatherwood Declaration of Restrictions, dated as of October 20, 1997 (the "Original Declaration"), executed by the Declarant and filed with the Office of the Register of Deeds of Johnson County, Kansas on October 22, 1997, and recorded as Instrument No. 2754547 in Book 5346 at Page 21.

NOW, THEREFORE, in consideration of the premises, Declarant, for itself and for its successors and assigns, and for its future grantees, hereby agrees and declares that all of the Additional Lots shall be, and they hereby are, subject to the covenants, restrictions, easements and other provisions set forth in the Original Declaration. As contemplated in Section 19 of the Original Declaration, this instrument shall have the effect of subjecting the Additional Lots to all of the provisions of the Original Declaration as though the Additional Lots had been originally described therein and subject to the provisions thereof.

Notwithstanding the foregoing, the minimum total finished floor area for all of the Additional Lots under Section 4 of the Original Declaration shall be 1,200 square feet.

IN WITNESS WHEREOF, the Declarant has caused this Declaration to be duly executed the day and year first above written.

**THE DECLARANT:**

Dated: April 30, 1999

THE HAVEN GROUP L.L.C.

By: [Signature]  
John R. Geer, Member

By: Donald C. Geer  
Donald C. Geer, Member

STATE OF KANSAS            )  
  ) ss.  
COUNTY OF JOHNSON    )

This instrument was acknowledged before me on April 30, 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