



Sedgwick County
Register of Deeds - Tonya Buckingham
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2024 AMENDMENT TO
DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
WHISPERING LAKES ESTATES 2ND ADDITION
&
AMENDED AND RESTATED DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
WHISPERING LAKES ESTATES ADDITION
OF
WICHITA, SEDGWICK COUNTY, KANSAS

THIS 2024 AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR WHISPERING LAKES ESTATES 2ND ADDITION AND TO THE AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR WHISPERING LAKES ESTATES ADDITION (for both, the "2024 Amendment") is made this 24 day of January, 2024, by Whispering Lakes Homeowners' Association ("Association"), for itself, its successors, grantees and assigns **and runs with the land.**

WITNESSETH:

WHEREAS on the 31st day of January, 2000, Heritage Land Developers, Inc. ("Developer") executed that certain Declaration of Covenants, Conditions, and Restrictions for Whispering Lakes Estates [2nd] Addition ("Whispering Lakes Estates 2nd Declaration") and caused the same to be recorded on the 18th day of January, 2001 as document no. 1943430, in the office of the Sedgwick County Register of Deeds on Film 2134, commencing on Page 1142 covering the Whispering Lakes Estates 2nd Addition, Addition to Wichita, Sedgwick County, Kansas, and certain portions of Whispering Lakes Estates Addition, Addition to Wichita, Sedgwick County, Kansas. (the "Original Property")

WHEREAS on the 4th day of April, 2000, Developer executed that certain Restrictive Covenant and caused the same to be recorded on the 15th day of May, 2000 as document no. 1886521, in the office of the Sedgwick County Register of Deeds on Film 2046, commencing on Page 1892 covering the Original Property and the following additional described real property, to wit:

Reserves C, D, E, F and G.
All within
Whispering Lakes Estates Addition
An Addition to Wichita,
Sedgwick County, Kansas

The above described property and the Original Property together the "Property" and subsequent additions to the Property are encumbered by and subject to the Whispering Lakes Estates 2nd Declaration.

WHEREAS on the 28th day of October, 2004, Developer executed that certain Declaration of Covenants, Conditions and Restrictions for Whispering Lakes Estates First Addition ("Whispering Lakes Estates Declaration") and caused the same to be

recorded on the 15th day of November, 2004 as document no. 28624396, in the office of the Sedgwick County Register of Deeds covering certain Lots within Whispering Lakes Estates, an Addition to Wichita, Sedgwick County, Kansas. (***emphasis added, per the plat, there is no "First Addition" to Whispering Lakes, only Whispering Lakes Estates Addition and Whispering Lakes Estates 2nd Addition***)

WHEREAS on the 19th day of December, 2016, Whispering Lakes, LLC executed that certain Amended and Restated Declaration of Covenants, Conditions and Restrictions for Whispering Lakes Estates Addition ("Restated Whispering Lakes Estates Declaration") and caused the same to be recorded on the 22nd day of December, 2016 as document no. 29660299, in the office of the Sedgwick County Register of Deeds covering ***Whispering Lakes Estates****, an Addition to Wichita, Sedgwick County, Kansas.

****Note, the Restated Whispering Lakes Estates Declaration recorded the intent of the developer to encumber its Lots within the Whispering Lakes Estates Addition under a common development scheme as established by Whispering Lakes Estates 2nd Declaration.***

WHEREAS on the 15th day of March, 2017, Whispering Lakes Homeowners' Association executed that certain 2017 Amendment to Declaration of Covenants, Conditions and Restrictions for Whispering Lakes Estates 2nd Addition & Amended and Restated Declaration of Covenants, Conditions and Restrictions for Whispering Lakes Estates Addition ("2017 Amendment") and caused the same to be recorded on the 21st day of March, 2017 as document no. 29677955, in the office of the Sedgwick County Register of Deeds.

NOW, THEREFORE, THE UNDERSIGNED PRESIDENT OF WHISPERING LAKES HOMEOWNERS' ASSOCIATION, ON BEHALF OF THE RECORD OWNERS OF WHISPERING LAKES ESTATES AND WHISPERING LAKES ESTATES 2ND ADDITIONS HEREBY AMENDS THE RESTATED WHISPERING LAKES ESTATES DECLARATION AND THE WHISPERING LAKES ESTATES 2ND DECLARATION AS FOLLOWS:

Amend Article II USE, OCCUPANCY AND CONDUCT RESTRICTIONS as follows:

- **Add new Section 2.25:**

2.25 Leasing Restriction. No Owner of a Lot shall rent or lease such Lot or any portion of a Lot for less than one (1) year for any purpose, including but not limited to Airbnb, Vrbo or similar short term rentals.

The undersigned hereby certifies that this 2024 Amendment has been executed in accordance with Article VIII, Section 8.10 and is in effect and valid pursuant to all terms and provisions of the Whispering Lakes Estates 2nd Declaration and Restated Whispering Lakes Estates Declaration.

If any restriction, condition, covenant or reservation contained in this 2024 Amendment shall at any time be held invalid or for any reason becomes unenforceable, no other restriction, condition, covenant, reservation or any part thereof, shall be affected or impaired. The failure of Developer, its successors in interest, any subsequent Board of Directors of the Whispering Lakes Homeowners' Association or of any Owner to enforce any of the restrictions, conditions, covenants or reservation contained herein shall in no event be deemed a waiver of the right to do so thereafter or to enforce any other restriction, condition, covenant or reservation.

Except as herein expressly amended, the Whispering Lakes Estates 2nd Declaration, Restated Whispering Lakes Estates Declaration and 2017 Amendment are hereby ratified and confirmed. This 2024 Amendment shall be effective as of the date of recording.

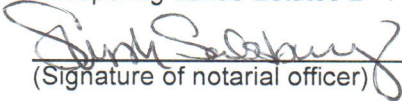
Whispering Lakes Homeowners' Association, for Whispering Lakes Estates 2nd Addition and Whispering Lakes Estates Addition



By: Sara Shaw
President

STATE OF KANSAS)
) ss:
SEDGWICK COUNTY)

This instrument was acknowledged before me on 1-24-24, 2024 by Sara Shaw as President of Whispering Lakes Homeowners' Association for Whispering Lakes Estates 2nd Addition and Whispering Lakes Estates Addition.



(Signature of notarial officer)

My appointment expires: 3/15/25

