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Electronic Recording		3/3/2023
Pages: 5	F: \$89.00	2:13 PM
Register of Deeds		T20230006904

**FOURTH AMENDMENT TO AND SUPPLEMENTAL DECLARATION OF
RESTRICTIONS AND HOMES ASSOCIATION DECLARATION**

ARBOR LAKE SOUTH, 1st PLAT

THIS FOURTH AMENDMENT TO AND SUPPLEMENTAL DECLARATION OF RESTRICTIONS AND HOMES ASSOCIATION DECLARATION (“**Supplemental Declaration**”) is made as of the 27th day of FEBRUARY, 2023, by ARBOR LAKE, LLC, a Kansas limited liability company (“**Developer**”).

WITNESSETH:

WHEREAS, Arbor Lake Partners, LLC, as the original developer (“**Original Developer**”), previously executed that certain Declaration of Restrictions dated December 23, 2014, which was recorded in the office of the Register of Deeds of Johnson County, Kansas, on December 31, 2014, at Book 201412, Page 008515, and that certain Amendment to Declaration of Restrictions dated March 10, 2017, which was recorded in the office of the Register of Deeds of Johnson County, Kansas, on March 14, 2017, at Book 201703, Page 003778, and that certain Second Amendment to Declaration of Restrictions dated June 5, 2017, which was recorded in the office of the Register of Deeds of Johnson County, Kansas, on June 6, 2017, at Book 201706, Page 002023 (collectively, the “**Original Declaration**”); and

WHEREAS, Original Developer previously executed that certain Homes Association Declaration dated December 23, 2014, and recorded in the office of the Register of Deeds of Johnson County, Kansas, on December 31, 2014, at Book 201412, Page 008516 (the “**Original Homes Association Declaration**”); and

WHEREAS, pursuant to that certain Assignment and Assumption of Developer Rights dated December 20, 2018, and recorded in the office of the Register of Deeds of Johnson County, Kansas, on January 16, 2019, at Book 201901, Page 003448 (the “**Assignment**”), Original Developer has assigned, and Developer has assumed, all rights, title, and interest held by or made available to, and all obligations of, the developer under the Original Declaration and the Original Homes Association Declaration; and

WHEREAS, pursuant to the Assignment, Developer has the rights, from time to time, to add or approve the addition of real property to the Original Declaration and the Original Homes Association Declaration and, at Developer’s discretion, to modify the provisions of the Original

Declaration and/or the Original Homes Association Declaration as applicable to such additional real property; and

WHEREAS, Developer subsequently executed that certain Third Amendment to and Supplemental Declaration of Restrictions and Homes Association Declaration dated January 16, 2020, which was recorded in the office of the Register of Deeds of Johnson County, Kansas, on January 22, 2020, at Book 202001, Page 005503; and

WHEREAS, Developer executed a final plat known as “**ARBOR LAKE SOUTH, 1st PLAT**” and recorded the same in the office of the Register of Deeds of Johnson County, Kansas, on February 23, 2023, at Book 202302, Page 003233, which plat describes and pertains to the following real property, to wit:

Lots 1 through 43, inclusive, and Tracts A, B, and C, ARBOR LAKE SOUTH, 1st PLAT, a subdivision in the City of Lenexa, Johnson County, Kansas, according to the recorded plat thereof; and

WHEREAS, Developer desires to add the above-described real property (collectively, the “**Additional Lots**”) to the district of **ARBOR LAKE**, and to subject all of the Additional Lots to the covenants, conditions, restrictions, easements, and other provisions set forth in the Original Declaration, as hereby amended, and the Original Homes Association Declaration;

NOW, THEREFORE, in consideration of the premises, Developer and the Association, for themselves and their respective successors and assigns, and for their future grantees, hereby agree and declare as follows:

1. All of the Additional Lots shall be, and they hereby are, subject to the covenants, conditions, restrictions, easements, and other provisions set forth in the Original Declaration, as hereby amended, and the Original Homes Association Declaration.

2. As contemplated in the Original Declaration, as amended, and the Original Homes Association Declaration, this Supplemental Declaration shall have the effect of subjecting all of the Additional Lots to all of the provisions of the Original Declaration, as amended, and the Original Homes Association Declaration as though the Additional Lots had been originally described therein and subjected to the provisions thereof.

3. Section 8 of the Original Declaration and Section 4 of the Original Homes Association Declaration are hereby amended by supplementation of the following:

Developer perpetually reserves for itself the right to exercise an option to adding to the District and subject to this Declaration and all amendments thereto the following described land:

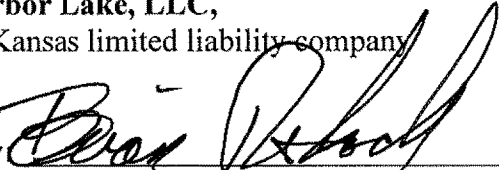
All that part of the Southeast Quarter of Section 32, Township 12 South, Range 23 East, in the City of Lenexa, Johnson County, Kansas, being more particularly described as follows:

Commencing at the Northwest corner of the Southeast Quarter of said Section 32; thence S 2°50'05" E, along the West line of the Southeast Quarter of said Section 32, a distance of 1456.94 feet; thence N 87°09'55" E, a distance of 1062.86 feet to the Point of Beginning; thence N 47°03'36" W, a distance of 120.29 feet; thence N 73°29'17" E, a distance of 43.21 feet; thence N 58°36'15" E, a distance of 120.62 feet; thence N 25°34'47" W, a distance of 130.00 feet; thence N 54°22'24" E, a distance of 130.40 feet; thence Easterly on a curve to the right, said curve being tangent to the last described course and having a radius of 275.00 feet, an arc distance of 173.16 feet; thence S 89°33'01" E, a distance of 52.03 feet; thence Southerly on a curve to the left, said curve having an initial tangent bearing of S 3°37'47" E and a radius of 250.00 feet, an arc distance of 15.44 feet; thence S 7°10'07" E, a distance of 152.97 feet; thence Southerly on a curve to the left, said curve being tangent to the last described course and having a radius of 100.00 feet, an arc distance of 21.36 feet; thence S 19°24'29" E, a distance of 11.43 feet to a point on the Northerly right-of-way line of Prairie Star Parkway, as now established; thence along the Northerly right-of-way line of said Prairie Star Parkway, for the following two (2) courses; thence S 1°22'42" E, a distance of 68.40 feet; thence S 27°18'44" W, a distance of 66.66 feet; thence N 74°46'49" W, a distance of 113.61 feet; thence S 63°35'46" W, a distance of 235.83 feet to the point of beginning, containing 101,955 square feet or 2.3406 acres, more or less, unplatted land.

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IN WITNESS WHEREOF, Developer has caused this Supplemental Declaration to be executed by its duly authorized representative as of the date first above set forth.

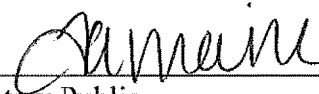
Arbor Lake, LLC,
a Kansas limited liability company

By 
Brian Rodrock, Manager

STATE OF KANSAS)
) ss.
COUNTY OF JOHNSON)

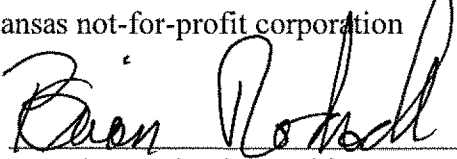
On this 27 day of February, 2023, before me, a Notary Public in and for said State and County, personally appeared Brian Rodrock, who stated that he is the Manager of Arbor Lake, LLC, a Kansas limited liability company, known to me to be the person who executed the within instrument on behalf of said limited liability company, and acknowledged to me that he executed the same as his free act and deed for the purposes stated therein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year last above written.


Notary Public

My commission expires:
5/17/2026

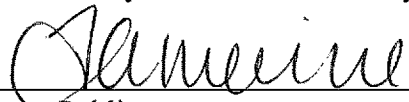
The Arbor Lake Homeowners Association, Inc.,
a Kansas not-for-profit corporation

By: 
Brian Rodrock, President

STATE OF KANSAS)
) ss.
COUNTY OF JOHNSON)

On this 27 day of February, 2023, before me, a Notary Public in and for said State and County, personally appeared Brian Rodrock, who stated that he is the President of The Arbor Lake Homeowners Association, Inc., a Kansas not-for-profit corporation, known to me to be the person who executed the within instrument on behalf of said corporation, and acknowledged to me that he executed the same as his free act and deed for the purposes stated therein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year last above written.


Notary Public

My commission expires:
5/17/2026