

**20130805-0001520**

Electronic Recording	08/05/2013
Pages: 4	F: \$20.00 01:56:45 PM
Register of Deeds	T20130058131
JO CO KS	BK:201308 PG:001520

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**SUPPLEMENTAL DECLARATION OF  
EASEMENTS, COVENANTS, CONDITIONS AND RESTRICTIONS OF  
THE GREENS OF CHAPEL CREEK  
A SUBDIVISION IN  
THE CITY OF SHAWNEE  
JOHNSON COUNTY, KANSAS**

Dated: August 5, 2013

Party of the First Part: Chapel Creek Partners, LLC

Party of the Second Part: The Greens of Chapel Creek

Legal Description: See Exhibit "A"

**AMENDMENT TO DECLARATION OF  
EASEMENTS, COVENANTS, CONDITIONS AND RESTRICTIONS  
OF  
THE GREENS OF CHAPEL CREEK  
A SUBDIVISION IN  
THE CITY OF SHAWNEE  
JOHNSON COUNTY, KANSAS**

This Amendment to Declaration of Easements, Covenants, Conditions and Restrictions of The Greens of Chapel Creek (the "Amendment") is made as of this 5th day of August, 2013, by **CHAPEL CREEK PARTNERS, LLC**, a Kansas limited liability company (hereinafter referred to as "Developer").

WHEREAS, CP Investments, LLC ("Original Declarant") executed that certain Declaration of Easements, Covenants, Condition and Restrictions dated May 16, 2002 and recorded in the office of the Register of Deeds of Johnson County, Kansas on May 21, 2002 at Book 7834, Page 68; Second Supplemental Declaration of Easements, Covenants, Conditions and Restrictions dated March 16, 2006 and recorded in the office of the Register of Deeds of Johnson County, Kansas on March 16, 2006 at Book 200603, Page 005465; Third Supplemental Declaration of Easements, Covenants, Conditions and Restrictions dated March 16, 2006 and recorded in the office of the Register of Deeds of Johnson County, Kansas on March 16, 2006 at Book 200603, Page 005466; Fourth Supplemental Declaration of Easements, Covenants, Conditions and Restrictions, dated May 23, 2008 and recorded in the office of the Register of Deeds of Johnson County, Kansas on 200805, Page 009137; Fifth Supplemental Declaration of Easements, Covenants, Conditions and Restrictions, dated May 23, 2008 and recorded in the office of the Register of Deeds of Johnson County, Kansas at Book 200805, Page 009138; Sixth Supplemental Declaration of Easements, Covenants, Conditions and Restrictions, dated February 11, 2013 and recorded in the office of the Register of Deeds of Johnson County, Kansas at Book 201302, Page 005090 (the "Original Declaration"); and

WHEREAS, the Original Declaration provides that the same can be unilaterally amended by the Developer before the Turnover Date (defined in the Original Declaration); and

WHEREAS, Developer, by assignment, is the "Developer" to which the Original Declaration refers; and

WHEREAS, the Turnover Date has not occurred, and Developer desires to amend the Original Declaration as set forth herein, as to all lots and tracts within the Subdivision, described more fully on Exhibit "A", attached hereto.

NOW THEREFORE, in consideration of the premises, the Developer hereby declares for itself and its successors, grantees and assigns:

1. That by the document dated February 11, 2013 and recorded in the Office of the Register of Deeds of Johnson County, Kansas as Document Number 201302140005090 2, Developer amended Section 7.7(e) (3) of the Original Declaration to reduce minimum square footage requirements of homes, pursuant to the right given to Developer in Section 13.2 of the Original Declaration to reduce such minimum square footages by not more than 20%. Developer agrees and states that no further reduction in such minimum square footage requirements shall be permitted under the Original Declaration and the Original Declaration is hereby amended accordingly.

2. To the extent inconsistent with this Amendment, the Original Declaration is hereby superseded; as amended by this Amendment, however, the Original Declaration shall continue in full force and effect.

IN WITNESS WHEREOF, Developer has executed this document as of the first day and date stated above.

CHAPEL CREEK PARTNERS, LLC, a  
Kansas limited liability company

By: *Darol Rodrock*  
Darol Rodrock, Manager

STATE OF KANSAS                    )  
  ) ss.  
COUNTY OF JOHNSON            )

On this 5th day of August, 2013, before me, a Notary Public in and for said State, personally appeared Darol Rodrock, who stated that he is the Manager of **CHAPEL CREEK PARTNERS, LLC**, a Kansas limited liability company, known to me to be the person who executed the within instrument on behalf of said company and acknowledged to me that he executed the same for the purposes therein stated.

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

*Lynn Bixby*  
Notary Public

My Commission Expires:  LYNN BIXBY  
NOTARY PUBLIC  
STATE OF KANSAS  
My Appl Exp. 2-19-17

## Exhibit "A"

Lots 1 through 111, inclusive, and Tracts A, B, C, D, E, F, G, H, I, J, K, L and M, GREENS OF CHAPEL CREEK FIRST PLAT, a subdivision of land in the City of Shawnee, Johnson County, Kansas.

Lots 112 through 133, inclusive, and Tracts N, O, P and Q, GREENS OF CHAPEL CREEK SECOND PLAT, a subdivision of land in the City of Shawnee, Johnson County, Kansas.

Lots 134 thru 163, inclusive, and Tracts R, S and T, GREENS OF CHAPEL CREEK THIRD PLAT, a subdivision of land in the City of Shawnee, Johnson County, Kansas.

Lots 186 through 235, inclusive, and Tracts R, S and V, GREENS OF CHAPEL CREEK FOURTH PLAT, a subdivision of land in the City of Shawnee, Johnson County, Kansas.

FIRST AMERICAN TITLE  
7200 COLLEGE BLVD.  
OVERLAND PARK, KS 66210

20130214-0005090		
Electronic Recording		02/14/2013
Pages: 6	F: \$28.00	09:41:09 AM
Register of Deeds		T20130012291
JO CO KS	BK:201302	PG:005090

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**SIXTH SUPPLEMENTAL DECLARATION OF  
EASEMENTS, COVENANTS, CONDITIONS AND RESTRICTIONS OF  
THE GREENS OF CHAPEL CREEK  
A SUBDIVISION IN  
THE CITY OF SHAWNEE  
JOHNSON COUNTY, KANSAS**

Dated: Feb. 11, 2013

Party of the First Part: Chapel Creek Partners, LLC

Party of the Second Part: The Greens of Chapel Creek

Legal Description: See Exhibit "A"

**SIXTH SUPPLEMENTAL DECLARATION OF  
EASEMENTS, COVENANTS, CONDITIONS AND RESTRICTIONS  
OF  
THE GREENS OF CHAPEL CREEK  
A SUBDIVISION IN  
THE CITY OF SHAWNEE  
JOHNSON COUNTY, KANSAS**

This Sixth Supplemental Declaration of Easements, Covenants, Conditions and Restrictions of The Greens of Chapel Creek (the "Amendment") is made as of this 11<sup>th</sup> day of Feb., 2013, by **CHAPEL CREEK PARTNERS, LLC**, a Kansas limited liability company (hereinafter referred to as "Developer").

WHEREAS, CP Investments, LLC ("Original Declarant") executed that certain Declaration of Easements, Covenants, Condition and Restrictions dated May 16, 2002 and recorded in the office of the Register of Deeds of Johnson County, Kansas on May 21, 2002 at Book 7834, Page 68; Second Supplemental Declaration of Easements, Covenants, Conditions and Restrictions dated March 16, 2006 and recorded in the office of the Register of Deeds of Johnson County, Kansas on March 16, 2006 at Book 200603, Page 005465; Third Supplemental Declaration of Easements, Covenants, Conditions and Restrictions dated March 16, 2006 and recorded in the office of the Register of Deeds of Johnson County, Kansas on March 16, 2006 at Book 200603, Page 005466; Fourth Supplemental Declaration of Easements, Covenants, Conditions and Restrictions, dated May 23, 2008 and recorded in the office of the Register of Deeds of Johnson County, Kansas on 200805, Page 009137; Fifth Supplemental Declaration of Easements, Covenants, Conditions and Restrictions, dated May 23, 2008 and recorded in the office of the Register of Deeds of Johnson County, Kansas at Book 200805, Page 009138 (the "Original Declaration"); and

WHEREAS, the Original Declaration provides that the same can be unilaterally amended by the Developer before the Turnover Date (defined in the Original Declaration); and

WHEREAS, Developer, by assignment, is the "Developer" to which the Original Declaration refers; and

WHEREAS, the Turnover Date has not occurred, and Developer desires to amend the Original Declaration as set forth herein, as to all lots and tracts within the Subdivision, described more fully on Exhibit "A" ("Lots"), attached hereto.

NOW THEREFORE, in consideration of the premises, the Developer hereby declares for itself and its successors, grantees and assigns:

1. Section 7.7, Paragraph (e), Subparagraph (3) is hereby amended in its entirety as follows:

(3) Minimum square footage requirements for residences shall be as set forth below as measured to the outside of exterior walls, but exclusive of porches, garages, patios and detached accessory building ("Finished Living Area");

The Links:

("The Links" comprises Lots 1-28 of GREENS OF CHAPEL CREEK FIRST PLAT)

Ranch Homes	1,600 square feet
1.5 Story and Two Story Homes	2,000 square feet ✓

The Fairways:

("The Fairways" comprises Lots 29-111 of GREENS OF CHAPEL CREEK FIRST PLAT)

Ranch Homes	2,000 square feet
1.5 Story and Two Story Homes	2,480 square feet


2. That the lots described on Exhibit "B" shall be deemed "The Fairways" lots for purposes of Section 7.7, Paragraph (e), Subparagraph (3) of the Original Declaration.

3. To the extent inconsistent with this Amendment, the Original Declaration is hereby superseded; as amended by this Amendment, however, the Original Declaration shall continue in full force and effect.

IN WITNESS WHEREOF, Developer has executed this document as of the first day and date stated above.

CHAPEL CREEK PARTNERS, LLC, a  
Kansas limited liability company

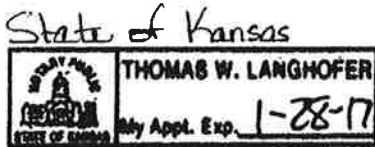
By: \_\_\_\_\_

  
Darol Rodrock, Manager

STATE OF KANSAS                     )  
   ) ss.  
 COUNTY OF JOHNSON                )

On this 11 day of February, 2013, before me, a Notary Public in and for said State, personally appeared Darol Rodrock, who stated that he is the Manager of **CHAPEL CREEK PARTNERS, LLC**, a Kansas limited liability company, known to me to be the person who executed the within instrument on behalf of said company and acknowledged to me that he executed the same for the purposes therein stated.

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



  
 Notary Public

My Commission Expires: \_\_\_\_\_



## Exhibit "A"

Lots 1 through 111, inclusive, and Tracts A, B, C, D, E, F, G, H, I, J, K, L and M, GREENS OF CHAPEL CREEK FIRST PLAT, a subdivision of land in the City of Shawnee, Johnson County, Kansas.

Lots 112 through 133, inclusive, and Tracts N, O, P and Q, GREENS OF CHAPEL CREEK SECOND PLAT, a subdivision of land in the City of Shawnee, Johnson County, Kansas.

Lots 134 thru 163, inclusive, and Tracts R, S and T, GREENS OF CHAPEL CREEK THIRD PLAT, a subdivision of land in the City of Shawnee, Johnson County, Kansas.

Lots 186 through 235, inclusive, and Tracts R, S and V, GREENS OF CHAPEL CREEK FOURTH PLAT, a subdivision of land in the City of Shawnee, Johnson County, Kansas.

EXHIBIT "B"

Lots 112, 113, 114, 115, 116, 118, 121, 130, 131, 132, 133, GREENS OF CHAPEL CREEK SECOND PLAT, a subdivision of land in the City of Shawnee, Johnson County, Kansas.

Lots 134 thru 135, Lots 139 thru 145, Lots 147 thru 151, and Lots 156 thru 163, GREENS OF CHAPEL CREEK THIRD PLAT, a subdivision of land in the City of Shawnee, Johnson County, Kansas.

Lots 186 through 231, inclusive, and Lots 233 through 235, inclusive, GREENS OF CHAPEL CREEK FOURTH PLAT, a subdivision of land in the City of Shawnee, Johnson County, Kansas.