

GREENS OF CHAPEL CREEK, EIGHTH PLAT

**AMENDMENT TO DECLARATION OF EASEMENTS,
COVENANTS, CONDITIONS AND RESTRICTIONS**

This Amendment to Declaration of Easements, Covenants, Conditions and Restrictions, made as of the 8th day of April, 2019, by the undersigned, **GREENS OF CHAPEL CREEK, LLC**, a Kansas limited liability company ("Developer").

WITNESSETH:

WHEREAS, an **Eighth Plat** of the subdivision known as "Greens of Chapel Creek", which plat was recorded with the Register of Deeds of Johnson County, Kansas on September 14, 2018, in Book 201809 at Page 003994; and

WHEREAS, such plat adds the following lots to the community of GREENS OF CHAPEL CREEK, to-wit:

Lots 107 through 136, inclusive, and Tracts I, J and K, GREENS OF CHAPEL CREEK, EIGHTH PLAT, a subdivision in the City of Shawnee, Johnson County, Kansas.

WHEREAS, the above property (the "8th Plat Property") was made subject to the covenants, restrictions, easements and other provisions contained in 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, as amended (the "Original Declaration") by Declaration dated September 15, 2018 and recorded in the office of the Register of Deeds of Johnson County, Kansas on September 17, 2018 at Book 201809, Page 004385 (the "8th Plat Declaration"); and

WHEREAS, by assignment, Greens of Chapel Creek, LLC is the successor to the "Developer" under the Original Declaration and therefore entitled to execute this Amendment to the 8th Plat Declaration; and

WHEREAS, Developer wishes to amend the 8th Plat Declaration by modifying the fencing requirements for such 8th Plat.

NOW, THEREFORE, in consideration of the premises, Developer amends Section 9.2 of the 8th Plat Declaration to read as follows:

- a. Fencing on lots shall be restricted to wrought iron of an approved design four feet in height. Such fencing shall not extend closer to the front of the lot than the rear corners of the residence.
- b. Privacy fencing adjacent to patio areas shall be permitted subject to the approval of the Architectural Committee. In no event shall such privacy fencing extend beyond the side or rear setback lines of the residence.

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

GREENS OF CHAPEL CREEK, LLC, a Kansas limited liability company

By: Brian Rodrock
Brian Rodrock, Manager

STATE OF KANSAS)
) ss.
COUNTY OF JOHNSON)

On this 8th day of April, 2019, before me, a Notary Public in and for said State, personally appeared Brian Rodrock, who stated that he is the Manager of **GREENS OF CHAPEL CREEK, 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.

Emma Kruger
Notary Public

My Commission Expires: 12/7/22

EMMA KRUGER Notary Public-State of Kansas My Appt. Expires <u>12/7/22</u>
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