

Mid America Title Company, Inc.

COUNTY OF JOHNSON

STATE OF KANSAS  
COUNTY OF JOHNSON  
FILED FOR RECORD

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ORIGINAL COMPARED WITH RECORD

SARA F. ULLMANN  
AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS,  
AND RESTRICTIONS FOR CEDAR CREEK VILLAGE I

THIS AMENDMENT is made this 28th day of October,  
1991, by Cedar Creek Properties, Inc.

BACKGROUND STATEMENT

WHEREAS, Cedar Creek Properties, Inc. ("Declarant")  
executed that certain Declaration of Covenants, Conditions, and  
Restrictions for Cedar Creek Village I which was recorded on July  
3, 1989, in Volume 3012, Page 124, et seq., of the Johnson  
County, Kansas public records and which covered certain property  
described on Cedar Creek Village I, First Plat, recorded on March  
15, 1989, at Volume 72, Page 22, ("Declaration");

WHEREAS, additional property has been made subject to the  
Declaration by certain Supplemental Declarations recorded in the  
Johnson County, Kansas, public records, which property is more  
fully described in Exhibit "A" attached hereto; and

WHEREAS, the Declaration was amended by that certain  
Amendment to the Declaration of Covenants, Conditions and  
Restrictions for Cedar Creek Village I which was recorded on  
April 2, 1991, in Volume 3326, Page 311 et seq., of the Johnson  
County, Kansas public records and which covered property more  
fully described in Exhibit "A" attached hereto; and

WHEREAS, Article XIII, Section 2, of the Declaration provides that such document may be amended unilaterally by the Declarant, provided that the amendment has no material adverse effect upon any right of any Owner;

WHEREAS, the following amendment to the Declaration does not have any material adverse effect upon any right of any Owner;

WHEREAS, the Declarant has approved the following amendment to the Declaration;

NOW, THEREFORE, the Declaration is hereby amended as follows:

Article XII, Section 4, of the Declaration is hereby deleted in its entirety and the following is substituted in its place:

Section 4. Animals and Pets. No animals, livestock, or poultry of any kind shall be raised, bred, or kept on any portion of the Village Properties, except that dogs, cats, or other usual and common household pets may be permitted in a Unit up to a maximum number as determined by the Board but not to exceed the maximum number allowed under City of Olathe ordinance, and horses may be permitted in certain Neighborhoods designated by Declarant or the Board.

However, those pets which are permitted to roam free, or, in the sole discretion of the Association, endanger the health, make objectionable noise, or constitute a nuisance or inconvenience to the Owners of other Units or the owner of any portion of the Village Properties shall be removed upon request of the Board; if the owner fails to honor such request, the pet may be removed by the Board. No pets shall be kept, bred, or maintained for any commercial purpose. Dogs which are household pets shall at all times whenever they are outside a Unit be confined on a leash held by a responsible person.

IN WITNESS WHEREOF, the undersigned Declarant does hereby set its hand and seal to this Amendment this 28th day of October, 1991.



**EXHIBIT "A"**

<u>Cedar Creek Village I Plat No.</u>	<u>Plat Book/Page</u>	<u>Plat Recording Date</u>	<u>Supplemental Declaration Recording Date</u>	<u>Supplemental Declaration Volume/Page</u>
First Plat	72/22	3/15/89	N/A	N/A
Second Plat	72/23	3/15/89	10/12/89 & 10/19/89	3066/35 & 3068/899 <u>et seq.</u>
Third Plat	72/24	3/15/89	8/11/89	3031/880 <u>et seq.</u>
Fourth Plat	72/25	3/15/89	8/11/89	3031/880 <u>et seq.</u>
Fifth Plat	72/26	3/15/89	8/11/89	3031/880 <u>et seq.</u>
Sixth Plat	72/27 (Excluding that part of the plat released by Document 1964779, recorded at Volume 3216, Page 489 as described on attached Exhibit "B".)	3/15/89	10/12/89 & 10/19/89	3066/35 & 3068/899 <u>et seq.</u>
Seventh Plat	72/43	4/10/89	10/12/89 & 10/19/89	3066/35 & 3068/899 <u>et seq.</u>
Eighth Plat	74/9	9/01/89	10/12/89 & 10/19/89 2/22/90	3066/35 & 3068/899 <u>et seq.</u> 3127/657 <u>et seq.</u>
Ninth Plat, a Replat of Lots 1, 2 & 3 of Cedar Creek Village I Sixth Plat	74/10 (Excluding that part of the plat released by Document 1964780, recorded at Volume 3216, Page 493 as described on Attached Exhibit "B").	9/01/89	10/12/89 & 10/19/89 7/24/90	3066/35 & 3068/899 <u>et seq.</u> 3208/929 <u>et seq.</u>
Tenth Plat	74/11	9/01/89	10/12/89 & 10/19/89 11/17/89	3066/35 & 3068/899 <u>et seq.</u> 3085/63 <u>et seq.</u>
Eleventh Plat	74/12	9/01/89	9/11/89	3048/545 <u>et seq.</u>
Twelfth Plat	74/13	9/01/89	9/11/89	3048/545 <u>et seq.</u>
Thirteenth Plat, a Replat of Block 1 of Cedar Creek Village I Ninth Plat	75/12	1/09/90	6/14/90	3185/722 <u>et seq.</u>
Fourteenth Plat	78/12	4/05/91	4/08/91	3329/32 <u>et seq.</u>
Fifteenth Plat	78/13	4/05/91	4/08/91	3329/32 <u>et seq.</u>

**EXHIBIT "B"**

(Shadow Glen Golf Club)

Lot 4 of Cedar Creek Village I, Sixth Plat, a subdivision in the City of Olathe, Johnson County, Kansas, according to the recorded plat thereof recorded in Plat Book 72, at Page 27, in the office of the Register of Deeds of Johnson County, Kansas.

(Cedar Creek Swim and Racquet Club Facility)

Block 2 Cedar Creek Village I, Ninth Plat, a subdivision in the City of Olathe, Johnson County, Kansas, according to the recorded plat thereof recorded in Plat Book 74, at Page 10, in the office of the Register of Deeds of Johnson County, Kansas (formerly platted and described as: Lot 2, Cedar Creek Village I, Sixth Plat, a subdivision in the City of Olathe, Johnson County, Kansas, according to the recorded plat thereof recorded in Plat Book 72, at Page 27, in the office of the Register of Deeds of Johnson County, Kansas, a subdivision in the City of Olathe, Johnson County, Kansas).