

This instrument filed by  
Security Land Title Company  
STATE OF KANSAS }  
COUNTY OF JOHNSON } SS  
FILED FOR RECORD

2744947

2749305

AUTUMN PARK

STATE OF KANSAS }  
COUNTY OF JOHNSON } SS  
FILED FOR RECORD

1400 1997 OCT -6 P 12: 19.4

1400 1997 SEP 23 P 3: 41.5

SARA F. ULLMANN  
REGISTER OF DEEDS

AMENDED DECLARATION OF RESTRICTIONS  
AND HOME OWNERS' ASSOCIATION DECLARATION

SARA F. ULLMANN  
REGISTER OF DEEDS

THIS DECLARATION, made as of the 16th day of September, 1997, by  
WEDGEWOOD PARK PARTNERS, a Kansas General Partnership ("Wedgewood"), and  
HORIZON-RODROCK PARTNERSHIP, a Kansas General Partnership ("Horizon"),

WITNESSETH:

WHEREAS, Horizon has executed and filed with the Register of Deeds of Johnson  
County, Kansas, a plat of the subdivision known as "AUTUMN PARK" which plat was  
recorded on September 4, 1997 in Book 101 of Plats at Page 21; and

WHEREAS, Horizon, with the consent of Wedgewood, intends to refer to said platted  
area as "Autumn Park of Wedgewood" and encumber such area with the restrictive covenants  
and homes association declaration of the subdivision of Wedgewood; and

WHEREAS, such plat adds the following lots to the subdivision known as Wedgewood,  
to-wit:

Lots 1 through 59, inclusive, **AUTUMN PARK**, a subdivision in  
the City of Shawnee, Johnson County, Kansas, according to the  
recorded plat thereof;

and

WHEREAS, that Horizon, as the owner of Lots 1-57, inclusive, and Lot 59, inclusive,  
and Huff, Inc., as the owner of Lot 58, of the foregoing lots (collectively, the "Additional  
Lots"), and Wedgewood, as the developer of the Wedgewood Subdivision, desire to subject the  
Additional Lots to the covenants, restrictions, easements and other provisions contained in that  
certain Declaration of Restrictions, dated as of May 11, 1995 (the "Original Declaration"),  
executed by Wedgewood and filed with the Register of Deeds of Johnson County on May 12,  
1995 and recorded in Volume 4582 at Page 976, and in that certain Homes Association  
Declaration dated as of May 11, 1995 (the "Original Homes Association Declaration"), executed  
by Wedgewood and filed with the Register of Deeds of Johnson County, Kansas on May 12,  
1995 and recorded in Volume 4583, at Page 1.

NOW, THEREFORE, in consideration of the premises, Wedgewood and Horizon, for  
themselves, and for their successors and assigns, and for their future grantees, hereby agree and  
declare that all of the Additional Lots shall be, and they hereby are, subject to the covenants,

THIS DOCUMENT IS BEING RE-RECORDED TO SHOW ORIGINAL SIGNATURES, ON Page 3; add signature  
for Huff, Inc on page 3 and complete acknowledgements  
on page 4 and to show original notary signature and seal  
on page 5.

BOOK 5316 PAGE 882

BOOK 5330 PAGE 1 7

restrictions, easements and other provisions set forth in the Original Declaration and Original Homes Association Declaration. As contemplated in the Original Declaration and Original Homes Association Declaration, this instrument shall have the effect of subjecting the Additional Lots to all of the provisions of the Original Declaration and Original Homes Association Declaration as though the Additional Lots had been originally described therein and subjected to the provisions thereof.

Provided, however, that Paragraph 2 (F) of the Original Declaration, as to the Additional Lots described above, is hereby amended to read as follows:

F. No fencing shall be permitted upon any of the lots unless such fencing shall be constructed of cedar wood and built with methods and materials which harmonize with external design of buildings in Wedgewood; all such fences must be approved in writing by the Architectural Control Committee. No fence shall exceed 48" in height unless specifically approved for a greater height by the Architectural Control Committee. No animal pens or runs shall be permitted.

Provided, further, that Paragraph 2 of the Original Declaration, as to the Additional Lots described above, is hereby amended to add a subparagraph (EE) as follows:

EE. All exterior decks (including stairs, seating and railing) and similar wooden structures shall be constructed of cedar wood and shall be subject to the approval of the Architectural Control Committee.

Provided, further, that Paragraph 4 of the Original Declaration, as to the Additional Lots described above, is hereby amended to read as follows:

4. All single story residences shall have a total finished ground floor area of not less than 1800 square feet; all two story residences shall have a finished ground floor area of not less than 1000 square feet and a total finished floor area of 1800 square feet; all one and one-half story residences shall have a finished ground floor of not less than 1000 square feet and a total finished floor area of 1800 square feet.

Provided, further, that Paragraph 5 of the Original Declaration is hereby amended as to the Additional Lots to read as follows:

5. All residences shall have vinyl clad, wood or wood clad windows, and every residence shall have a cedar shake or wood shake shingle roof.

This document is recorded to provide recording information on the above plat and to correct the designation of the above plat from "Autumn Park of Wedgewood, 1st Plat" to "Autumn Park", as set forth in that certain Declaration of Restrictions and Home Owners'

IN WITNESS WHEREOF, the undersigned have caused this Declaration to be duly executed as of the date first above written.

By: Darol E. Rodrock  
Darol E. Rodrock, President

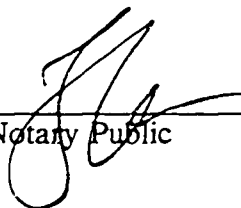
By: Darol E. Rodrock  
Darol E. Rodrock, President

By: Darrell Huff  
Darrell Huff, President  
(as to Lot 58)

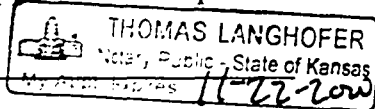
BE IT REMEMBERED, that on this 16th day of September, 1997, before me the undersigned, a Notary Public in and for the county and state aforesaid, came Darol E. Rodrock, President of Rodrock Homes, Inc., Managing Partner of WEDGEWOOD PARK PARTNERS, a general partnership, who is personally known to me to be the same person who executed, as

such officer of Managing Partner, the within instrument on behalf of said partnership and corporation, and such person duly acknowledged the execution of the same to be the act and deed of said corporation and partnership.

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

  
\_\_\_\_\_  
Notary Public

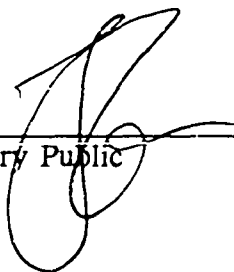
My Appointment Expires:



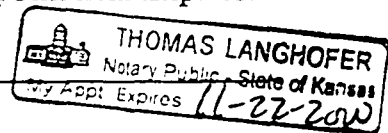
**STATE OF KANSAS, JOHNSON COUNTY, SS.:**

BE IT REMEMBERED, that on this 16th day of September, 1997, before me the undersigned, a Notary Public in and for the county and state aforesaid, came Darol E. Rodrock, President of Rodrock Homes, Inc., Managing Partner of HORIZON-RODROCK PARTNERSHIP, a general partnership, who is personally known to me to be the same person who executed, as such officer of Managing Partner, the within instrument on behalf of said partnership and corporation, and such person duly acknowledged the execution of the same to be the act and deed of said corporation and partnership.

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

  
\_\_\_\_\_  
Notary Public

My Appointment Expires:

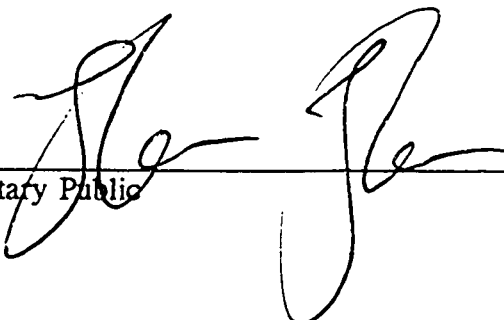


**STATE OF KANSAS, COUNTY OF JOHNSON, SS.:**

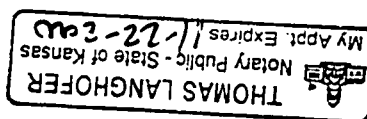
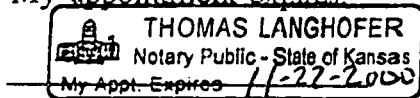
BE IT REMEMBERED, that on this 3 day of <sup>October</sup>~~September~~, 1997, before me, a Notary Public in and for said County and State, came Darrell Huff, President of HUFF, INC., a corporation duly organized, incorporated and existing under and by virtue of the laws of the State of Kansas, who is personally known to me to be the same person who executed as such

officer the within instrument of writing on behalf of such corporation, and such person duly acknowledged the execution of the same to be the act and deed of said corporation.

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

  
\_\_\_\_\_  
Notary Public

My appointment expires:



JR997/WEDGE/AUTUMN.RES/12511