

RECORDER'S CERTIFICATION
JACKSON COUNTY, MISSOURI

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2012E0055716

ROBERT T. KELLY, DIRECTOR, RECORDER OF DEEDS

Date: May 8, 2012

Name of Document: Fourth Amendment to the Declaration of Condominium One Park Place Tower Condominium

Grantor: Park Place KC, LLC,
(For purposes of this cover sheet only)

Grantor's Address: 1065 E. Hillsdale Blvd Suite 105, Foster City, CA 94404

Grantees: One Park Place Tower Condominium Association Park Place KC, LLC
(For purposes of this cover sheet only)

Grantees' Addresses: 700 West 31st Street 1065 E. Hillsdale Blvd, Suite 105
Kansas City, MO 64108 Foster City, CA 94404

Legal Description: Lot 1, One Park Place Tower Condominium, A Condominium Subdivision in Kansas City, Jackson County, Missouri; See page 1.

Cross Reference: Instrument Nos. 2007E0015155, 2007E0138804, 2008E0030044, and 2010E012590.

Please return recorded document to:
Deborah Polk
Armstrong Teasdale LLP
2345 Grand Blvd., Suite 1500
Kansas City, MO 64108

**FOURTH AMENDMENT
TO THE
DECLARATION OF CONDOMINIUM
ONE PARK PLACE TOWER CONDOMINIUM**

THIS FOURTH AMENDMENT TO THE DECLARATION OF CONDOMINIUM FOR ONE PARK PLACE TOWER CONDOMINIUM is made as of May 8, 2012, pursuant to and in accordance with Sections 448.1-101 to 448.4-120, inclusive, Revised Statutes of Missouri, and amendments thereto (the “**Act**”), by Park Place KC, LLC, a Delaware limited liability company (“**Declarant**”), the successor declarant to One Park Place Investors, LLC, under the Declaration (defined below).

WHEREAS, the Declaration of Condominium for One Park Place Tower Condominium dated January 18, 2007 was recorded February 2, 2007 as Instrument Number 2007E0015155 in the Official Records of Jackson County, State of Missouri (“**Original Declaration**”), and was amended by that certain First Amendment to the Declaration of Condominium for One Park Place Tower Condominium dated October 24, 2007 and recorded on October 26, 2007 as Instrument Number 2007E0138804 in the Official Records of Jackson County, State of Missouri (“**First Amendment**”), and was further amended by that certain Second Amendment to the Declaration of Condominium for One Park Place Tower Condominium dated March 11, 2008 and recorded on March 19, 2008 as Instrument Number 2008E0030044 in the Official Records of Jackson County, State of Missouri (“**Second Amendment**”) and was further amended by that certain Third Amendment to the Declaration of Condominium for One Park Place Tower Condominium dated December 2, 2010 and recorded on December 21, 2010 as Instrument Number 2010E0125903 in the Official Records of Jackson County, State of Missouri (“**Third Amendment**”) (the Original Declaration as amended by the First Amendment, the Second Amendment and the Third Amendment, are referred to in this Fourth Amendment as the “**Declaration**”) in connection with the property legally described as

LOT 1, ONE PARK PLACE TOWER CONDOMINIUM,
A CONDOMINIUM SUBDIVISION IN KANSAS CITY,
JACKSON COUNTY, MISSOURI; and

WHEREAS, Unit 700 on the Final Plat of One Park Place Tower Condominium recorded as Instrument No. 2007E0015154, Book 104, Page 29 (also know as Unit 701 on Exhibit “B” to the Original Declaration) has been subdivided into Units 701, 702, 703, 704, 705 and 706 pursuant to the Final Plat of One Park Place Tower Condominium Second Resurvey recorded as Instrument No. 2011E0096884, Book 138, Page 88; and

WHEREAS, Unit 1200 of Final Plat of One Park Place Tower Condominium recorded as Instrument No. 2007E0015154, Book 104, Page 29 (also know as Unit 1201 on Exhibit “B” to the Original Declaration) has been subdivided into Units 1201, 1202 and 1203 pursuant to the Final Plat of One Park Place Tower Condominium Second Resurvey recorded as Instrument No. 2011E0096884, Book 138, Page 88; and

WHEREAS, Unit 1901 on the Final Plat of One Park Place Tower Condominium recorded as Instrument No. 2007E0015154, Book 104, Page 29, has been subdivided into Units 1901, 1902, 1903 and 1904 pursuant to the Final Plat of One Park Place Tower Condominium Second Resurvey recorded as Instrument No. 2011E0096884, Book 138, Page 88; and

WHEREAS, Unit 2001 on the Final Plat of One Park Place Tower Condominium recorded as Instrument No. 2007E0015154, Book 104, Page 29, was previously subdivided into Units 2001, 2002 and 2005 pursuant to the Minor Plat of One Park Place Tower Condominium Resurvey of Unit 2001 recorded as Instrument No. 2007E0138805, Book 30, Page 11, and; Unit 2001 has now been further subdivided into Units 2001 and 2003 pursuant to the Final Plat of One Park Place Tower Condominium Second Resurvey recorded as Instrument No. 2011E0096884, Book 138, Page 88; and

WHEREAS, Section 448.2-110.3(2) states that when Declarant subdivides a Unit into two or more Units, “the amendment to the declaration shall reallocate all of the allocated interests of the unit among the units created by the subdivision;” and

WHEREAS, it is necessary to amend the Declaration to reallocate the Common Element Interest from Units 701, 1201, 1901 and 2001 of One Park Place Tower Condominium to the Units created from the subdivision of each respective Unit (such Units being created by the subdivision being referred to in this Fourth Amendment as the “**Subdivided Units**”); and

WHEREAS, Section 448.2-110 states that to affect such reallocation, the Declarant shall “prepare, execute and record an amendment to the declaration;” and

WHEREAS, this Fourth Amendment is made pursuant to Section 448.2-110 of the Act and in accordance with Section 17.01 of the Declaration; and

NOW, THEREFORE, THIS FOURTH AMENDMENT IS HEREBY MADE BY DECLARANT who hereby declares that the Declaration shall be amended as follows:

1 Exhibit “B” to the Declaration, Common Element Interest and Common Element Liability, is amended to delete Units 701, 1201, 1901 and 2001 and their respective Common Element percentage, and in lieu thereof, Exhibit “B” to the Declaration, Common Element Interest and the Common Element Liability is amended to add the following:

Table on following page.

Unit Number	Comment Element Interest
701	1.288188402%
702	0.826010571%
703	1.194253404%
704	0.922150616%
705	0.827333599%
706	0.967574582%
1201	1.286905968%
1202	0.824837879%
1203	1.195992858%
1901	1.517208747%
1902	1.739079192%
1903	1.316781401%
1904	1.452441832%
2001	2.157318741%
2003	1.375990081%

2 All property that is or becomes subject to the Declaration in the manner provided in the Declaration, as amended hereby, and each part thereof shall, from the date the same becomes subject to the Declaration, be owned, held, transferred, conveyed, sold, leased, rented, hypothecated, encumbered, used, occupied, maintained, altered and improved subject to the terms set forth in this Fourth Amendment. The provisions of this Fourth Amendment are intended to and shall run with the land and, until their expiration in accordance with the terms of the Declaration, shall bind, be a charge upon and inure to the mutual benefit of (a) all property that is or becomes part of the Condominium (as defined in the Declaration) and each part thereof; (b) Declarant and its successors and assigns (c) the One Park Place Tower Condominium Association and its successors and assigns; and (d) all persons having or acquiring any right, title or interest in any property that is or becomes part of the Condominium or any part or parcel thereof or any improvement thereon and their heirs, personal representatives, successors and assigns.

3 Declarant hereby represents that the person executing this Fourth Amendment has the power and authority to do so on behalf of Declarant.

4 The Declaration as amended by this Fourth Amendment shall continue in full force and effect.

[The remainder of this page is left intentionally blank.]


IN WITNESS WHEREOF, the undersigned Declarant has executed this Fourth Amendment as of the date first set forth above.

DECLARANT:

PARK PLACE KC, LLC,
a Delaware limited liability company

By: ONE PARK PLACE DEVELOPMENT,
LLC, a Delaware limited liability company,
its Manager

By: AY KC, INC., a Delaware corporation,
its Managing Member

By: 
Dinna G. Bayangos, CEO


STATE OF California)
) ss.
COUNTY OF San Mateo)

On this 7th day of May, 2012, before me personally appeared Dinna G. Bayangos, Chief Executive Officer of AY KC, Inc., a Delaware corporation, as the managing member of One Park Place Development, LLC, a Delaware limited liability company, as the manager of Park Place KC, LLC, a Delaware limited liability company, to me known to be the person described herein and who executed the foregoing instrument, and acknowledged that she executed the same as the free act and deed on behalf of said corporation and limited liability companies.

In Testimony Whereof, I have hereunto set my hand and affixed my official seal the day and year first above written.

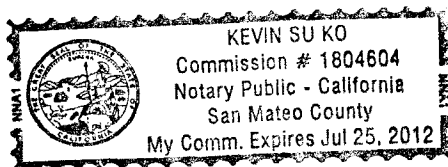
My Commission Expires:

July 25, 2012


Notary Public in and for said County and State

Print Name: Kevin Suiko

[SEAL]

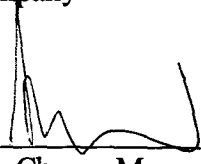


LENDER CONSENT TO AND APPROVAL OF FOURTH AMENDMENT

THE FORGOING FOURTH AMENDMENT TO THE DECLARATION OF CONDOMINIUM ONE PARK PLACE TOWER CONDOMINIUM is hereby consented to and approved by Mission Fund LLC, a Delaware limited liability company.

ELIGIBLE MORTGAGEE REPRESENTING AT LEAST FIFTY-ONE PERCENT (51%) OF THE VOTES OF UNITS SUBJECT TO MORTGAGES.

MISSION FUND LLC, a Delaware limited liability company

By: 
Audrey Chong, Manager


STATE OF _____)
) ss.
COUNTY OF SINGAPORE)

On this 8TH day of MAY, 2012, before me appeared Audrey Chong, to me personally known, who, being by me duly sworn, did say that she is the Manager of Mission Fund LLC, a Delaware limited liability, and that said instrument was signed in behalf of said limited liability company, by authority of its Manager; and she acknowledged said instrument to be the free act and deed of said limited liability company.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

My Commission Expires:

31ST MARCH 2013


Notary Public in and for said County and State

Print Name: TAN CHYE KWEE

[SEAL]

