

**FIRST AMENDMENT TO  
THE WILSHIRE HOMES ASSOCIATION  
DECLARATION**

This First Amendment to The Wilshire Homes Association Declaration (“Amendment”) is made this \_\_\_\_ day of \_\_\_\_\_, 2018 by and among the persons who have executed this document in their capacities as owners of record of the lots described below (collectively the “Owners”).

**WITNESSETH:**

WHEREAS, Venture Capital L.L.C. (hereinafter referred to as “Declarant”) was the developer of the residential subdivisions in the City of Leawood, Johnson County, Kansas commonly known as “THE WILSHIRE HOMES ASSOCIATION, INC.”, and

WHEREAS, the Declarant filed a Declaration to Wilshire dated December 23, 1991, and recorded in the office of the Register of Deeds of Johnson County, Kansas, on December 30, 1991, as Document No. 2078860, in Volume 3485, at Page 260 (the “Declaration”), and by a Declaration to Wilshire dated February 19, 1992, and recorded in the office of the Register of Deeds of Johnson County, Kansas, on February 20, 1992, as Document No. 2094911, in Volume 3524, at Page 658, and by a Declaration to Wilshire dated June 29, 1992, and recorded in the office of the Register of Deeds of Johnson County, Kansas, on July 10, 1992, as Document No. 2142498, in Volume 3648, at Page 604, and

WHEREAS, the Declaration places certain obligations and restrictions upon the following described residential lots (the “Lots”):

Lots 1 through 48, inclusive; Tract “A”, Tract “B” and Tract “C”, Plat of Wilshire, a subdivision of land in the City of Leawood, Johnson County, Kansas, which plat was recorded in the office of the Register of Deeds of Johnson County, Kansas on November 15, 1991, as Document #2069423, in Book 80 of Plats, as Page 3. Lots 1A, 2A, 3A, 4A, 5A, 6A and 7A, resurvey of Lots 1-7 of Wilshire, a subdivision in the City of Leawood, Johnson County, Kansas, which resurvey was recorded in the office of the Register of Deeds of Johnson County, Kansas on January 30, 1992, as Document #2086886, in Volume 3504, at Page 726. Lots 49 through 93, inclusive; Tract “D”, Tract “E” and Tract “F”, Plat of Wilshire Third Plat, a subdivision of land in the City of Leawood, Johnson County, Kansas, which plat was recorded in the office of the Register of Deeds of Johnson County, Kansas on June 16, 1992, as Document #2134850, in Book 81 of

Plats, as Page 22. Lots 94 through 161, inclusive, Plat of Wilshire Third Plat, a subdivision of land in the City of Leawood, Johnson County, Kansas, which plat was recorded in the office of the Register of Deeds of Johnson County, Kansas on May 4, 1993, as Document #2242800, in Book 84 of Plats, as Page 1.

WHEREAS, the Owners of the Lots desire to amend the Declaration as provided herein;

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

The following new Paragraph I is hereby added to Section 9 of the Declaration, Document No. 2078860: (I) Initial Working Capital Fund. Each Owner of a lot shall, at the time of conveyance to such owner, pay to the Association an amount equal to the annual assessment provided for in the Declaration, or such greater amount as designated by the Board. Amounts paid under this section shall not be considered advance payments of installments of annual assessments, but shall be maintained as working capital and kept in a segregated account.

Except as otherwise amended hereby, the Declaration shall remain in full force and effect.

Pursuant to Section 16 of the Declaration, this Amendment shall become effective as an amendment of the Declaration and binding upon all of the Lots upon (a) the execution hereof by the owners of record of at least two-thirds (2/3rds) of the Lots within the District, (b) the recordation hereof in the Recording office.

IN WITNESS WHEREOF, the parties have caused this Amendment to be duly executed.

\_\_\_\_\_  
Board President

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

The undersigned, a Notary Public in and for the county and state aforesaid, does hereby certify that on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, \_\_\_\_\_ personally appeared before me and being by me first duly sworn, acknowledged that said person is the person who signed the foregoing document as incorporator.

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

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





**TRUST**  
**LOT OWNER EXECUTION PAGE**  
**FIRST AMENDMENT TO THE WILSHIRE**  
**HOMES ASSOCIATION DECLARATION**

IN WITNESS WHEREOF, the undersigned Owner has caused this First Amendment to Wilshire Homes Association Declaration to be duly executed.

Lot \_\_\_\_\_ of \_\_\_\_\_, a subdivision in the City of Leawood, Johnson County, Kansas.

Address:

\_\_\_\_\_  
Leawood, Kansas

Date: \_\_\_\_\_, 201\_\_.

**OWNER:**

\_\_\_\_\_  
(Signature) \_\_\_\_\_ Trustee  
\_\_\_\_\_ as Trustee of \_\_\_\_\_  
Print Name

\_\_\_\_\_  
Name of Trust  
STATE OF \_\_\_\_\_ )  
\_\_\_\_\_ ) ss.  
COUNTY OF \_\_\_\_\_ )

This instrument was acknowledged before me on \_\_\_\_\_, 201\_\_ by \_\_\_\_\_, as Trustee of \_\_\_\_\_.

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

My Commission Expires:

\_\_\_\_\_

\_\_\_\_\_  
Notary Public in and for said County and State

Print Name: \_\_\_\_\_

