

GLAD ACRE MEADOWS (Plat dated 4/25/83)

1411147 /

1983 JUN -7 A 8 56 7

DECLARATION OF RESTRICTIONS

REGISTER OF DEEDS
800
BY _____ DEP.

This DECLARATION, made this 6th day of June,
1983, by THURMAN COMPANY, INC., a Kansas Corporation, owner in
fee simple of the following described real property, to-wit:

All of the South Half (S 1/2) of the Northeast
Quarter (NE 1/4) of Section 26, Township 14 South,
Range 24 East, Johnson County, Kansas, containing
80 Acres, more or less.

heretofore platted as GLADACRE MEADOWS, which plat was recorded on
the 7th day of June, 1983, as Instrument No. 141146,
in Book 53 of Plats, at page 13, in the Office of the
Register of Deeds, Johnson County, Kansas.

WHEREAS, the said THURMAN COMPANY, INC., desires to place
certain restrictions on said land for the use and benefit of
the present owner thereof, its successors and assigns, and all
future owners thereof.

NOW THEREFORE, in consideration of the premises, THURMAN
COMPANY, INC., for itself, its successors and assigns, and for
the future owners of the above-described property, hereby declares
the above-described property as shown on the aforesaid recorded
Plat shall be and the same hereby are restricted as to the use
of said property in the manner hereinafter set forth.

1. None of the Lots hereby restricted may be used, improved
or occupied for other than agricultural homesite or single family
residential use.

2. Said land is further restricted hereby as to the required
size and type of the improvements to be constructed thereon, and
materials used therein. Any residence erected or constructed on
said land shall contain a minimum ground floor area, exclusive of
open or screened porches, garages, utility rooms or finished base-
ment area, of 1,800 square feet for one-story and split level
structures, 1,350 square feet for one and one-half story structures,
and 1,100 square feet for two-story structures. No more than one
residence shall be constructed on any lot, or part thereof containing
not less than 1 1/2 acres per each residence. Out-buildings

will be of compatible styling to the residence structure to which it is appurtenant. The composition of roof construction of any residence or out-building will be wood shingles or comparable materials. Galvanized steel roofs and/or out-buildings are prohibited. Construction of any residence on any lot hereby restricted shall be completed within 9 months after the commencement of excavation of the foundation.

3. Any fence, hedge or boundary wall erected, kept or maintained around any of said lots or any part thereof, shall be in keeping with the design and architecture of the residence upon such lot, and of ornamental nature. Chain link, barbed wire, chicken wire, or farm woven wire fences are prohibited.

4. No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or become an annoyance, or nuisance to the neighborhood.

5. The Thurman Company, Inc. shall have and does hereby reserve the right to locate, construct, and maintain, or authorize the location, construction or maintenance of conduits, water, sewer, gas or electric, or other utility lines, or all of any of them, over, under and along those rights-of-way or easements shown on the plat of survey heretofore mentioned and dedicated therein, and to excavate thereon for such purposes. All streets and roads shown on said plat and not heretofore dedicated to public use as thoroughfares are hereby dedicated to and for the public use, subject to the right hereby reserved to the present owner for the location, construction and maintenance of conduits, water, gas, sewer pipes, electrical wires, or other utility lines under, over and along said roadways.

6. The undersigned owner further reserves the right on behalf of itself, its successors and assigns, and on behalf of the future owners, to join in and establish a Homes Association, the membership of which shall consist of all owners of all the lots within the subdivision, at such time as it may become necessary, for the

common good of this subdivision, or the enforcement of any of the restrictions herein contained, or for any other lawful purpose deemed necessary by such owner or owners of record.

7. No building shall be erected, placed, altered or externally improved on any building site hereby restricted, until the building plans, specifications, materials, and location thereof have been approved in writing by THURMAN COMPANY, INC., or its duly appointed representative, as to conformity and harmony of external design and general quality with existing standards in the subdivision, and as to location of the building with respect to topography and finished ground elevations. Said plans must be submitted for approval at least 30 days prior to making application for building permit.

8. These restrictions shall continue and be binding upon the undersigned maker and all successors in title, their heirs and assigns until June 6, 2008, and shall automatically be continued for an additional 25 years, provided however, that these restrictions may be released or amended if the fee owners of more than 50 percent of the land area in said subdivision shall agree and record prior to June 6, 2008, an appropriately executed and acknowledged agreement releasing or amending the said restrictions. Said restrictions shall automatically terminate on June 6, 2033.

IN WITNESS WHEREOF, I have affixed my signature this 6th day of June, 1983.

THURMAN COMPANY, INC.

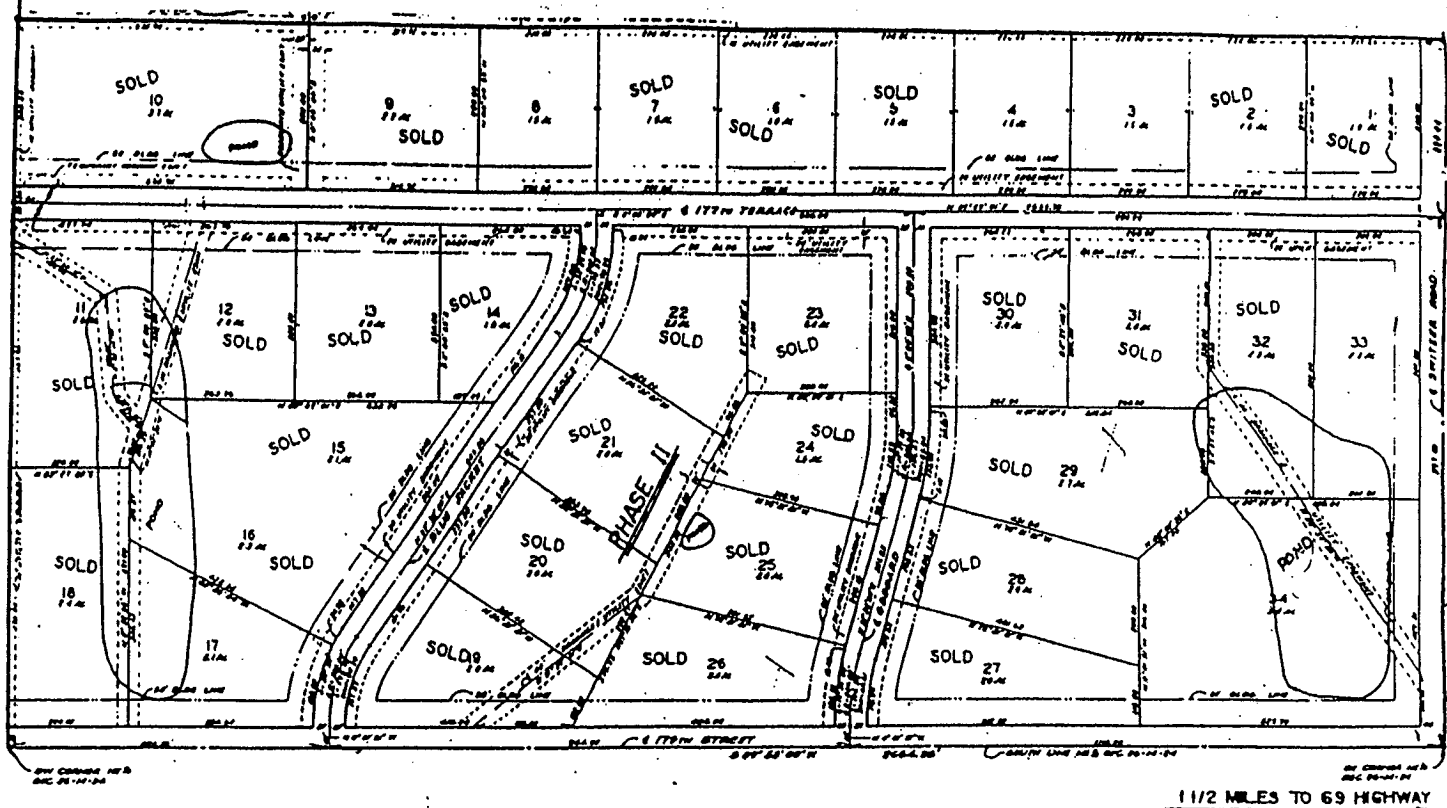
By Veryl L. Thurman

Veryl L. Thurman, President

ACKNOWLEDGEMENT

STATE OF Kansas ss.
COUNTY OF Johnson

BE IT REMEMBERED, That on this 6th day of June, 19 83, before me the undersigned, a Notary Public, in and for the County and State aforesaid, came Veryl L. Thurman, President of



GLAD ACRE MEADOWS (Plat dated 4/25/83)

1411147 /

1983 JUN -7 A E 507

DECLARATION OF RESTRICTIONS

BY 800 DEP.

This DECLARATION, made this 6th day of June,
1983, by THURMAN COMPANY, INC., a Kansas Corporation, owner in
fee simple of the following described real property, to-wit:

All of the South Half (S 1/2) of the Northeast
Quarter (NE 1/4) of Section 26, Township 14 South,
Range 24 East, Johnson County, Kansas, containing
80 Acres, more or less

heretofore platted as GLADACRE MEADOWS, which plat was recorded on
the 7th day of June, 1983, as Instrument No. 141146,
in Book 53 of Plats, at page 13, in the Office of the
Register of Deeds, Johnson County, Kansas.

WHEREAS, the said THURMAN COMPANY, INC., desires to place
certain restrictions on said land for the use and benefit of
the present owner thereof, its successors and assigns, and all
future owners thereof.

NOW THEREFORE, in consideration of the premises, THURMAN
COMPANY, INC., for itself, its successors and assigns, and for
the future owners of the above-described property, hereby declares
the above-described property as shown on the aforesaid recorded
Plat shall be and the same hereby are restricted as to the use
of said property in the manner hereinafter set forth.

1. None of the Lots hereby restricted may be used, improved
or occupied for other than agricultural homesite or single family
residential use.

2. Said land is further restricted hereby as to the required
size and type of the improvements to be constructed thereon, and
materials used therein. Any residence erected or constructed on
said land shall contain a minimum ground floor area, exclusive of
open or screened porches, garages, utility rooms or finished base-
ment area, of 1,800 square feet for one-story and split level
structures, 1,350 square feet for one and one-half story structures,
and 1,100 square feet for two-story structures. No more than one
residence shall be constructed on any lot, or part thereof containing
not less than 1 1/2 acres per each residence. Out-buildings

will be of compatible styling to the residence structure to which it is appurtenant. The composition of roof construction of any residence or out-building will be wood shingles or comparable materials. Galvanized steel roofs and/or out-buildings are prohibited. Construction of any residence on any lot hereby restricted shall be completed within 9 months after the commencement of excavation of the foundation.

3. Any fence, hedge or boundary wall erected, kept or maintained around any of said lots or any part thereof, shall be in keeping with the design and architecture of the residence upon such lot, and of ornamental nature. Chain link, barbed wire, chicken wire, or farm woven wire fences are prohibited.

4. No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or become an annoyance, or nuisance to the neighborhood.

5. The Thurman Company, Inc. shall have and does hereby reserve the right to locate, construct, and maintain, or authorize the location, construction or maintenance of conduits, water, sewer, gas or electric, or other utility lines, or all of any of them, over, under and along those rights-of-way or easements shown on the plat of survey heretofore mentioned and dedicated therein, and to excavate thereon for such purposes. All streets and roads shown on said plat and not heretofore dedicated to public use as thoroughfares are hereby dedicated to and for the public use, subject to the right hereby reserved to the present owner for the location, construction and maintenance of conduits, water, gas, sewer pipes, electrical wires, or other utility lines under, over and along said roadways.

6. The undersigned owner further reserves the right on behalf of itself, its successors and assigns, and on behalf of the future owners, to join in and establish a Homes Association, the membership of which shall consist of all owners of all the lots within the subdivision, at such time as it may become necessary, for the

common good of this subdivision, or the enforcement of any of the restrictions herein contained, or for any other lawful purpose deemed necessary by such owner or owners of record.

7. No building shall be erected, placed, altered or externally improved on any building site hereby restricted, until the building plans, specifications, materials, and location thereof have been approved in writing by THURMAN COMPANY, INC., or its duly appointed representative, as to conformity and harmony of external design and general quality with existing standards in the subdivision, and as to location of the building with respect to topography and finished ground elevations. Said plans must be submitted for approval at least 30 days prior to making application for building permit.

8. These restrictions shall continue and be binding upon the undersigned maker and all successors in title, their heirs and assigns until June 6, 2008, and shall automatically be continued for an additional 25 years, provided however, that these restrictions may be released or amended if the fee owners of more than 50 percent of the land area in said subdivision shall agree and record prior to June 6, 2008, an appropriately executed and acknowledged agreement releasing or amending the said restrictions. Said restrictions shall automatically terminate on June 6, 2033.

IN WITNESS WHEREOF, I have affixed my signature this 6th day of June, 1983.

THURMAN COMPANY, INC.

By Veryl L. Thurman

Veryl L. Thurman, President

ACKNOWLEDGEMENT

STATE OF Kansas ss.
COUNTY OF Johnson

BE IT REMEMBERED, That on this 6th day of June, 19 83, before me the undersigned, a Notary Public, in and for the County and State aforesaid, came Veryl L. Thurman, President of

1777878 ✓

AMENDMENT TO DECLARATION OF RESTRICTIONS

8 THIS AMENDED DECLARATION OF RESTRICTIONS, made this 10th day of March, 1988, by Thurman Company, Inc., a Kansas Corporation, owner in fee simple of the following described real property, to-wit:

All of the south Half (S 1/2) of the Northeast Quarter (NE 1/4) of Section 26, Township 14 South, Range 24 East, Johnson County, Kansas, containing 80 acres, more or less, but specifically excluding the following lots: Lot 1, Lot 5, Lot 6, Lot 7, Lot 10, Lot 12, Lot 14, Lot 15, Lot 16, Lot 22, Lot 23, and Lot 24;

heretofore platted as GLADACRE MEADOWS, said plat being recorded on the 7th day of June, 1983, as instrument #141146, in Book 53 of Plats, at Page 13, in the office of the Register of Deeds, Johnson County, Kansas, upon which the original Declaration of Restrictions were imposed and thereafter recorded on or about March 27, 1986, in Volume 1866, Page 675.

WHEREAS, the said Thurman Company, Inc. desires to amend the aforesaid Declaration of Restrictions on the said land, excluding the above-described lots, for the use and benefit of the present owner thereof, his successors and assigns, and all future owners thereof; and

WHEREAS, the said Thurman Company, Inc. does not desire to cancel or otherwise restrict the original Declaration of Restrictions as recorded March 27, 1986, and that said Declaration of Restrictions is hereby reaffirmed and to any and all lots which have been excluded from this Declaration and likewise, said Declaration of Restrictions is affirmed as to all lots affected by this Declaration of Restrictions except as modified herein.

NOW, THEREFORE, in consideration of the premises, Thurman Company, Inc., for himself, his successors and assigns, and for the future owners of the above-described property hereby declares that the above-described property as shown on the aforesaid recorded plat and as described above shall be and the same is hereby restricted as to the use of said property in the manner hereafter set forth as amended hereto.

8-00
8 chk

1. Paragraph 2 of said Declaration of Restrictions is amended as follows:

Said land is further restricted hereby as to the required size and type of improvements to be constructed thereon, and materials used therein. Any residence erected or constructed on said land shall contain a minimum of 2,500 square feet, exclusive of open or screened porches, garages, utility rooms or finished basement area. No more than one residence shall be constructed on any lot, or part thereof, containing not less than 1 1/2 acres per each residence. Out buildings must be fully enclosed and shall be compatible in styling to the residence structure to which it is appurtenant. The composition of roof construction of any residence or out building will be wood cedar shake shingles, clay tile, or slate. Galvanized steel roofs and galvanized steel out buildings are expressly prohibited. Construction of any residence on any lot hereby restricted shall be completed within nine (9) months after the commencement of excavation of the foundation.

2. Paragraph 4 of said Declaration of Restrictions is amended as follows:

No noxious, unlawful or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighboring property owners within the subdivision. In addition thereto, the following rules shall apply:

a) Construction materials must be stored on site in an orderly manner; all trash must be controlled and disposed of so as to not be unsightly;

b) Concrete trucks, masonry and plastering contractors are precluded from washing out or disposing of waste in ditches or vacant lots;

c) Townhomes, A-frame homes, log homes, earth homes, wind generators, and radio towers are expressly prohibited;

d) Animals are permitted up to two adult dogs and two adult cats. Pit Bulls or dogs commonly considered as Pit Bulls or fighting animals are expressly prohibited. Horses are prohibited except upon the following lots: 10, 11, 18, 29 and 34. Horses are limited to two (2) in number. Nothing herein shall be construed as to preclude the maintaining of children's pets customarily kept in the home such as white mice, gerbils, gold fish, or similar small animals;

e) Inoperable vehicles shall not be stored in excess of 30 days unless said vehicles are properly garaged. Horse-trailers, boats, tractors and recreational vehicles shall not be left outside of the garage for more than 30 days per year.

3. Paragraph 7 of said Declaration of Restrictions is amended as follows:

No building shall be erected, placed, altered or externally improved on any building site hereby restricted, until the building plans, specifications, materials, and location thereof have been approved in writing by Thurman Company, Inc., or his duly appointed

representative, as to conformity and harmony of external design and general quality with existing standards in the subdivision, and as to location of the building with respect to topography and finished ground elevations. Said plans must be submitted for approval at least 30 days prior to making application for building permit and shall be consistent and adhere to the Gladacres Construction Rules and Regulations as propounded by the Homes Association and as incorporated herein by the aforesaid Thurman Company, Inc. In addition thereto, all driveways shall be constructed of either concrete or asphalt of at least four inches in thickness.

4. No radio or television transmitting or receiving antenna or other related communication equipment may be erected or maintained outside of any residence on any of said lots without the consent, in writing, of the aforesaid Thurman Company, Inc. or the Homes Association for Gladacres.

5. The restrictions herein and the restrictions as defined in the original Declaration of Restrictions as referred to herein, shall continue in accordance with paragraph 8 of the original Declaration of Restrictions. The aforesaid Thurman Company, Inc., the duly authorized and designated Homes Association Board of Directors, and/or the owner or owners of any of the lots hereby restricted shall have the right to sue for and obtain an injunction, prohibitive or mandatory, to prevent the breach of or enforce the observance of the restrictions herein set forth, in addition to ordinary legal actions for damages; the failure of Thurman Company, Inc., his successors or assigns, or of any owner or owners of any lot or lots in this subdivision, to enforce any of the restrictions herein set forth at the time of its violation shall in no event be deemed to be a waiver of the right to do so thereafter. Thurman Company, Inc. may, by appropriate agreement made expressly for that purpose, assign or convey to any person or corporation all of the rights, reservations and privileges herein reserved by it, and upon such assignment or conveyance being made, his assigns or grantees may, at their option, exercise, transfer or assign those rights, or any one or more of them at any time or times, in the same way and manner as though directly reserved by them through this instrument.

IN WITNESS WHEREOF, I have affixed my signature this 10th
day of March, 1988.

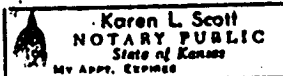
THURMAN COMPANY, INC.

By Veryl L. Thurman
Veryl L. Thurman, President

STATE OF KANSAS)
COUNTY OF JOHNSON) ss.

BE IT REMEMBERED, that on this 10th day of
March, 1988, before me, the undersigned, a notary
public in and for the County and State aforesaid, came Veryl L.
Thurman, President of Thurman Company, Inc., personally known to
me to be the same person who executed the within instrument of
writing on behalf of said corporation and such person duly
acknowledged the execution of the same.

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



Karen L. Scott
Notary Public Karen L. Scott

My appointment expires: 8/15/88

STATE OF KANSAS
COUNTY OF JOHNSON] ss
FILED FOR RECORD

1988 MAR 21 P 12:04 7

RUBIE M. SCOTT
REGISTER OF DEEDS

BY _____ DEF

1777880 ✓

AMENDMENT TO DECLARATION OF RESTRICTIONS

THIS AMENDED DECLARATION OF RESTRICTIONS, made this 10th day of March, 1988, by the undersigned, the owners in fee simple of the following described real property, to-wit:

Lot 10, GLADACRE MEADOWS, a subdivision in Johnson County, Kansas,

heretofore platted as GLADACRE MEADOWS, said plat being recorded on the 7th day of June, 1983, as instrument #141146, in Book 53 of Plats, at Page 13, in the office of the Register of Deeds, Johnson County, Kansas, upon which the original Declaration of Restrictions were imposed and thereafter recorded on or about March 27, 1986, in Volume 1866, Page 675.

WHEREAS, the undersigned owners desire to amend the aforesaid Declaration of Restrictions on the said land, excluding the above-described lots, for the use and benefit of the present owners thereof, their heirs successors and assigns, and all future owners thereof; and

WHEREAS, the undersigned owners do not desire to cancel or otherwise restrict the original Declaration of Restrictions as recorded March 27, 1986, and that said Declaration of Restrictions is hereby reaffirmed and to any and all lots which have been excluded from this Declaration and likewise, said Declaration of Restrictions is affirmed as to all lots affected by this Declaration of Restrictions except as modified herein.

NOW, THEREFORE, in consideration of the premises, the undersigned owners, for themselves, their heirs, successors and assigns, and for the future owners of the above-described property hereby declares that the above-described property as shown on the aforesaid recorded plat and as described above shall be and the same is hereby restricted^o as to the use of said property in the manner hereafter set forth as amended hereto.

1. Paragraph 2 of said Declaration of Restrictions is amended as follows:

Said land is further restricted hereby as to the required size and type of improvements to be constructed thereon, and materials used therein. Any residence erected

or constructed on said land shall contain a minimum of 2,500 square feet, exclusive of open or screened porches, garages, utility rooms or finished basement area. No more than one residence shall be constructed on any lot, or part thereof, containing not less than 1 1/2 acres per each residence. Out buildings must be fully enclosed and shall be compatible in styling to the residence structure to which it is appurtenant. The composition of roof construction of any residence or out building will be wood cedar shake shingles, clay tile, or slate. Galvanized steel roofs and galvanized steel out buildings are expressly prohibited. Construction of any residence on any lot hereby restricted shall be completed within nine (9) months after the commencement of excavation of the foundation.

2. Paragraph 4 of said Declaration of Restrictions is amended as follows:

No noxious, unlawful or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighboring property owners within the subdivision. In addition thereto, the following rules shall apply:

a) Construction materials must be stored on site in an orderly manner; all trash must be controlled and disposed of so as to not be unsightly;

b) Concrete trucks, masonry and plastering contractors are precluded from washing out or disposing of waste in ditches or vacant lots;

c) Townhomes, A-frame homes, log homes, earth homes, wind generators, and radio towers are expressly prohibited;

d) Animals are permitted up to two adult dogs and two adult cats. Pit Bulls or dogs commonly considered as Pit Bulls or fighting animals are expressly prohibited. Horses are allowed not to exceed two (2) in number. Nothing herein shall be construed as to preclude the maintaining of children's pets customarily kept in the home such as white mice, gerbils, gold fish, or similar small animals;

e) Inoperable vehicles shall not be stored in excess of 30 days unless said vehicles are properly garaged. Horse trailers, boats, tractors and recreational vehicles shall not be left outside of the garage for more than 30 days per year.

3. Paragraph 7 of said Declaration of Restrictions is amended as follows:

No building shall be erected, placed, altered or externally improved on any building site hereby restricted, until the building plans, specifications, materials, and location thereof have been approved in writing by Thurman Company, Inc., or his duly appointed representative, as to conformity and harmony of external design and general quality with existing standards in the subdivision, and as to location of the building with respect to topography and finished ground elevations. Said plans must be submitted for approval at least 30 days prior to making application for building permit and shall be consistent and adhere to the Gladacres Construction Rules and Regulations as

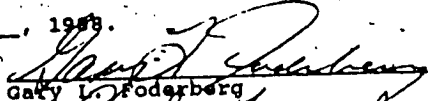
propounded by the Homes Association and as incorporated herein by Thurman Company, Inc.. In addition thereto, all driveways shall be constructed of either concrete or asphalt of at least four inches in thickness.

4. No radio or television transmitting or receiving antenna or other related communication equipment may be erected or maintained outside of any residence on any of said lots without the consent, in writing, of Thurman Company, Inc. or the Homes Association for Gladares.

5. The restrictions herein and the restrictions as defined in the original Declaration of Restrictions as referred to herein, shall continue in accordance with paragraph 8 of the original Declaration of Restrictions. Thurman Company, Inc., the duly authorized and designated Homes Association Board of Directors, and/or the owner or owners of any of the lots hereby restricted shall have the right to sue for and obtain an injunction, prohibitive or mandatory, to prevent the breach of or enforce the observance of the restrictions herein set forth, in addition to ordinary legal actions for damages; the failure of Thurman Company, Inc., its successors or assigns, or of any owner or owners of any lot or lots in this subdivision, to enforce any of the restrictions herein set forth at the time of its violation shall in no event be deemed to be a waiver of the right to do so thereafter. Thurman Company, Inc. may, by appropriate agreement made expressly for that purpose, assign or convey to any person or corporation all of the rights, reservations and privileges herein reserved by it, and upon such assignment or conveyance being made, his assigns or grantees may, at their option, exercise, transfer or assign those rights, or any one or more of them at any time or times, in the same way and manner as though directly reserved by them through this instrument.

IN WITNESS WHEREOF, we have affixed our signature this

10 day of March, 1958.


Gary L. Foderberg


Lori A. Foderberg

STATE OF KANSAS
COUNTY OF JOHNSON

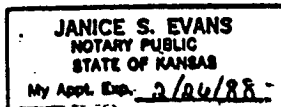
} ss.

BE IT REMEMBERED, that on this 10th day of March, 1988, before me, the undersigned, a notary public in and for the County and State aforesaid, came Gary L. Foderberg and Lori A. Foderberg, personally known to me to be the same persons who executed the within instrument of writing on behalf of said corporation and such person duly acknowledged the execution of the same.

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

Janice S. Evans
Notary Public

My appointment expires: Feb 24, 1988



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

1988 MAR 21 P 12:05 G

RUBIE M. SCOTT
REGISTER OF DEEDS

RY _____ DEF

1777882 ✓

AMENDMENT TO DECLARATION OF RESTRICTIONS

THIS AMENDED DECLARATION OF RESTRICTIONS, made this 7 day of March, 1988, by the undersigned, the owners in fee simple of the following described real property, to-wit:

Lot 22, GLADACRE MEADOWS, a subdivision in Johnson County, Kansas,

heretofore platted as GLADACRE MEADOWS, said plat being recorded on the 7th day of June, 1983, as instrument #141146, in Book 53 of Plats, at Page 13, in the office of the Register of Deeds, Johnson County, Kansas, upon which the original Declaration of Restrictions were imposed and thereafter recorded on or about March 27, 1986, in Volume 1866, Page 675.

WHEREAS, the undersigned owners desire to amend the aforesaid Declaration of Restrictions on the said land, excluding the above-described lots, for the use and benefit of the present owners thereof, their heirs successors and assigns, and all future owners thereof; and

WHEREAS, the undersigned owners do not desire to cancel or otherwise restrict the original Declaration of Restrictions as recorded March 27, 1986, and that said Declaration of Restrictions is hereby reaffirmed and to any and all lots which have been excluded from this Declaration and likewise, said Declaration of Restrictions is affirmed as to all lots affected by this Declaration of Restrictions except as modified herein.

NOW, THEREFORE, in consideration of the premises, the undersigned owners, for themselves, their heirs, successors and assigns, and for the future owners of the above-described property hereby declares that the above-described property as shown on the aforesaid recorded plat and as described above shall be and the same is hereby restricted as to the use of said property in the manner hereafter set forth as amended hereto.

1. Paragraph 2 of said Declaration of Restrictions is amended as follows:

Said land is further restricted hereby as to the required size and type of improvements to be constructed thereon, and materials used therein. Any residence erected

8/2/88

or constructed on said land shall contain a minimum of 2,500 square feet, exclusive of open or screened porches, garages, utility rooms or finished basement area. No more than one residence shall be constructed on any lot, or part thereof, containing not less than 1 1/2 acres per each residence. Out buildings must be fully enclosed and shall be compatible in styling to the residence structure to which it is appurtenant. The composition of roof construction of any residence or out building will be wood cedar shake shingles, clay tile, or slate. Galvanized steel roofs and galvanized steel out buildings are expressly prohibited. Construction of any residence on any lot hereby restricted shall be completed within nine (9) months after the commencement of excavation of the foundation.

2. Paragraph 4 of said Declaration of Restrictions is amended as follows:

No noxious, unlawful or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighboring property owners within the subdivision. In addition thereto, the following rules shall apply:

- a) Construction materials must be stored on site in an orderly manner; all trash must be controlled and disposed of so as to not be unsightly;
- b) Concrete trucks, masonry and plastering contractors are precluded from washing out or disposing of waste in ditches or vacant lots;
- c) Townhomes, A-frame homes, log homes, earth homes, wind generators, and radio towers are expressly prohibited;
- d) Animals are permitted up to two adult dogs and two adult cats. Pit Bulls or dogs commonly considered as Pit Bulls or fighting animals are expressly prohibited. Horses are prohibited. Nothing herein shall be construed as to preclude the maintaining of children's pets customarily kept in the home such as white mice, gerbils, gold fish, or similar small animals;
- e) Inoperable vehicles shall not be stored in excess of 30 days unless said vehicles are properly garaged. Horse trailers, boats, tractors and recreational vehicles shall not be left outside of the garage for more than 30 days per year.

3. Paragraph 7 of said Declaration of Restrictions is amended as follows:

No building shall be erected, placed, altered or externally improved on any building site hereby restricted, until the building plans, specifications, materials, and location thereof have been approved in writing by Thurman Company, Inc., or his duly appointed representative, as to conformity and harmony of external design and general quality with existing standards in the subdivision, and as to location of the building with respect to topography and finished ground elevations. Said plans must be submitted for approval at least 30 days prior to making application for building permit and shall be consistent and adhere to the Gladacres Construction Rules and Regulations as

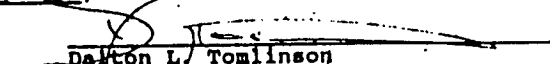
propounded by the Homes Association and as incorporated herein by Thurman Company, Inc.. In addition thereto, all driveways shall be constructed of either concrete or asphalt of at least four inches in thickness.

4. No radio or television transmitting or receiving antenna or other related communication equipment may be erected or maintained outside of any residence on any of said lots without the consent, in writing, of Thurman Company, Inc. or the Homes Association for Gladares.

5. The restrictions herein and the restrictions as defined in the original Declaration of Restrictions as referred to herein, shall continue in accordance with paragraph 8 of the original Declaration of Restrictions. Thurman Company, Inc., the duly authorized and designated Homes Association Board of Directors, and/or the owner or owners of any of the lots hereby restricted shall have the right to sue for and obtain an injunction, prohibitive or mandatory, to prevent the breach of or enforce the observance of the restrictions herein set forth, in addition to ordinary legal actions for damages; the failure of Thurman Company, Inc., its successors or assigns, or of any owner or owners of any lot or lots in this subdivision, to enforce any of the restrictions herein set forth at the time of its violation shall in no event be deemed to be a waiver of the right to do so thereafter. Thurman Company, Inc. may, by appropriate agreement made expressly for that purpose, assign or convey to any person or corporation all of the rights, reservations and privileges herein reserved by it, and upon such assignment or conveyance being made, his assigns or grantees may, at their option, exercise, transfer or assign those rights, or any one or more of them at any time or times, in the same way and manner as though directly reserved by them through this instrument.

IN WITNESS WHEREOF, we have affixed our signature this

1 day of 11/10/88, 1988


Dalton L. Tomlinson


Penny J. Tomlinson

STATE OF KANSAS

COUNTY OF JOHNSON

} ss.

Which BE IT REMEMBERED, that on this 7th day of March, 1988, before me, the undersigned, a notary public in and for the County and State aforesaid, came Gary L. Dalton L. Tomlinson and Penny Jo Tomlinson, personally known to me to be the same persons who executed the within instrument of writing on behalf of said corporation and such person duly acknowledged the execution of the same.

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

Sara Anne Swantz
Notary Public

Sara Anne Swantz

My appointment expires:

August 31st 1989



STATE OF KANSAS
COUNTY OF JOHNSON
FILED FOR RECORD

1988 MAR 21 P 12:06 G

RUDIE M. SCOTT
REGISTER OF DEEDS

BY _____ DEP

1866597 ✓

AMENDMENT TO DECLARATION OF RESTRICTIONS

THIS AMENDED DECLARATION OF RESTRICTIONS, made this 16th day of May, 1988, by the undersigned, the owners in fee simple of the following described real property, to-wit:

Lot 6, GLADACRE MEADOWS, a subdivision in Johnson County, Kansas,

heretofore platted as GLADACRE MEADOWS, said plat being recorded on the 7th day of June, 1983, as instrument #141146, in Book 53 of Plats, at Page 13, in the office of the Register of Deeds, Johnson County, Kansas, upon which the original Declaration of Restrictions were imposed and thereafter recorded on or about March 27, 1986, in Volume 1866, Page 675.

WHEREAS, the undersigned owners desire to amend the aforesaid Declaration of Restrictions on the said land, excluding the above-described lots, for the use and benefit of the present owners thereof, their heirs successors and assigns, and all future owners thereof; and

WHEREAS, the undersigned owners do not desire to cancel or otherwise restrict the original Declaration of Restrictions as recorded March 27, 1986, and that said Declaration of Restrictions is hereby reaffirmed and to any and all lots which have been excluded from this Declaration and likewise, said Declaration of Restrictions is affirmed as to all lots affected by this Declaration of Restrictions except as modified herein.

NOW, THEREFORE, in consideration of the premises, the undersigned owners, for themselves, their heirs, successors and assigns, and for the future owners of the above-described property hereby declares that the above-described property as shown on the aforesaid recorded plat and as described above shall be and the same is hereby restricted as to the use of said property in the manner hereafter set forth as amended hereto.

1. Paragraph 2 of said Declaration of Restrictions is amended as follows:

Said land is further restricted hereby as to the required size and type of improvements to be constructed thereon, and materials used therein. Any residence erected

or constructed on said land shall contain a minimum of 2,500 square feet, exclusive of open or screened porches, garages, utility rooms or finished basement area. No more than one residence shall be constructed on any lot, or part thereof, containing not less than 1 1/2 acres per each residence. Out buildings must be fully enclosed and shall be compatible in styling to the residence structure to which it is appurtenant. The composition of roof construction of any residence or out building will be wood cedar shake shingles, clay tile, or slate. Galvanized steel roofs and galvanized steel out buildings are expressly prohibited. Construction of any residence on any lot hereby restricted shall be completed within nine (9) months after the commencement of excavation of the foundation.

2. Paragraph 4 of said Declaration of Restrictions is amended as follows:

No noxious, unlawful or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighboring property owners within the subdivision. In addition thereto, the following rules shall apply:

a) Construction materials must be stored on site in an orderly manner; all trash must be controlled and disposed of so as to not be unsightly;

b) Concrete trucks, masonry and plastering contractors are precluded from washing out or disposing of waste in ditches or vacant lots;

c) Townhomes, A-frame homes, log homes, earth homes, wind generators, and radio towers are expressly prohibited;

d) Animals are permitted up to two adult dogs and two adult cats. Pit Bulls or dogs commonly considered as Pit Bulls or fighting animals are expressly prohibited. Horses are prohibited. Nothing herein shall be construed as to preclude the maintaining of children's pets customarily kept in the home such as white mice, gerbils, gold fish, or similar small animals;

e) Inoperable vehicles shall not be stored in excess of 30 days unless said vehicles are properly garaged. Horse trailers, boats, tractors and recreational vehicles shall not be left outside of the garage for more than 30 days per year.

3. Paragraph 7 of said Declaration of Restrictions is amended as follows:

No building shall be erected, placed, altered or externally improved on any building site hereby restricted, until the building plans, specifications, materials, and location thereof have been approved in writing by Thurman Company, Inc., or his duly appointed representative, as to conformity and harmony of external design and general quality with existing standards in the subdivision, and as to location of the building with respect to topography and finished ground elevations. Said plans must be submitted for approval at least 30 days prior to making application for building permit and shall be consistent and adhere to the Gladacres Construction Rules and Regulations as

propounded by the Homes Association and as incorporated herein by Thurman Company, Inc.. In addition thereto, all driveways shall be constructed of either concrete or asphalt of at least four inches in thickness.

4. No radio or television transmitting or receiving antenna or other related communication equipment may be erected or maintained outside of any residence on any of said lots without the consent, in writing, of Thurman Company, Inc. or the Homes Association for Gladacres.

5. The restrictions herein and the restrictions as defined in the original Declaration of Restrictions as referred to herein, shall continue in accordance with paragraph 8 of the original Declaration of Restrictions. Thurman Company, Inc., the duly authorized and designated Homes Association Board of Directors, and/or the owner or owners of any of the lots hereby restricted shall have the right to sue for and obtain an injunction, prohibitive or mandatory, to prevent the breach of or enforce the observance of the restrictions herein set forth, in addition to ordinary legal actions for damages; the failure of Thurman Company, Inc., its successors or assigns, or of any owner or owners of any lot or lots in this subdivision, to enforce any of the restrictions herein set forth at the time of its violation shall in no event be deemed to be a waiver of the right to do so thereafter. Thurman Company, Inc. may, by appropriate agreement made expressly for that purpose, assign or convey to any person or corporation all of the rights, reservations and privileges herein reserved by it, and upon such assignment or conveyance being made, his assigns or grantees may, at their option, exercise, transfer or assign those rights, or any one or more of them at any time or times, in the same way and manner as though directly reserved by them through this instrument.

IN WITNESS WHEREOF, we have affixed our signature this

16th day of May, 1988.

STATE OF KANSAS
COUNTY OF JOHNSON
FILED FOR RECORD

12:00 1988 MAY -5 A 8:42.3

SARA F. ULLMANN
REGISTER OF DEEDS

LELAND S. ALLEGA

KATHRYN M. ALLEGA

3

BY _____ DEP.

STATE OF KANSAS)
) SS.
COUNTY OF JOHNSON)

BE IT REMEMBERED, that on this 16th day of May, 1988, before me, the undersigned, a notary public in and for the County and State aforesaid, came Leland S. Allega and Kathryn M. Allega, personally known to me to be the same persons who executed the within instrument of writing on behalf of said corporation and such person duly acknowledged the execution of the same.

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

Susan R. Jayne
Notary Public

My appointment expires:
SUSAN R. JAYNE
NOTARY PUBLIC STATE OF MISSOURI
CASS COUNTY
(MY COMMISSION EXPIRES MAR 30, 1992)

COMMERCIAL TITLE INSURANCE INC.
7101 COLLEGE BLVD. SUITE 200
OVERLAND PARK, KS 66210
J-LX 000650

1938063

STATE OF KANSAS
COUNTY OF JOHNSON
FILED FOR RECORD

35⁰ 1990 APR 11 P 12:07.3

AMENDMENT TO DECLARATION OF RESTRICTIONS SARA FULLMANN
REGISTER OF DEEDS

THIS AMENDED DECLARATION OF RESTRICTIONS, made effective BY DEP.
this 5TH day of APRIL, 1990, by the undersigned owners
in fee simple of the real estate described on Exhibit "A" hereto
being a part of GLADACRE MEADOWS, a subdivision in Johnson
County, Kansas per plat recorded on the 7th day of June, 1983,
under document number 1411146, in Book 53 of Plats, at Page 13,
in the office of the Register of Deeds, Johnson County, Kansas,
and as to which restrictions were imposed by that certain
DECLARATION OF RESTRICTIONS dated June 6, 1983, as recorded in
said Register of Deeds office on June 7, 1983 under Document
Number 1411147 in Volume 1866 at Page 675 (hereafter the
"Original Declaration"), and which said Original Declaration was
amended by "Amendment to Declaration of Restrictions" dated March
10, 1988, recorded in said Register of Deed's Office on the 21st
day of March, 1988 under document number 1777878 in Volume 2759
at Page 424 of the records of said office (hereafter the
"Amendment").

WHEREAS, the undersigned owners desire to amend the
aforesaid Original Declaration as amended by the Amendment on the
land described in Exhibit "A" hereto, for the use and benefit of
the present owners thereof, their heirs successors and assigns,
and all future owners thereof; and

WHEREAS, the undersigned owners do not desire to cancel or
otherwise restrict the Original Declaration as amended by the
Amendment recorded as aforesaid except as further amended hereby

VOL 3151 PAGE 420

and that said Original Declaration, as amended by the Amendment and this amendment is hereby reaffirmed, as amended, as to all lots described on Exhibit "A" hereto.

NOW, THEREFORE, in consideration of the premises, the undersigned owners, for themselves, their heirs, successors and assigns, and for the future owners of the lots described on Exhibit "A" hereto hereby declare that the Amendment recorded under said Document Numbered 1777878 in Volume 2759 at Page 424 as aforesaid is amended as follows:

1. Paragraph 2.d) of the Amendment recorded under Document Number 1777878 as aforesaid reading 2.d) "...Horses are prohibited except upon the following lots: 10, 11, 18, 29 and 34. ..." is hereby amended and the following is substituted in lieu thereof: "2.d) Horses are prohibited except upon the following lots: 10, 11, 16, 17, 18, 29 and 34. Horses are limited to two (2) in number."

2. The restrictions as defined in the Original Declaration as amended by the Amendment and further modified by this amendment shall continue in accordance with paragraph 8 of the Original Declaration of Restrictions. Thurman Company, Inc., the duly authorized and designated Homes Association Board of Directors, and/or the owner or owners of any of the lots hereby restricted shall have the right to sue for and obtain an injunction, prohibitive or mandatory, to prevent the breach of or enforce the observance of the restrictions herein set forth as amended, in addition to ordinary legal actions for damages; the failure of Thurman Company, Inc., its successors or assigns, or

of any owner or owners of any lot or lots in this subdivision, to enforce any of the restrictions herein set forth at the time of its violation shall in no event be deemed to be a waiver of the right to do so thereafter. Thurman Company, Inc. may, by appropriate agreement made expressly for that purpose, assign or convey to any person or corporation all of the rights, reservations and privileges herein reserved by it, and upon such assignment or conveyance being made, his assigns or grantees may, at their option, exercise, transfer or assign those rights, or any one or more of them at any time or times, in the same way and manner as though directly reserved by them through this instrument.

IN WITNESS WHEREOF, the undersigned owners have affixed their signature(s) the day and year shown opposite their signature(s).