

ROCK CREEK ESTATES, 2ND PLAT

**DECLARATION OF RESTRICTIONS
AND HOME OWNERS' ASSOCIATION DECLARATION**

THIS DECLARATION, made as of the 21st day of December, 2004, by the Declarant, JMK PARTNERS, L.L.C., a Kansas limited liability company.

WITNESSETH:

WHEREAS, the Declarant has executed and filed with the Register of Deeds of Leavenworth County, Kansas, a 2nd Plat of the subdivision known as "ROCK CREEK ESTATES", which plat was recorded on December 8, 2004, in Book 15 at Page 86; and

WHEREAS, such plat adds the following lots to the subdivision Rock Creek Estates, to-wit:

Lots 65 through 106, inclusive, and Tracts A, B, C, D and E, Rock Creek Estates, 2nd Plat, a subdivision in the City of Lansing, Leavenworth County, Kansas, according to the recorded plat thereof;

and

WHEREAS, the Declarant, as the owner of the foregoing lots ("Additional Lots") desires to subject the Additional Lots to the covenants, restrictions, easements and other provisions contained in that certain Declaration of Restrictions, dated as of September 26, 2000 (the "Original Declaration"), executed Declarant and filed with the Register of Deeds of Leavenworth County on September 27, 2000 and recorded in Book 0796 at Page 0245, and in that certain Homes Association Declaration dated as of September 26, 2000 (the "Original Homes Association Declaration"), executed by Declarant and filed with the Register of Deeds of Leavenworth County, Kansas on September 27, 2000 and recorded in Book 0796, at Page 0253.

NOW, THEREFORE, in consideration of the premises, Declarant, for itself, and for its successors and assigns, and for its future grantees, hereby agrees and declares that all of the Additional Lots shall be, and they hereby are, subject to the covenants,

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.

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

JMK PARTNERS, L.L.C., a Kansas limited liability company

By: *Jerome E. Reilly*
Jerome E. Reilly, Presiding Member

STATE OF KANSAS)
) ss.
COUNTY OF LEAVENWORTH)

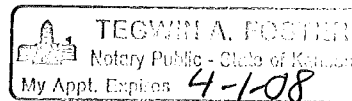
On this 21st day of December, 2004, before me, a Notary Public in and for said state, personally appeared Jerome E. Reilly, who stated that he is the Presiding Member of JMK PARTNERS, L.L.C., a Kansas limited liability company, known to me to be the person who executed the within instrument on behalf of said company and acknowledged to me that he executed the same for the purposes therein stated.

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

Tegwin A. Foster
Notary Public

My Commission Expires:

4-1-08



STATE OF KANSAS
COUNTY OF LEAVENWORTH
PUBLIC RECORDS

2004 DEC 22 A 8:56 P

STACY A. BRIDGILL
REGISTER OF DEEDS