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Document Title:

Twenty-Second Supplement to Declaration of Homes Association and Covenants,

Conditions, Restrictions and Easements of Benson Place

Document Date:

June 30, 2015

Grantor Names:

Hunt Midwest Real Estate Development, Inc. Flunt Midwest Real Estate Development, Inc.

Grantee Names: Statutory Address:

Suite 100, 8300 N.E. Underground Drive, Kansas City, Missouri 64161

Legal Descriptions:

See Exhibit B attached

Reference Book and Page:

Declaration of Homes Association and Covenants, Conditions, Restrictions and Easements of Benson Place, Document No. R24799, Book 3699, Page 69

TWENTY-SECOND SUPPLEMENT TO DECLARATION OF HOMES ASSOCIATION AND COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS OF BENSON PLACE

THIS TWENTY-SECOND SUPPLEMENT TO DECLARATION OF HOMES ASSOCIATION AND COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS OF BENSON PLACE (this "Supplemental Declaration") is made and executed as of June 30, 2015, by HUNT MIDWEST REAL ESTATE DEVELOPMENT, INC., a Missouri corporation (the "Developer"), Suite 100, 8300 N.E. Underground Drive, Kansas City, Missouri 64161.

RECITALS:

- On June 6, 2002, the Developer executed that certain subdivision plat entitled "BENSON PLACE - FIRST PLAT" (the "First Plat"), covering the real property formerly legally described as shown therein (and on Exhibit A attached to the Declaration, defined below), and platting the same into certain Lots, Tracts, Common Areas, Restricted Common Areas, the streets, roadways and other areas shown and marked on the First Plat as identified therein and in the Declaration defined below (collectively, the "Property" or the "Benson Place Property"), which First Plat was approved on July 2, 2002, by the City Council of the City of Kansas City, Missouri, and was recorded on July 24, 2002, under Document No. R24798, in Cabinet F, at Sleeve 27, in the Office of the Recorder of Deeds of Clay County, Missouri, at Liberty.
- The Developer has executed that certain Declaration of Homes Association and Covenants, Conditions, Restrictions and Easements of Benson Place, dated May 15, 2002, which was recorded on July 24, 2002, under Document No. R24799, in Book 3699, at Page 69, in the Office of the Recorder of Deeds of Clay County, Missouri, at Liberty, as amended and supplemented by those Supplemental Declarations identified on Exhibit A attached hereto (collectively, the "Declaration"), pursuant to which Declaration the Developer subjected the Benson Place Property, as expanded by the Supplemental Declarations identified on Exhibit A, to certain covenants, conditions, restrictions and easements for the purpose of protecting the value and desirability of the Property.
- Pursuant to the Declaration (and various of the Supplemental Declarations), the Developer imposed prohibitions on fencing on various Lots within the Benson Place Property,
- The Developer now desires to permit fencing on those Lots described on Exhibit B attached to this Supplemental Declaration (the "Restricted Lots") subject to certain restrictions contained herein.

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 1 191522 Revised Fencing Restrictions

- E. Pursuant to Section 16.2 of the Declaration, the Developer has the sole right to amend, alter or modify the Declaration prior to the Turnover Date which has not yet occurred and Developer desires to do so as set forth below.
- F. All capitalized words or terms not otherwise defined herein shall have the meanings set forth in the Declaration.

NOW, THEREFORE, in consideration of the premises, the Developer states and declares as follows:

- I. Fencing Restrictions on Restricted Lots. Fences shall be permitted on any of the Restricted Lots but only with the prior approval of the Review Committee. All fences on the Restricted Lots will be constructed of wrought iron (or aluminum or steel simulations thereof) not exceeding four feet (4') in height as approved in advance by the Review Committee in its sole discretion. The construction methods and location of all such fences on the Restricted Lots approved by the Review Committee shall harmonize with the external design of the Single Family Residences in the Subdivision. No wood, wire or chain link fences shall be permitted. Under no circumstance shall any fence be permitted in violation of restrictions in any Plat of the Subdivision or any ordinance approving any Plat of the Subdivision or any other Plat affecting the Property. No fence shall be placed in front of the rear wall of the Single Family Residence and, for a Single Family Residence on a corner Lot, no fence facing a Street may be placed beyond the point where the side wall of the Single Family Residence meets the rear wall of the Single Family Residence without the prior approval of the Review Committee obtained in advance of construction.
- 2. Ratification of Declaration. The Developer, on behalf of itself and as the holder of a majority of the votes possible to be cast under the Declaration, hereby ratifies, affirms and confirms all covenants, conditions, restrictions and easements contained in the Declaration, which covenants, conditions and provisions shall run with the land and be binding upon the owners, including the Developer, and their respective heirs, personal representatives, successors, transferees and assigns and all other persons or entities having, at any time, any right, title or interest in all, or any part of, the Property and any Restricted Lots otherwise subject to the terms hereof.

IN WITNESS WHEREOF, the Developer has caused this Supplemental Declaration to be executed by its duly authorized officer as of the day and year first above written.

HUNT MIDWEST REAL ESTATE DEVELOPMENT, INC.

By: 1. S. Welley 1.

F. Brenner Holland, Vice President

ACKNOWLEDGEMENT

STATE OF MISSOURI)	
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COUNTY OF CLAY

On this 302 day of 4, 2015, before me, the undersigned Notary Public, appeared F. Brenner Holland, who, being by the duly sworn, did say that he is a Vice President of Hunt Midwest Real Estate Development, Inc., a Missouri corporation, that he executed the foregoing instrument on behalf of said corporation, with full authority to do so, and he acknowledged that he executed the same as the free act and deed of said corporation.

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

Signature of Notary Public

Typed or Printed Name of Notary

My Commission expires:

PEGGY L. WELLS
Notary Public - Notary Seal
State of Missouri
Commissioned for Clay County
My Commission Expires: July 16, 2017
Commission Number: 13498897

EXHIBIT A

TWENTY-SECOND SUPPLEMENT TO DECLARATION OF HOMES ASSOCIATION AND COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS OF BENSON PLACE

Previous Supplements to Declaration

DATE EXECUTED/ DATE RECORDED

ED RECORDING INFORMATION SUPPLEMENT # INFORMATION

Benson Place - Townhomes - 1st Plat (1st Expansion Property)	Benson Place - 1st Plat (Landscaping and Fencing)	Benson Place - Sign Monumentation Easements	Benson Place – Patio Homes – 1st Plat (2nd Expansion Property)	Benson Place – 2 nd Plat (3 rd Expansion Property)	Benson Place - Townhomes - 2nd Plat (4th Expansion Property)	Benson Place – 3 rd Plat (5 th Expansion Property) and Detention Plat	Benson Place – Townhomes 3 rd Plat (6 th Expansion Property)	Benson Place - Fieldstone - 1st Plat (7th Expansion Property)	Benson Place - Single Family - 4th Plat (8th Expansion Property)	Benson Place - Replat - Lots 27 and 44	Benson Place – 5th Plat (9th Expansion Property)	Benson Place Woodchase - 2nd Plat (10th Expansion Property)	Benson Place - Woodchase - 3 rd Plat (11 th Expansion Property)	Benson Place Fieldstone – Ist Plat (12th Expansion Property)	Benson Place – Patio Homes – 2 nd Plat (13th Expansion Property)	Benson Place - Fieldstone - 2nd Plat (14th Expansion Property)	Benson Place - Fieldstone - 3rd Plat (15th Expansion Property)	Benson Place – Fieldstone – 4th Plat (16th Expansion Property)	Benson Place – Fieldstone – 5^{th} Plat (17 th Expansion Property)	Benson Place – Replat of Lot A, Patio Homes 2nd Plat
First	First	Third	Fourth	Fi f h	Sixth	Seventh	Eighth	Vinth	Twelfth	Eleventh	Twelfth	Thirteenth	Fourteenth	Fifteenth	Sixteenth	Seventeenth	Eighteenth	Nineteenth	Twentieth	Twenty-First
Doc #R29197/Book 3725, Page 928	Doc #R29198/Book 3725, Page 933	Doc #R36640/Book 3780, Page 238	Doc #R39449/Book 3799, Page 120	Doc #S09742/Book 4246, Page 281	Doc #S18375/Book 4301, Page 819	Doc. #S83939/Book 4696, Page 904	Doc. #S83944/Book 4696, Page 927	Doc. #S98223/Book 4782, Page 789	Doc. #2005003637/Book 4889, Page 99	Doc. #2005020572/Book 4992, Page 94	Doc. #2005046131/Book 5150, Page 4	Doc. #2005049075/Book 5168, Page 121	Doc. #2006030908/Book 5436, Page 130	Doc. #2006033128/Book 5449, Page 102	Doc #2006047419/Book 5535, Page 34	Doc. #2011037828/Book 6727, Page 14	Doc. #2012035094/Book 6921, Page 98	Doc. #2013045608/Book 7230, Page 36	Doc. #2014021880/Book 7341, Page 136 Twentieth	Doc. #2015020940/Book 7524, Page 152 Twenty-First
08-12-02/08-16-02	08-13-02/08-16-02	09-23-02/09-23-02	09-24-02/10-04-02	04-25-03/07-25-03	04-25-03/08-25-03	04-08-04/07-22-04	05-06-04/07-22-04	07-1904/10-07-04	10-01-04/01-26-05	02-17-05/05-06-05	08-01-05/09-22-05	08-01-05/10-07-05	04-12-06/07-19-06	04-27-06/07-31-06	10-26-06/10-26-06	07-12-11/11-21-11	06-05-12/09-06-12	06-11-13/12-10-13	03-28-14/07-30-14	07/14/14/06/29/15

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EXHIBIT B

TO

TWENTY-SECOND SUPPLEMENT TO DECLARATION OF HOMES ASSOCIATION AND COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS OF BENSON PLACE

Legal Descriptions of Restricted Lots:

Lots 1, 22, 23 and 44, BENSON PLACE - FIRST PLAT, a subdivision in Kansas City, Clay County, Missouri, according to the recorded plat thereof.

Lots 57 and 58, BENSON PLACE - SECOND PLAT, a subdivision in Kanas City, Clay County, Missouri, according to the recorded plat thereof.

Lots 132 and 133, BENSON PLACE - THIRD PLAT, a subdivision in Kansas City, Clay County, Missouri, according to the recorded plat thereof.

Lots 155, 156, 168, 169, 173, 174, 189 and 190, BENSON PLACE – FOURTH PLAT, a subdivision in Kansas City, Clay County, Missouri, according the recorded plat thereof.

Lots 215, 216, 232, 257, 258 and 282, BENSON PLACE - FIFTH PLAT, a subdivision in Kansas City, Clay County, Missouri, according to the recorded plat thereof.

Lot 17, BENSON PLACE - FIELDSTONE - FIRST PLAT, a subdivision in Kansas City, Clay County, Missouri, according to the recorded plat thereof.

Lots 167, 195, 196 and 204, BENSON PLACE -- FIELDSTONE -- FOURTH PLAT, a subdivision in Kansas City, Clay County, Missouri, according to the recorded plat thereof.

Lots 212, 200, 221 and 244, BENSON PLACE - FIELDSTONE - FIFTH PLAT, a subdivision in Kansas City, Clay County, Missouri, according to the recorded plat thereof.

Lots 39 and 40, BENSON PLACE – WOODCHASE – FIRST PLAT, a subdivision in Kansas City, Clay County, Missouri, according to the recorded plat thereof.