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Document Title: Eleventh Supplement to Amended and Restated Declaration of Homes Association and Covenants, Conditions, Restrictions and Easements of Eagle Creek
Document Date: October 6, 2014
Grantors Names: Hunt Midwest Real Estate Development, Inc.
Grantee Name: Hunt Midwest Real Estate Development, Inc.
Statutory Address: Suite 100, 8300 N.E. Underground Drive, Kansas City, Missouri 64161
Legal Description: See Exhibit B attached
Reference Book and Page: Amended and Restated Declaration of Homes Association and Covenants, Conditions, Restrictions and Easements of Eagle Creek, Document No. 2003I 0066203, Pages 1 - 48

**ELEVENTH SUPPLEMENT TO AMENDED AND RESTATED
DECLARATION OF HOMES ASSOCIATION AND COVENANTS, CONDITIONS,
RESTRICTIONS AND EASEMENTS OF EAGLE CREEK**

THIS ELEVENTH SUPPLEMENT TO AMENDED AND RESTATED DECLARATION OF HOMES ASSOCIATION AND COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS OF EAGLE CREEK (this "Supplemental Declaration") is made and executed as of October 6, 2014, by HUNT MIDWEST REAL ESTATE DEVELOPMENT, INC., a Missouri corporation (the "Developer"), Suite 100, 8300 N.E. Underground Drive, Kansas City, Missouri 64161.

RECITALS:

A. The Developer has been developing and continues to develop a residential Subdivision known as Eagle Creek in the City of Lee's Summit (the "City"), Jackson County, Missouri. The real property constituting the Eagle Creek Subdivision (the "Property" or the "Eagle Creek Property") is legally described as shown on Exhibit C to the amended and restated Declaration identified in Recital B below as expanded pursuant to the Supplemental Declarations shown on EXHIBIT A attached hereto.

B. The Developer has executed that certain Amended and Restated Declaration of Homes Association and Covenants, Conditions, Restrictions and Easements of Eagle Creek, dated May 30, 2003, which was recorded on June 4, 2003, under Document No. 2003I 0066203, Pages 1 - 48, in the Office of the Director of Records of Jackson County, Missouri, at Independence (the "Declaration"), pursuant to which Declaration the Developer continues to subject the Property to certain amended and modified covenants, conditions, restrictions and easements for the purpose of protecting the value and desirability of the Property. The Declaration amended and restated the previous Original Supplemented Declaration and Original Supplemented HOA Declaration identified and defined therein pursuant to which various parcels of property were made a part of the Subdivision. Pursuant to the Supplemental Declarations identified on EXHIBIT A attached hereto, the Developer has expanded the Property to include additional real property as described therein.

C. Pursuant to Section 17.2 of the amended and restated Declaration, prior to the "Turnover Date" (which has not yet occurred), the Developer has the unilateral right to amend, alter or modify the Declaration.

KANSAS CITY TITLE
183402

D. On September 23, 2013, the Developer executed that certain subdivision plat entitled "EAGLE CREEK - THIRTEENTH PLAT" (the "Thirteenth Plat"), covering the real property formerly legally described as shown therein and on Exhibit B attached to the Tenth Supplemental Declaration shown on Exhibit A, and platting the same into the Lots, tracts, streets, roadways, private open space and other areas shown and marked thereon, if any (the "Sixteenth Expansion Property"), which Thirteenth Plat was approved on September 19, 2013, by the City Council of the City, and was recorded on December 27, 2013, under Document No. 2013E013001, in said Director of Records' Office.

E. The Developer desires to amend and modify the fencing restrictions on certain Lots of the Thirteenth Plat contained in Section 5 of the Tenth Supplement as set forth below.

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

1. **Amendment and Modification of Section 5 of Tenth Supplement.** Section 5 of the Tenth Supplement is amended and modified to read as follows:

"5. **Fencing Restriction on Certain Lots.** The Owners of Lots 557 and 563 through and including 595 of the Thirteenth Plat and the Sixteenth Expansion Property are hereby further subjected to the following:

(a) Any fencing permitted on such Lots as set forth below shall be constructed of only natural cedar (unstained), dog eared pickets, wrought iron or synthetic material approved by the Review Committee, no more than four (4) feet in height, with the finished side facing out, all as set forth in the fencing guidelines established from time to time by the Review Committee and no other fencing of any type shall be permitted thereon; and

(b) Such fencing shall be permitted only at locations on such Lots as are approved in advance by the Review Committee upon application of a Lot Owner affected hereby."

2. **Ratification of Amended and Restated 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, or any Lots, Tracts, Commons Areas or Restricted Common Areas otherwise subject to the terms hereof.

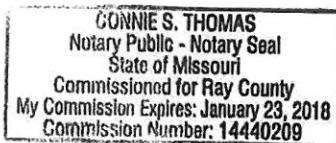
IN WITNESS WHEREOF, the Developer has caused this Supplemental Declaration to be executed by its duly authorized officer as of the day and year first above written.

DEVELOPER: HUNT MIDWEST REAL ESTATE DEVELOPMENT, INC.

By: Ora H. Reynolds
Ora H. Reynolds, President

STATE OF MISSOURI)
) S.S.
COUNTY OF CLAY)

On this 6th day of October, 2014, before me, the undersigned Notary Public in and for said County and State, personally appeared Ora H. Reynolds, who, being by me first duly sworn, did say that she is the President of Hunt Midwest Real Estate Development, Inc., a Missouri corporation, that she executed the foregoing instrument on behalf of said corporation under and with the authority of its Board of Directors and that she acknowledged that she so executed the same as the free act and deed of said corporation for the purposes therein stated.



Connie S Thomas
Signature of Notary Public
Connie S Thomas
Typed or Printed Name of Notary

My Commission expires:

1-23-18

EXHIBIT A
TO
ELEVENTH SUPPLEMENT TO AMENDED AND RESTATED
DECLARATION OF HOMES ASSOCIATION AND
COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS
OF EAGLE CREEK

SUMMARY OF SUPPLEMENTS

<u>DATE EXECUTED/ DATE RECORDED</u>	<u>RECORDING INFO.</u>	<u>SUPPLEMENT #</u>	<u>INFORMATION</u>
05-30-03/06-04-03	Doc #20031 0066203 (Pages 1 - 48)	Original	Amended and Restated Declaration of Homes Association and Covenants, Conditions, Restrictions and Easements
06-04-03/06-09-03	Doc #20031 0068065 (Pages 1 - 4)	First	Eagle Creek - Townhomes - 1 st Plat
09-26-03/10/14/03	Doc #20031 0126509 (Pages 1 - 6)	Second	Eagle Creek - 8 th Plat
07-12-04/07-16-04	Doc #20041 0068231 (Pages 1 - 5)	Third	Eagle Creek - 9 th Plat
03-17-05/03-22-05	Doc #200510023175 (Pages 1 - 7)	Fourth	Eagle Creek - 9 th Plat - Imposed Fencing Restrictions on Lots 349 through 364
10-14-05/10-28-05	Doc #200510096058 (Pages 1 - 5)	Fifth	Eagle Creek - 10 th Plat
11-08-05/11-09-05	Doc #200510100013 (Pages 1 - 5)	Sixth	Eagle Creek - Townhomes - 2 nd Plat
06-14-06/10-23-06	Doc #2006E0111119 (Pages 1 - 7)	Seventh	Eagle Creek - 11 th Plat
10-23-06/10-26-06	Doc #2006E0112929 (Pages 1 - 6)	Eighth	Eagle Creek - Townhomes - 3 rd Plat
07-12-11/07-22-11	Doc #2011E0067745 (Pages 1-7)	Ninth	Eagle Creek - 12 th Plat
09-23-13/01-22-14	Doc #2014E0005951 (Pages 1-6)	Tenth	Eagle Creek - 13 th Plat

**EXHIBIT B
TO
ELEVENTH SUPPLEMENT TO AMENDED AND RESTATED
DECLARATION OF HOMES ASSOCIATION AND
COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS
OF EAGLE CREEK**

Legal Description of Lots subject to Amended and Modified Fencing Restrictions:

Lot 557 and Lots 563 through and including 595, EAGLE CREEK – THIRTEENTH PLAT, a subdivision in Lee's Summit, Jackson County, Missouri, according to the recorded plat thereof.