



ELECTRONICALLY RECORDED
JACKSON COUNTY, MISSOURI
01/14/2015 02:38:10 PM
REST FEE: \$ 33.00 5 Pages
INSTRUMENT NUMBER:
2015E0003947

(ABOVE SPACE RESERVED FOR RECORDER OF DEEDS' USE)

Document Title: Twelfth Supplement to Amended and Restated Declaration of Homes Association and Covenants, Conditions, Restrictions and Easements of Eagle Creek
Document Date: January 12th, 2015
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. 20031 0066203, Pages 1 - 48

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

THIS TWELFTH 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 January 12, 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:

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. 20031 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 and amended certain of its provisions. As used herein, "Declaration" means the Declaration as supplemented and amended.

C. Pursuant to Section 17.2 of the 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
185218

D. Pursuant to the Declaration, those certain Lots in the First and Fifth Plats of Eagle Creek described on EXHIBIT B attached hereto and incorporated herein were prohibited from having fences of any kind (the "Restricted Lots").

E. The Developer desires to amend and modify the Declaration to permit fencing on the Restricted Lots subject to certain restrictions as set forth below.

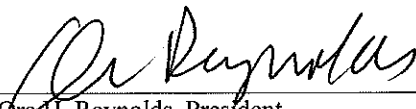
NOW, THEREFORE, in consideration of the premises, the Developer states and declares as follows:

1. **Amendment and Modification of Declaration for Limited Fencing on Restricted Lots.** The Declaration is amended so that fencing, in accordance with other provisions of the Declaration, shall be permitted on the Restricted Lots, but such fencing shall be limited to only four (4) foot black wrought iron (or aluminum or steel simulations thereof) and only at locations as may be approved in advance by the Review Committee in its sole discretion.

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.

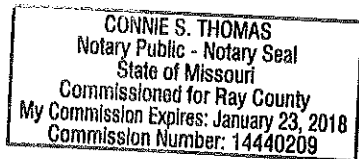
IN WITNESS WHEREOF, the Developer has caused this Supplemental Declaration to be executed by its duly authorized officer as of the day and year first above written.

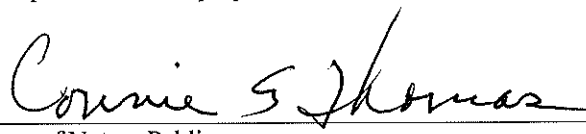
DEVELOPER: HUNT MIDWEST REAL ESTATE DEVELOPMENT, INC.

By: 
Ora H. Reynolds, President

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

On this 12th day of Jan., 2015, 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.




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

My Commission expires:
1-23-18

**EXHIBIT A
TO
TWELFTH 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 #2003I 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 #2003I 0068065 (Pages 1 – 4)	First	Eagle Creek – Townhomes – 1 st Plat
09-26-03/10/14/03	Doc #2003I 0126509 (Pages 1 – 6)	Second	Eagle Creek – 8 th Plat
07-12-04/07-16-04	Doc #2004I 0068231 (Pages 1 – 5)	Third	Eagle Creek – 9 th Plat
03-17-05/03-22-05	Doc #2005I0023175 (Pages 1 – 7)	Fourth	Eagle Creek – 9 th Plat – Imposed Fencing Restrictions on Lots 349 through 364
10-14-05/10-28-05	Doc #2005I0096058 (Pages 1 – 5)	Fifth	Eagle Creek – 10 th Plat
11-08-05/11-09-05	Doc #2005I0100013 (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
10-06-14/10/09/14	Doc #2014E0084761 (Pages 1-5)	Eleventh	Eagle Creek – 13 th Plat – Revised Fencing Restrictions

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

Legal Description of Restricted Lots subject to Limited Fencing Restrictions:

Lots 1, 2, 3, 20, 21, 22, 26, 37, 38 and 43, EAGLE CREEK – FIRST PLAT, a subdivision in Lee's Summit, Jackson County, Missouri, according to the recorded plat thereof.

Lots 170, 206, 207 and 208, EAGLE CREEK – FIFTH PLAT, a subdivision in Lee's Summit, Jackson County, Missouri, according to the recorded plat thereof.