

20140416-0004240  
Electronic Recording 04/16/2014  
Pages: 13 F: \$56.00 09:40:53 AM  
Register of Deeds T20140018320  
JO CO KS BK:201404 PG:004240

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DOCUMENT COVER SHEET

Title of Document: **First Amendment to Amended and Restated Declaration of Covenants, Restrictions, Assessments and Easements of Cottages at Woodridge**

Date: April 11, 2014

Grantor: Charford, Inc., a Missouri Corporation  
and Reveda of Overland Park, Inc., a Kansas Corporation  
444 E. Santa Fe  
Olathe, KS 66061

Grantee(s): Charford, Inc., a Missouri Corporation  
and Reveda of Overland Park, Inc., a Kansas Corporation  
444 E. Santa Fe  
Olathe, KS 66061

Legal Description: Exhibit A

**THIS DOCUMENT IS BEING RE-RECORDED TO ADD SIGNATURE PAGE 9 WHICH WAS NOT IN THE INITIAL RECORDING.**

RE: Book 201404, Page 003855

First American Title-NCS  
7200 College Blvd.  
Overland Park, KS 66210

File # 617809 #2

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RE: Book 201404, Page 003855

**First American Title-NCS  
7200 College Blvd.  
Overland Park, KS 66210**

File # 617809 #2

20140415-0003855

Electronic Recording 04/15/2014  
Pages: 11 F: \$48.00 09:24:43 AM  
Register of Deeds T20140018042  
JO CO KS BK:201404 PG:003855

**FIRST AMENDMENT TO AMENDED AND RESTATED DECLARATION OF  
COVENANTS, RESTRICTIONS, ASSESSMENTS AND EASEMENTS OF  
COTTAGES AT WOODRIDGE**

11/11 THIS FIRST AMENDMENT (the "First Amendment") is made effective as of the day of Apr., 2014 (the "Effective Date") by Charford, Inc., a Missouri corporation ("Declarant") and the undersigned Unit Owners.

WHEREAS, Reveda of Overland Park, Inc., a Kansas corporation ("Reveda"), Declarant's predecessor-in-interest, executed that certain Declaration of Covenants, Restrictions, Assessments and Easements of Cottages at Woodridge, which were recorded in the office of the Johnson County, Kansas Register of Deeds on February 20, 2007 at Book 200702, Page 005893, as amended and restated in its entirety by the Amended and Restated Declaration of Covenants, Restrictions, Assessments and Easements of Cottages at Woodridge recorded on March 24, 2008, at Book 200803, Page 007244 (as so amended and restated, the "Declaration"); and

WHEREAS, the Declaration encumbers the real property described more fully on Exhibit "A" attached hereto (the "Property"); and

WHEREAS, pursuant to that certain Kansas Warranty Deed recorded in the office of the Johnson County, Kansas Register of Deeds on March 27, 2013, at Book 201303, Page 010173, Reveda assigned all of its right, title and interest under the Declaration to Declarant; and

WHEREAS, Article XV of the Declaration authorizes the Owners of two-thirds of the Units, along with the Declarant, to amend the Declaration; and

WHEREAS, Declarant and the undersigned Unit Owners currently hold at least two-thirds of the Units encumbered by the Declaration and desire to amend certain provisions of the Declaration as set forth herein.

NOW THEREFORE, in consideration of the mutual covenants made herein and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Declarant and the undersigned Unit Owners hereby agree that the Declaration shall be amended as follows:

FIRST AMERICAN TITLNC S 6178094A

1. Section 5.1 is hereby deleted and replaced with the following:

**5.1 Unit Designations.** Each of the dwelling units, each of which is called a "Unit", is or will be designated by a Lot number shown on the Plat on which that Unit is located. All Units are of the general categories or types described on the attached Exhibit B, which also sets forth the general composition of each type of Unit.

2. Section 6.2 is hereby deleted and replaced with the following:

**6.2. Undivided Interest in Common Areas and Common Expenses.** Each Unit shall be deemed to have an undivided interest in the Common Areas and (except as otherwise provided in this Declaration) in the "common expenses" as allocated among all of the Completed Units on an equal per Unit basis. No Unit Owner may waive or release any rights in the Common Areas or any liability for common expenses. Further, the rights in the Common Areas shall not be separated from the Unit to which it appertains.

3. The fourth paragraph of Section 7.2 is hereby deleted and replaced with the following:

Where voting rights exist based on Unit ownership, each member shall have one vote for each Unit for which he is the owner; provided, however, that when more than one person is an owner of any particular Unit, all such persons shall be members, and the single vote for such Unit shall be exercised as they, among themselves, shall determine, but in no event shall more than one vote be cast with respect to such Unit.

4. The first paragraph of Section 12.3(a)(ii) is hereby deleted and replaced with the following:

Annually, in advance where practical, the Board shall estimate, and allocate among all Completed Units subject to assessment and their owners on an equal per Unit basis, "common expenses" of the Association, consisting of the following:

5. Section 12.3(a)(iii) is hereby deleted and replaced with the following:

The Board shall thereupon allocate to each Completed Unit subject to assessment that Unit's share of the common expenses, and thereby shall establish the annual operating assessment for each Completed Unit. For administrative convenience, any such assessment may be rounded so that monthly installments will be in whole dollars.

6. Section 12.3(a)(v) is hereby deleted and replaced with the following:

If the amounts so collected (together with payments by or from the Declarant) are, at any time, insufficient to meet all obligations for which those funds are to be used, the deficiency shall be assessed by the Board as a special operating assessment among the Completed Units subject to assessment on an equal per Unit basis as set forth in Section 6.2. Such assessments shall become due and payable on such date or dates as the Board determines.

7. Section 12.3(b)(ii) is hereby deleted and replaced with the following:

Any such special assessment shall be prorated among all Completed Units on an equal per Unit basis as set forth in Section 6.2. Such special assessments shall become due and payable on such date or dates as the Board determines.

8. Section 17.11(c) is hereby deleted and replaced with the following:

The common expense obligations of each Unit added shall be equal to the common expense obligations of each Unit which was initially a part of the Townhome Property; and

9. Exhibit B of the Declaration is hereby amended to delete the sentence beginning with "Relative Values" and everything written thereafter.
10. Exhibit C of the Declaration is hereby deleted in its entirety.

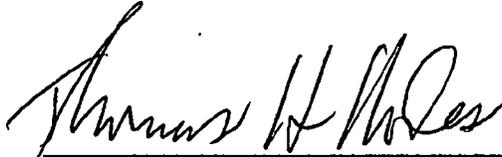
[signature pages follow]



**Signature Page to First Amendment to Amended and Restated Declaration of  
Covenants, Restrictions, Assessments and Easements of Cottages at Woodridge  
(married couple)**

**Legal Description:**

Tract B, COTTAGES AT WOODRIDGE 1<sup>ST</sup> PLAT,  
a subdivision in the City of Overland Park  
Johnson County, Kansas.



\_\_\_\_\_  
THOMAS H. HODES



\_\_\_\_\_  
MARGARET M. HODES

STATE OF Kansas, Johnson COUNTY, SS.:

On this 10<sup>th</sup> day of April, 2014, before me, the undersigned, a Notary Public within and for said County and State, personally appeared THOMAS H. HODES and MARGARET M. HODES, husband and wife, who are personally known to me to be the same persons who executed the within instrument of writing, and duly acknowledged the execution of the same.

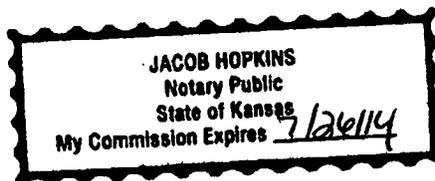
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.



\_\_\_\_\_  
Notary Public

My Commission Expires:

7/26/14



**Signature Page to First Amendment to Amended and Restated Declaration of  
Covenants, Restrictions, Assessments and Easements of Cottages at Woodridge  
(married couple)**

**Legal Description:**

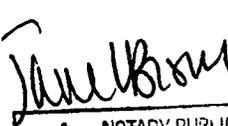
Lot 5, COTTAGES AT WOODRIDGE 1<sup>ST</sup> PLAT,  
a subdivision in the City of Overland Park  
Johnson County, Kansas.

  
JOHN W. BLACKMAN

  
SHIRLEY J. BLACKMAN

STATE OF Kansas Johnson COUNTY, SS.:

On this 9<sup>th</sup> day of April, 2014 before me, the undersigned,  
a Notary Public within and for said County and State, personally appeared JOHN W.  
BLACKMAN and SHIRLEY J. BLACKMAN, husband and wife, who are personally  
known to me to be the same persons who executed the within instrument of writing, and  
they acknowledged the execution of the same.

  
NOTARY PUBLIC  
JAMIE L. BRUSON  
My Appt Expires 12/15/14

STATE OF KANSAS

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

**Signature Page to First Amendment to Amended and Restated Declaration of  
Covenants, Restrictions, Assessments and Easements of Cottages at Woodridge  
(married couple)**

**Legal Description:**

Lot 8, COTTAGES AT WOODRIDGE 1<sup>ST</sup> PLAT,  
a subdivision in the City of Overland Park  
Johnson County, Kansas.

DAVID P. REHFELD - *Deceased 9/12*

*Judith L. Rehfeld*

JUDITH L. REHFELD

STATE OF KS, Johnson COUNTY, SS.:

On this 10 day of April, 2014, before me, the undersigned,  
a Notary Public within and for said County and State, personally appeared ~~DAVID P.  
REHFELD~~ and JUDITH L. REHFELD, husband and wife, who are personally known  
to me to be the same persons who executed the within instrument of writing, and duly  
acknowledged the execution of the same.

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

*Amanda Burnett*

	AMANDA BURNETT My Appt. Exp. <u>9-1-14</u>
STATE OF KANSAS	

**Signature Page to First Amendment to Amended and Restated Declaration of  
Covenants, Restrictions, Assessments and Easements of Cottages at Woodridge  
(Trust)**

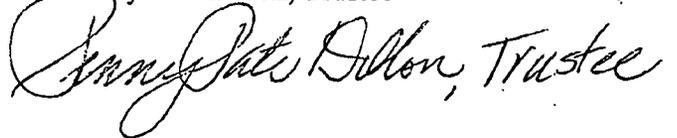
**Legal Description:**

Lot 11, COTTAGES AT WOODRIDGE 1<sup>ST</sup> PLAT,  
a subdivision in the City of Overland Park  
Johnson County, Kansas.

PENNY PATE DILLON, TRUSTEE  
OF THE PENNY PATE DILLON  
REVOCABLE TRUST DATED MAY 9,  
2007

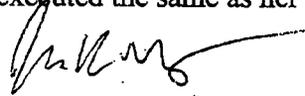
By:

Penny Pate Dillon, Trustee



STATE OF Kansas, Johnson COUNTY, SS.:

On this 10 day of April, 2014, before me, the undersigned, a Notary Public within and for said County and State, personally appeared Penny Pate Dillon of the PENNY PATE DILLON REVOCABLE TRUST DATED MAY 9, 2007, who is personally known to me to be the same person who executed the within instrument of writing, and acknowledged that she executed the same as her free act and deed and in her capacity as Trustee of said Trust.



Jordan Marks  
Notary Public  
State of Kansas  
My Commission Expires 11/4/17

**Signature Page to First Amendment to Amended and Restated Declaration of  
Covenants, Restrictions, Assessments and Easements of Cottages at Woodridge  
(Individual)**

**Legal Description:**

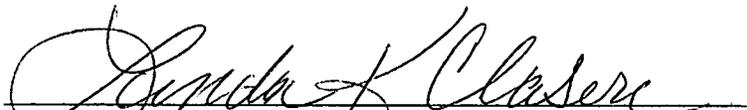
Lot 9, COTTAGES AT WOODRIDGE 1<sup>ST</sup> PLAT,  
a subdivision in the City of Overland Park,  
Johnson County, Kansas.

  
ARTHUR R. McDONALD

STATE OF Mo, Jackson COUNTY, SS.:

On this 11 day of April, 2014, before me, the undersigned, a Notary Public within and for said County and State, personally appeared ARTHUR R. McDONALD, to me known to be the person(s) described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

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

  
Notary Public

My Commission Expires:

9/11/15



LINDA K. CLASEN  
My Commission Expires  
September 11, 2015  
Jackson County  
Commission #11498893

**Signature Page to First Amendment to Amended and Restated Declaration of Covenants, Restrictions, Assessments and Easements of Cottages at Woodridge**

**Legal Description:**

Lot 10, COTTAGES AT WOODRIDGE 1<sup>ST</sup> PLAT,  
a subdivision in the City of Overland Park  
Johnson County, Kansas.

*Parviz Mojaverian*  
\_\_\_\_\_  
PARVIZ MOJAVERIAN

STATE OF Kansas, Miami COUNTY, SS.:

On this 11 day of April, 2014, before me, the undersigned, a Notary Public within and for said County and State, personally appeared PARVIZ MOJAVERIAN, who is personally known to me to be the same person who executed the within instrument of writing, and duly acknowledged the execution of the same.

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

*Cassie Mossinghoff*  
\_\_\_\_\_  
Notary Public

My Commission Expires:

3.25.18



**Signature Page to First Amendment to Amended and Restated Declaration of  
Covenants, Restrictions, Assessments and Easements of Cottages at Woodridge  
(Individual)**

**Legal Description:**

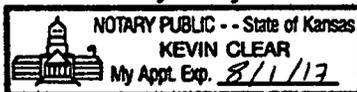
Lot 12, COTTAGES AT WOODRIDGE 1<sup>ST</sup> PLAT,  
a subdivision in the City of Overland Park,  
Johnson County, Kansas.

  
\_\_\_\_\_  
MARA K. WEYFORTH a/k/a  
MARA FRANCES KELLEY

STATE OF Kansas, Johnson COUNTY, SS.:

On this 10 day of April, 2014, before me, the undersigned, a Notary Public within and for said County and State, personally appeared MARA K. WEYFORTH a/k/a MARA FRANCES KELLEY, to me known to be the person(s) described in and who executed the foregoing instrument, and acknowledged that she executed the same as her free act and deed.

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



  
\_\_\_\_\_  
Notary Public

My Commission Expires:

8/1/2017

**EXHIBIT A**  
**TO FIRST AMENDMENT**

**Legal Description**

Lot 1, AMLI AT LEXINGTON FARMS, a subdivision in City of Overland Park, Kansas.