

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

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

DOCUMENT COVER SHEET

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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 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 TITLE NCS 6178694A

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]

IN WITNESS WHEREOF, the Declarant and undersigned Unit Owners have executed this First Amendment effective as of the Effective Date, and the Declarant hereby certifies that this First Amendment has been adopted in accordance with the provisions of Article XV of the Declaration.

CHARFORD, INC., a Missouri corporation

By: [Signature]
Name: Brad H. Harvey
Title: Authorized Agent

STATE OF Kansas)
COUNTY OF Jessie) ss.

On this 11th day of April, 2014, before me, a Notary Public in and for said state, personally appeared Brad H. Harvey, who being by me duly sworn did say that (s)he is the Authorized Agent of Charford, Inc., a Missouri corporation, and that the within instrument was signed on behalf of said corporation, and (s)he acknowledged said instrument to be the free act and deed of said corporation for the purposes therein stated.

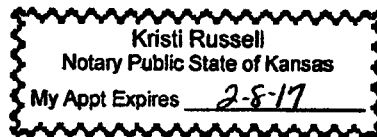
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

[Signature]
NOTARY PUBLIC SIGNATURE

My appointment expires:

Kristi Russell
PRINT NAME

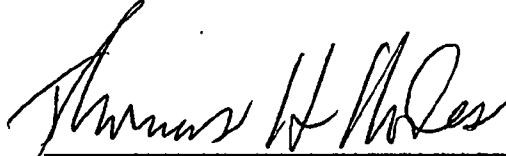
2-8-17



**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 1ST PLAT,
a subdivision in the City of Overland Park
Johnson County, Kansas.



THOMAS H. HODES

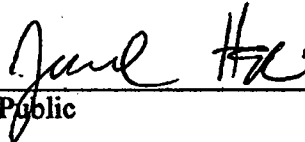


MARGARET M. HODES

STATE OF Kansas, Johnson COUNTY, SS.:

On this 10th 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.

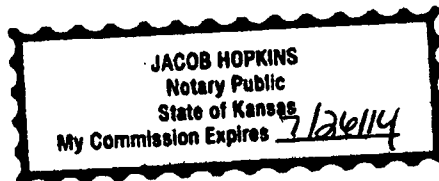
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official
seal the day and year last above written.



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:

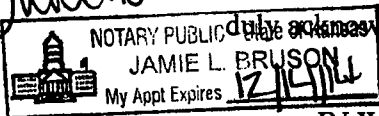
Lot 5, COTTAGES AT WOODRIDGE 1ST PLAT,
a subdivision in the City of Overland Park
Johnson County, Kansas.


JOHN W. BLACKMAN


SHIRLEY J. BLACKMAN

STATE OF Kansas Johnson COUNTY, SS.:

On this 9th 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.



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 1ST 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. 9-1-14

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:

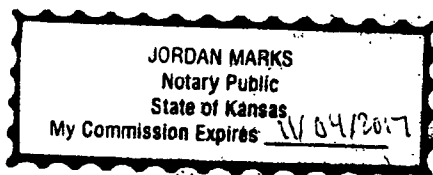
Lot 11, COTTAGES AT WOODRIDGE 1ST PLAT,
a subdivision in the City of Overland Park
Johnson County, Kansas.

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

By:

Penny Pate Dillon, Trustee

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
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:

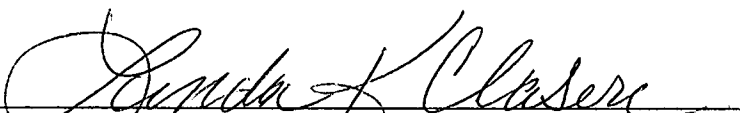
Lot 9, COTTAGES AT WOODRIDGE 1ST PLAT,
a subdivision in the City of Overland Park,
Johnson County, Kansas.


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 1ST 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 1ST PLAT,
a subdivision in the City of Overland Park,
Johnson County, Kansas.

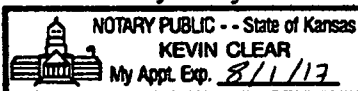


MARA K. WEYFORTH a/k/a
MARA FRANCES KELLEY

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.