

This instrument filed by
Security Land Title Company
Accom

2373177 ✓

AMENDMENT TO
HOMES ASSOCIATION DECLARATION
PARKSIDE OF WELLINGTON PARK
(1st and 2nd Plats)

STATE OF KANSAS }
COUNTY OF JOHNSON } ss
FILED FOR RECORD

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SARA F. ULLMANN
REGISTER OF DEEDS

THIS AMENDMENT TO HOMES ASSOCIATION DECLARATION, made as of
this 23 day of March, 1994 by the undersigned.

WHEREAS, WELLINGTON PARK PARTNERS, a Kansas partnership
("Developer"), filed that certain Homes Association Declaration
("Declaration") for the first plat of "PARKSIDE OF WELLINGTON PARK"
in the Office of the Register of Deeds of Johnson County, Kansas at
Volume 3975, at Page 684 on June 22, 1993, which Declaration was
amended by document filed in the Office of the Register of Deeds of
Johnson County, Kansas at Volume 3982, at Page 1 on June 28, 1993;
and

WHEREAS, the Declaration, as amended, was made applicable to
a subsequent plat of PARKSIDE OF WELLINGTON PARK by document
recorded in the Office of the Register of Deeds of Johnson County,
Kansas at Volume 3975, at Page 686 (2nd Plat); and

WHEREAS, the undersigned, being the owner of greater than
seventy-five percent (75%) of the lots and land described below,
desire to amend said Declaration by consent; and

WHEREAS, the Declaration as hereby amended encumbers and
subjects thereto the real property more fully described as:

Lots 1 through 37, inclusive, in PARKSIDE OF
WELLINGTON PARK, 1ST PLAT, and Lots 38 through
101, inclusive, in PARKSIDE OF WELLINGTON
PARK, 2ND PLAT, subdivisions in the City of
Overland Park, Johnson County, Kansas,
according to the recorded plats thereof.

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NOW, THEREFORE, Section 7 (1) of the Declaration is hereby amended to read as follows:

"SECTION 7. METHOD OF PROVIDING GENERAL AND SPECIAL FUNDS

(1) For the purpose of providing a general fund to enable the Association to exercise the powers and maintain the improvements and render the services herein provided for, each Lot within the District, owned by a Class A member upon which a dwelling has been erected and is then or has been at any time theretofore occupied as a residence, shall be subject to an annual general fund assessment which may be levied by the Association from year to year, which assessment shall be paid to the Association annually or at such other times as the Association may determine in advance. Anything to the contrary herein notwithstanding, the Developer, in its sole discretion, shall fix the amount of annual assessment, for so long as Developer owns land within the District (including land added to the District). Thereafter, the Board of Directors of the Association shall from year to year fix and determine the total amount required in this general fund and may levy and collect an annual assessment for each Lot owned by a Class A member upon which a dwelling has been erected and is then or has been at any time theretofore occupied as a residence. Assessments shall commence either upon occupancy of the home or completed sale, whichever comes first. The assessment for the year in which the dwelling is erected shall be determined on the basis of the date of closing of the conveyance to the homeowner or occupant. On newly constructed

single family dwellings first occupied or conveyed, assessments will be prorated on a 365-day year basis."

That the Declaration, including the amendments herein, is hereby ratified and affirmed.

IN WITNESS WHEREOF, the undersigned have executed this instrument as of the day and date first above written.

WELLINGTON PARK PARTNERS, a Kansas
General Partnership

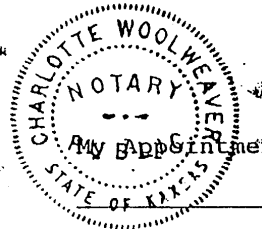
Rodrock Homes, Inc., a corporation
and Managing Partner

By: *Darol E. Rodrock*
Darol E. Rodrock
Title: President

STATE OF KANSAS, JOHNSON COUNTY, SS.:

BE IT REMEMBERED, that on this 23RD day of March, 1994, before me the undersigned, a Notary Public in and for the county and state aforesaid, came Darol E. Rodrock, President of Rodrock Homes, Inc., Managing Partner of WELLINGTON PARK PARTNERS, a Kansas general partnership, who is personally known to me to be the same person who executed, as such officer of the Managing Partner, the within instrument on behalf of said partnership, and such person duly acknowledged the execution of the same to be the act and deed of said partnership.

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



Charlotte Woolweaver
Notary Public