

20060721-0007644 07/21/2006
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Register of Deeds T20060036982
JO CO KS BK:200607 PG:007644

**AMENDMENT TO DECLARATION OF RESTRICTIONS
HIGHLAND RIDGE**

This Amendment to Declaration of Restrictions (the "Amendment") is made and entered into as of this 18 day of July, 2006, by HIGHLAND RIDGE HOMES ASSOCIATION, a Kansas not for profit corporation, with the consent and agreement of all of its members (the "Association"), and HIGHLAND RIDGE DEVELOPMENT CO., L.L.C., a limited liability company ("Developer").

WHEREAS, Developer executed that certain Declaration of Restrictions dated March 20, 1999, and recorded in the office of the Johnson County Register of Deeds on April 2, 1999, at Book 6118, Page 282 (the "Original Declaration"), which encumbers that certain real property described as Lots 1 through 50, HIGHLAND RIDGE, 1ST PLAT, and Lots 51 through 114, HIGHLAND RIDGE, 2ND PLAT, said plats being subdivisions of land in Shawnee, Johnson County, Kansas; and

WHEREAS, pursuant to that certain Declaration of Restrictions dated December 21, 2001, and recorded in the office of the Johnson County Register of Deeds on January 17, 2002, at Book 7577, Page 310, which encumbers that certain real property described as Lots 1 through 15, inclusive, HIGHLAND RIDGE WEST, a subdivision in the City of Shawnee, Johnson County, Kansas; and

WHEREAS, pursuant to that certain Declaration of Restrictions dated November 25, 2002, and recorded in the office of the Johnson County Register of Deeds on February 4, 2003, at Book 8618, Page 392, which encumbers that certain real property described as Lots 123 through 139, inclusive, THE WOODS OF HIGHLAND RIDGE, a subdivision in the City of Shawnee, Johnson County, Kansas; and

WHEREAS, all of the above-described real property shall hereafter be referred to as the "Property"; and

WHEREAS, the Developer and the Association, with the consent and agreement of all of its members and all of the owners of the Property, desire to amend the Original Declaration.

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 Developer and the Association, with the consent and agreement of all of its members and all of the owners of the Property, hereby declare:

1. Except as specifically set forth herein, all capitalized terms shall have the same meanings as set forth in the Original Declaration.

2. New Section XXIV is hereby added to the Original Declaration, to read as follows:


This Declaration may be amended by the Association upon the written consent of the owners of not less than two-thirds (2/3) of the lots hereby restricted. Amendments once properly adopted shall be effective upon recording of the Amendment in the Office of the Register of Deeds of Johnson County, Kansas.

3. To the extent inconsistent with the Original Declaration, this Amendment shall supersede the same and control the contractual relationship among the parties the owners of the Property. Except as expressly modified herein, the terms and conditions of the Original Declaration are hereby ratified and deemed in full force and effect. The Association shall keep on permanent file the written consent of all owners of the Property approving of this Amendment.

IN WITNESS WHEREOF, the Developer and the Association, with the consent and agreement of all of its members and all of the owners of the Property, have executed this Amendment effective as of the date and year first above written.

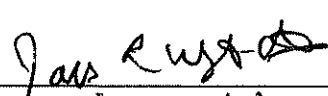
DEVELOPER


HIGHLAND RIDGE DEVELOPMENT
CO., L.L.C.

By: 
Name: Tim Hoeltling
Title: Developer

ASSOCIATION

HIGHLAND RIDGE HOMES
ASSOCIATION

By: 
Name: Jim Wright
Title: President HOA


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STATE OF KANSAS)
) ss.
COUNTY OF JOHNSON)

The foregoing instrument was acknowledged before me this 18 day of July, 2006, by [insert name] Tim J Hoe Hing, who stated that (s)he is the [insert title] Managing Partner of Highland Ridge Development Co., L.L.C., a Kansas limited liability company, on behalf of said limited liability company.

Notary Public State of Kansas
Virginia Hoelting
My Appt Exp 8/30/07

Virginia Hoelting
Notary Public in and for said County and State

Virginia Hoe Hing
(Type, print or stamp the Notary's name below his or her signature)

My Commission Expires:

8/30/07

STATE OF KANSAS)
) ss.
COUNTY OF JOHNSON)

The foregoing instrument was acknowledged before me this 15 day of July, 2006, by [insert name] James A Wright, who stated that (s)he is the [insert title] President of Highland Ridge Homes Association, a Kansas not for profit corporation, on behalf of said corporation.

Notary Public State of Kansas
Virginia Hoelting
My Appt Exp 8/30/07

Virginia Hoelting
Notary Public in and for said County and State

Virginia Hoelting
(Type, print or stamp the Notary's name below his or her signature)

My Commission Expires:

8/30/07

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