

**AMENDMENT TO DECLARATION OF RESTRICTIONS
FOR KENSINGTON AT ST. ANDREWS**

This Amendment to Declaration of Restrictions of Kensington at St. Andrews is made this ____ day of _____, 2021, by Kensington at St. Andrews (hereafter "Association") and the undersigned owners (hereinafter referred to as "Owners"), as it pertains to certain property in Kansas City, all in Johnson County, Kansas, which is more particularly described as follows.

[See Exhibit A]

W I T N E S S E T H:

WHEREAS, on _____, Kansas Land Development II, L.L.C., a Kansas Limited Liability Corporation ("Developer"), filed that certain Declaration of Restriction, recorded in the Public Records of Johnson County, Kansas at Book 5584 and Page 466 ("Declaration"); and

WHEREAS, pursuant to Section 7.6 of the Declaration, the Declaration may be amended at any time by the written consent thereof of Owners representing 2/3rds percent of the Lot Owners of the Association; and

WHEREAS, the Association's Board of Directors has proposed to amend the Declaration to encourage owner occupied homes; and

WHEREAS, more than 2/3rds percent of the total Lot Owners in the Association desire to amend the Declaration by adopting this Amendment to Declaration ("Amendment"); and

NOW, THEREFORE, the Declaration is hereby amended by adding the following to Article III:

Effective upon the recording of this Amendment, all residences must be occupied by their owners with the following exceptions:

- 1) Residences which are leased before the recording date may be rented if the Lot Owner provides verifiable proof the residence was leased before the recording date. If any such leased residence is sold after the recording date, this exception will expire automatically; and the purchaser of the residence must occupy the residence.
- 2) The board of directors may grant a one-time, one-year waiver of this restriction in cases of hardship, (such as job loss, divorce, unexpected job transfer, serious medical issues) in the board's sole discretion. Any such consent must be written.

In all rentals, the following provisions shall apply:

- 1) Landlords must provide names and contact information of their tenants to the Association's managing agent;
- 2) Lease may not be less than 12 months terms;
- 3) Leases must include a provision that tenants are aware of the Association's restrictions, covenants, and rules and agree to abide by them; and
- 4) Violations by tenants of any restrictions, covenants, or rules may result in fines or other sanctions against the residence owner.

Except as modified by this Amendment, all of the terms and provisions of the Declaration, as amended, are expressly ratified and confirmed and shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned officers of Kensington at St. Andrews hereby certify that this Amendment has received the requisite approval pursuant to Section 7.6 of the Declaration this ____ day of _____, 2021.

KENSINGTON AT ST. ANDREWS,
a not-for-profit corporation

By: _____ By: _____

Name: _____ Name: _____

Its: President Its: Secretary

STATE OF KANSAS)
) ss:
COUNTY OF JOHNSON)

On this ____ day of _____, 2021, before me personally appeared _____ and _____, to me known to be the President and Secretary, respectively, of Kensington at St. Andrews, the corporation that executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation for the uses and purpose therein mentioned, and on oath stated that they were authorized to execute the said instrument.

WITNESS my hand and official seal hereto attached the day and year in this certificate above written.

Notary Public

My commission expires:

**HUSBAND AND WIFE
UNIT OWNER EXECUTION PAGE
AMENDMENT TO DECLARATION OF
KENSINGTON AT ST. ANDREWS**

IN WITNESS WHEREOF, the undersigned Owners have caused this Amendment to the Kensington at St. Andrews Declaration to be duly executed.

Street Address _____

Date: _____, 2021

OWNERS:

Signature of Owner: _____
Printed Name: _____

Signature of Owner: _____
Printed Name: _____

STATE OF KANSAS)
) ss:
COUNTY OF JOHNSON)

This instrument was acknowledged before me this ____ day of _____, 2021
by _____ and _____, husband and wife.

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

Notary Public

(Printed Name)

My Commission expires:

**SINGLE PERSON
UNIT OWNER EXECUTION PAGE
AMENDMENT TO DECLARATION OF
KENSINGTON AT ST. ANDREWS**

IN WITNESS WHEREOF, the undersigned Owner has caused this Amendment to the Kensington at St. Andrews Declaration to be duly executed.

Street Address _____

Date: _____, 2021

OWNER:

Signature of Owner: _____

Printed Name: _____

STATE OF KANSAS)
) ss:
COUNTY OF JOHNSON)

This instrument was acknowledged before me this ____ day of _____, 2021 by _____, a single person.

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

Notary Public

(Printed Name)

My Commission expires:

**SINGLE PERSONS
JOINT OWNERSHIP
UNIT OWNER EXECUTION PAGE
AMENDMENT TO DECLARATION OF
KENSINGTON AT ST. ANDREWS**

IN WITNESS WHEREOF, the undersigned Owners have caused this Amendment to the Kensington at St. Andrews Declaration to be duly executed.

Street Address _____

Date: _____, 2021

OWNERS:

Signature of Owner: _____
Printed Name: _____

Signature of Owner: _____
Printed Name: _____

STATE OF KANSAS)
) ss:
COUNTY OF JOHNSON)

This instrument was acknowledged before me this ____ day of _____, 2021 by _____ and _____, both single persons.

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

Notary Public

(Printed Name)

My Commission expires:

**TRUST
CO-TRUSTEES
UNIT OWNER EXECUTION PAGE
AMENDMENT TO DECLARATION OF
KENSINGTON AT ST. ANDREWS**

IN WITNESS WHEREOF, the undersigned Owners have caused this Amendment to the Kensington at St. Andrews Declaration to be duly executed.

Street Address _____

Date: _____, 2021

OWNER:

Trustee _____
(Signature)

(Printed Name)

Trustee _____
(Signature)

(Printed Name)

as Co-Trustees of _____ Trust.
(Printed Name of Trust)

STATE OF KANSAS)
) ss:
COUNTY OF JOHNSON)

This instrument was acknowledged before me this ____ day of _____, 2021
by _____ and _____, Co-Trustees of
the _____ Trust.

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

Notary Public

(Printed Name)

My commission expires:

**TRUST
SINGLE
UNIT OWNER EXECUTION PAGE
AMENDMENT TO DECLARATION OF
KENSINGTON AT ST. ANDREWS**

IN WITNESS WHEREOF, the undersigned Owner has caused this Amendment to the Kensington at St. Andrews Declaration to be duly executed.

Street Address _____

Date: _____, 2021

OWNER:

Trustee _____
(Signature)

_____, as Trustee of
(Printed Name)

(Printed Name of Trust) Trust.

STATE OF KANSAS)
) ss:
COUNTY OF JOHNSON)

This instrument was acknowledged before me this ____ day of _____, 2021
by _____, Trustee of the _____
Trust.

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

Notary Public

(Printed Name)

My commission expires:
