



20150415-0005286 04/15/2015  
P: 1 of 2 F: \$20.00 03:28:47 PM  
Register of Deeds T20150024395  
JO CO KS BK:201504 PG:005286

**AMENDMENT TO THE DECLARATION OF RESTRICTIONS OF  
PERSIMMON POINTE**

THIS AMENDMENT is made this 6 day of April 2015, by Olathe-Persimmon, LLC as successor to Heritage Development of Kansas, Inc., a Kansas corporation (hereinafter referred to as "Developer").

**WITNESSETH:**

WHEREAS on June 4, 2005, Developer filed that certain Declaration of Restrictions for Persimmon Pointe that subdivision described in Exhibit "A", recorded in Book 9058, Page 975 et.seq., of the Register of Deeds of Johnson County, Kansas and

NOW, THEREFORE, pursuant to the powers retained by Developer under the Declaration, the successor Developer hereby amends the Declaration as follows:

Section 2, Paragraph V of the Declaration is amended by striking it in its entirety and substituting the following therefor:

Exterior changes need approval by the Architectural Control Committee prior to work commencing. Exterior maintenance includes, but is not limited to, painting before existing exterior paint deteriorates, chips, fades and repair of wood rot; fence and deck maintenance includes, but is not limited to wood being in good condition and restrained or power washed (if left natural) before it creates an unsightly appearance; concrete surfaces including, but is not limited to, driveways, sidewalks. Lawns shall be kept in good condition as soil, climate and other natural conditions permit and grass shall not be permitted to reach a height of six (6) inches or more or otherwise create an unsightly appearance. In the event such grass is not kept within the height limitation above, the Association shall have the right to have such grass cut, and the cost therefor collected from the owner in the same manner as Association dues.

Section T, Paragraph T of the Declaration is amended by striking in its entirety and substituting the following therefor:

Dumpsters, portable storage units are not permitted for longer than a two (2) week period in any calendar year and require approval from the Architectural Control Committee before being delivered. No tanks for the storage of oil or other fluids may be maintained on any portion of the premises above or below the surface of the ground.

IN WITNESS WHEREOF, the undersigned successor Developer has executed this Amendment on the date and year first written above.

OLATHE-PERSIMMON, LLC  
A Kansas Limited Liability Company  
By its Manager  
Clay Blair Services Corporation

By: *Clay Blair III*  
Clay C. Blair III, President

STATE OF KANSAS     )  
                                          ) ss.  
COUNTY OF JOHNSON )

ON THIS 6 day of April, 2015, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Clay C. Blair, III, to me personally known to be the person described in and who executed the foregoing instrument, who, being by me duly sworn, acknowledged that he is the President of Clay Blair Services Corporation, a Kansas corporation, the Manager of Olathe-Persimmon, LLC, a Kansas limited liability company, and that he executed such instrument on behalf of said corporation and said company by his authority as President of the Manager, and said person acknowledged the execution of said instrument to be the act and deed of said corporation for said limited liability company.

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

*Chrisanne M. Golding*  
Notary public  
Chrisanne M. Golding  
Printed Name

My appointment expires: 8/27/2018

