

This Instrument filed by
Security Land Title Company

2497519

Acum.

A RESOLUTION
REGARDING
DEER CREEK VILLAS
DECLARATION OF RESTRICTIONS

STATE OF KANSAS
COUNTY OF JOHNSON } SS
FILED FOR RECORDS

800

95 JUN 13 P 2:45.5

SARA F. ULLMANN
REGISTER OF DEEDS

A RESOLUTION, MADE THIS 31st DAY OF MAY, 1995, BY THE BOARD OF DIRECTORS OF DEER CREEK VILLAS HOMEOWNERS ASSOCIATION, INC., A KANSAS CORPORATION,

WITNESSETH:

WHEREAS, THE PERIOD OF DEVELOPER CONTROL HAS EXPIRED, AND THE RIGHTS OF THE DEVELOPER HAVE BEEN ASSIGNED TO THE HOMES ASSOCIATION IN ACCORDANCE WITH SECTION 14.2 OF THE HOMES ASSOCIATION DECLARATIONS, AND,

WHEREAS, IT HAS NOW COME TO THE ATTENTION OF THE BOARD OF DIRECTORS OF DEER CREEK VILLAS THAT IN AGREEING TO AND APPROVING THE FINAL PLAT FOR DEER CREEK VILLAS, THE CITY OF OVERLAND PARK WAS GIVEN TO UNDERSTAND THAT NO FENCES WOULD BE PERMITTED, OTHER THAN PRIVACY FENCES AROUND PATIOS, AND,

WHEREAS, AN AMENDMENT TO THE RESTRICTIONS DATED AUGUST 9TH, 1991, AMONG OTHER THINGS CHANGED SECTION 5(B)(i) OF SUCH RESTRICTIONS RELATING TO FENCES WITHIN THE SUBDIVISION, THUS VIOLATING THE PRIOR AGREEMENT OF THE DEVELOPER WITH THE CITY, AND,

WHEREAS THE CITY OF OVERLAND PARK HAS TAKEN NO ACTION TO MODIFY ITS ORIGINAL POSITION, OR TO APPROVE THE ACTION TAKEN IN THE AMENDMENT DATED AUGUST 9TH, 1991, AND ,

WHEREAS, THE BOARD DESIRES TO NOTIFY ALL MEMBERS OF THE HOMEOWNER ASSOCIATION, PRESENT AND FUTURE, AND ALL OTHER INTERESTED PARTIES, THAT IN THE OPINION OF THE BOARD, CERTAIN PORTIONS OF AMENDMENT NUMBER 1 (SPECIFICALLY, BUT NOT LIMITED TO , CHANGES TO SECTION 5(b)(i) IN THE DECLARATION OF RESTRICTIONS DATED APRIL 20, 1989) VIOLATE THE AGREEMENT WITH THE CITY, AND,

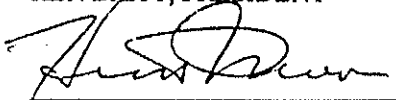
WHEREAS WE, THE MEMBERS OF THE BOARD OF DIRECTORS OF DEER CREEK VILLAS, INC, HAVE PASSED THIS RESOLUTION ON THE DAY AND YEAR FIRST MENTIONED ABOVE,

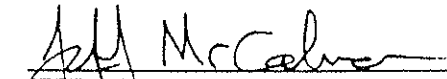
NOW THEREFORE, THE BOARD OF DIRECTORS OF DEER CREEK VILLAS, INC. HEREBY CAUSES THIS RESOLUTION TO BE FILED WITH JOHNSON COUNTY, KANSAS FOR ALL TO SEE.

A RESOLUTION
REGARDING
DEER CREEK VILLAS
DECLARATION OF RESTRICTIONS
(CONTINUED)

DEER CREEK VILLAS, INC.
BY: THE BOARD OF DIRECTORS


KEN BRITT, PRESIDENT


HERBERT IRWIN, SEC/TREASURER


JEFF MCCALMON

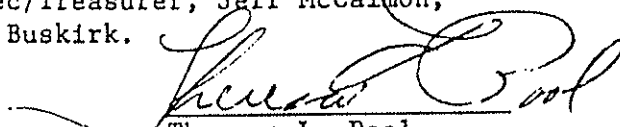

RITA ADEN, VICE/PRESIDENT


BEBE VAN BUSKIRK

STATE OF KANSAS
ss.
COUNTY OF JOHNSON

Signed or attested before me on the 31st day of May, 1995 by
Ken Britt, President, Herbert Irwin, Sec/Treasurer, Jeff McCalmon,
Rita Aden, Vice President and Bebe Van Buskirk.




Theresa L. Pool
NOTARY PUBLIC

My appointment expires: 12/18/97