

First American Title Insurance Company
115 East Park
Post Office Box 1125
Olathe, KS 66061

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Johnson Co ROD B:200511 P:003305

**AMENDMENT TO DECLARATION
OF DEER VALLEY**

THIS AMENDMENT to DECLARATION OF DEER VALLEY is made as of the 4th day of November, 2005, by Deer Valley Development, L.L.C. (the "Owner") and relates to the following described land, to-wit:

Lot 52 through and including Lot 105 Deer Valley Second Plat, Tract G & H Deer Valley Second Plat, and Tracts D, E, and F Deer Valley First Plat, a subdivision in the City of Overland Park, Johnson County, Kansas, as shown on Deer Valley Second Plat, heretofore filed of record in Book 200510, Page 010552 on the 27th day of October, 2005, in the office of the Register of Deeds, Johnson County, Kansas;

WITNESSETH:

WHEREAS, the Owner, as the owner of the above-described lots and tracts, desires to subject said lots and tracts to the covenants, restrictions, easements and other provisions contained in that certain Declaration of Deer Valley dated as of the 1st day of May, 2005 and filed for record in the office of the Register of Deeds, Johnson County, Kansas on the 6th day of May, 2005 in Book 200505, Page 002822 (the "Original Declaration").

NOW, THEREFORE, in consideration of these premises, and pursuant to the right and authority set out in Article 13 of the Original Declaration, the Owner for itself and for its successors and assigns, and for its future grantees, hereby agrees and declares that all of the above-described lots and tracts shall be, and they hereby are, subject to the covenants, restrictions, easements and other provisions set forth in the Original Declaration and any amendments thereto. As contemplated in Article 13 of the Original Declaration, this instrument shall have the effect of subjecting the above-described lots and tracts to all of the provisions of the Original Declaration and any amendments thereto as though said lots and tracts had been originally described therein and subject to the provisions thereof.

In all other respects, the Original Declaration and any amendments thereto are hereby ratified, confirmed and approved.

IN WITNESS WHEREOF, the Owner has caused this instrument to be executed the date first above written.

DEER VALLEY DEVELOPMENT, L.L.C.

By: Clay C. Blair, III
Clay C. Blair, III, Member

STATE OF KANSAS)
) ss.
COUNTY OF JOHNSON)

ON THIS 3 day of November, 2005, before me, the undersigned, a Notary Public to and for said County and State personally appeared Clay C. Blair 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 a member of Deer Valley Development, L.L.C., a Kansas limited liability company, and that he executed such instrument on behalf of said company by authority of its members, and said person acknowledged the execution of said instrument to be the act and deed of said Deer Valley Development, L.L.C.

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
Printed Name: Chrisanne M. Golding

My commission expires:
August 27, 2006

