

JO CO KS	BK:201906	PG:008244
	20190624-0008244	
Electronic Recording		6/24/2019
Pages: 2	F: \$38.00	12:34 PM
Register of Deeds		T20190031324

**FIRST AMENDMENT TO
BOULDER CREEK VILLAS
DECLARATION OF RESTRICTIONS**

THIS FIRST AMENDMENT (“**Amendment**”) is made and entered into as of 6/20, 2019, by DAY3 DEVELOPMENT, LLC, a Missouri limited liability company, as the developer of the real property described below (the “**Developer**”).

WITNESSETH:

WHEREAS, the Developer is the developer of the residential area in the City of Olathe, Johnson County, Kansas, commonly known as “Boulder Creek Villas”; and

WHEREAS, the Developer has previously executed a certain document entitled Boulder Creek Villas Declaration of Restrictions and caused such document to be recorded in the Office of the Register of Deeds of Johnson County, Kansas (the “**Recording Office**”) in Book 201904 at Page 006714 (the “**Declaration**”); and

WHEREAS, the Declaration places certain covenants and restrictions upon the following described residential lots (the “**Lots**”) and the following described common areas:

Lots 1 through 42, and Tracts “A”, “B”, “C”, “D”, “E”, and “F”,
Boulder Creek Villas, First Plat, a subdivision in the City of
Olathe, Johnson County, Kansas.

WHEREAS, the Developer desires to amend the Declaration as provided herein;

NOW, THEREFORE, the parties hereto declare and agree as follows:

A. Capitalized terms used in this Amendment but not defined herein shall have the meanings set forth in the Declaration.

B. The following tracts are hereby removed from the Declaration and shall no longer be Common Areas under the Declaration:

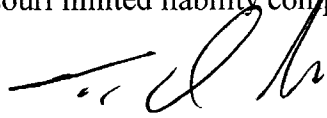
Tracts "A", "B", "C", "D", "E", and "F", Boulder Creek Villas, First Plat, a subdivision in City of Olathe, Johnson County, Kansas.

C. Pursuant to Section 23 of the Declaration, this Amendment shall become effective as an amendment of the Declaration and binding upon all of the Lots upon (a) the execution hereof by the Developer, and (b) the recordation hereof in the Recording Office.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be duly executed.

DEVELOPER:


DAY3 DEVELOPMENT, LLC,
a Missouri limited liability company

By: 
Travis Schram, Manager

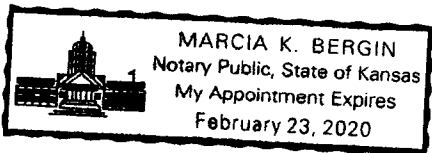
STATE OF KANSAS)
) ss.
COUNTY OF JOHNSON)

This instrument was acknowledged before me on 6/20, 2019, by Travis Schram, as Manager of DAY3 DEVELOPMENT, LLC, a Missouri limited liability company.

My Commission Expires:
2/23/20
[SEAL]


Notary Public in and for said County and State

Print Name: Marcia K Bergin



JO CO KS BK:201906 PG:000245
20190624-0008245 6/24/2019
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Register of Deeds T20190031324

**FIRST AMENDMENT TO
BOULDER CREEK VILLAS
HOMES ASSOCIATION DECLARATION**

THIS FIRST AMENDMENT (“**Amendment**”) is made and entered into as of 6/20, 2019, by DAY3 DEVELOPMENT, LLC, a Missouri limited liability company, as the developer of the real property described below (the “**Developer**”).

WITNESSETH:

WHEREAS, the Developer is the developer of the residential area in the City of Olathe, Johnson County, Kansas, commonly known as “Boulder Creek Villas”; and

WHEREAS, the Developer has previously executed a certain document entitled Boulder Creek Villas Homes Association Declaration and caused such document to be recorded in the Office of the Register of Deeds of Johnson County, Kansas (the “**Recording Office**”) in Book 201904 at Page 006715 (the “**Declaration**”); and

WHEREAS, the Declaration places certain covenants and assessments upon the following described residential lots (the “**Lots**”) and the following described common areas:

Lots 1 through 42, and Tracts “A”, “B”, “C”, “D”, “E”, and “F”,
Boulder Creek Villas, First Plat, a subdivision in the City of
Olathe, Johnson County, Kansas.

WHEREAS, the Developer desires to amend the Declaration as provided herein;

NOW, THEREFORE, the parties hereto declare and agree as follows:

A. Capitalized terms used in this Amendment but not defined herein shall have the meanings set forth in the Declaration.

B. The following tracts are hereby removed from the Declaration and shall no longer be Common Areas under the Declaration:

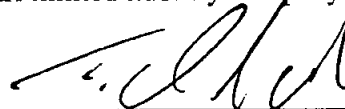
Tracts "A", "B", "C", "D", "E", and "F", Boulder Creek Villas, First Plat, a subdivision in City of Olathe, Johnson County, Kansas.

C. Pursuant to Article XI of the Declaration, this Amendment shall become effective as an amendment of the Declaration and binding upon all of the Lots upon (a) the execution hereof by the Developer, and (b) the recordation hereof in the Recording Office.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be duly executed.

DEVELOPER:

DAY3 DEVELOPMENT, LLC,
a Missouri limited liability company


By: 
Travis Schram, Manager

STATE OF KANSAS)
) ss.
COUNTY OF JOHNSON)

This instrument was acknowledged before me on 6/20, 2019, by Travis Schram, as Manager of DAY3 DEVELOPMENT, LLC, a Missouri limited liability company.

My Commission Expires:

2/23/20
[SEAL]


Notary Public in and for said County and State

Print Name: Marcia K Bergin



JO CO KS	BK:201907	PG:006629
	20190718-0006629	
Electronic Recording		7/18/2019
Pages: 2	F: \$38.00	3:00 PM
Register of Deeds		T20190037236

**SECOND AMENDMENT TO
BOULDER CREEK VILLAS
HOMES ASSOCIATION DECLARATION**

THIS SECOND AMENDMENT (“**Amendment**”) is made and entered into as of July 12, 2019, by DAY3 DEVELOPMENT, LLC, a Missouri limited liability company, as the developer of the real property described below (the “**Developer**”).

WITNESSETH:

WHEREAS, the Developer is the developer of the residential area in the City of Olathe, Johnson County, Kansas, commonly known as “Boulder Creek Villas”; and

WHEREAS, the Developer has previously executed a certain document entitled Boulder Creek Villas Homes Association Declaration and caused such document to be recorded in the Office of the Register of Deeds of Johnson County, Kansas (the “**Recording Office**”) in Book 201904 at Page 006715, which has been amended by that certain First Amendment to Boulder Creek Villas Homes Association Declaration recorded in the Recording Office in Book 201906 at Page 008245 (collectively, the “**Declaration**”); and

WHEREAS, the Declaration places certain covenants and assessments upon the following described residential lots (the “**Lots**”) and the following described common areas:

Lots 1 through 42, Boulder Creek Villas, First Plat, a subdivision in the City of Olathe, Johnson County, Kansas.

WHEREAS, the Developer desires to amend the Declaration as provided herein;

NOW, THEREFORE, the parties hereto declare and agree as follows:

A. Capitalized terms used in this Amendment but not defined herein shall have the meanings set forth in the Declaration.

B. Section 3.2 of the Declaration is hereby amended to add the following:

“(h) The Homes Association shall provide for the periodic painting (but not repair or replacement) of exterior painted surfaces of each residence. Such service by the Homes Association shall not include the repair or replacement of any wood, stucco, windows, or other materials.

(i) The Homes Association shall maintain, repair, and replace the roofs and all gutters of each Duplex Unit as and when necessary.”

C. Pursuant to Article XI of the Declaration, this Amendment shall become effective as an amendment of the Declaration and binding upon all of the Lots upon (a) the execution hereof by the Developer, and (b) the recordation hereof in the Recording Office.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be duly executed.

DEVELOPER:

DAY3 DEVELOPMENT, LLC,
a Missouri limited liability company

By: 
Travis Schram, Manager

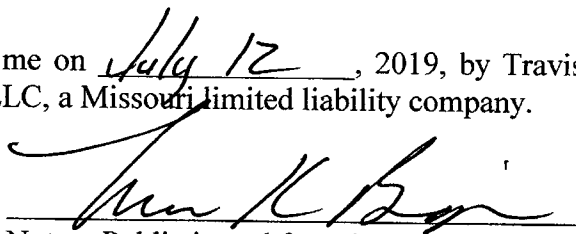
STATE OF KANSAS)
) ss.
COUNTY OF JOHNSON)

This instrument was acknowledged before me on July 12, 2019, by Travis Schram, as Manager of DAY3 DEVELOPMENT, LLC, a Missouri limited liability company.

My Commission Expires:

2/23/20

[SEAL]


Notary Public in and for said County and State

Print Name: Marcia K. Bergin

