



Sedgwick County
Register of Deeds - Bill Meek
DOC.#/FLM-PG: 29125061

Receipt #: 1740649
Pages Recorded: 5
Cashier Initials: KV

Recording Fee: \$24.00
Authorized By: 

Date Recorded: 2/26/2010 3:45:26 PM



After Recording Return To:
Ty Lasher, City Administrator
City of Bel Aire
7651 East Central Park Ave.
Bel Aire, KS 67226

**FEBRUARY 18, 2010 AMENDMENT TO
COVENANTS AND RESTRICTIONS OF CENTRAL PARK ADDITION
CITY OF BEL AIRE, SEDGWICK COUNTY, KANSAS**

This February 18, 2010 Amendment to Covenants and Restrictions of Central Park Addition City of Bel Aire, Sedgwick County, Kansas (“**Amendment**”) is executed effective February 18, 2010, by Security Bank of Kansas City (“**Declarant**”).

RECITALS:

A. The Covenants and Restrictions of Central Park Addition City of Bel Aire, Sedgwick County, Kansas dated January 24, 2007, were executed by Declarant and recorded in the Sedgwick County real estate records at DOC.#/FLM-PG: 28852684 concerning real estate located in a portion of the real property platted as Central Park Addition to the City of Bel Aire, Sedgwick County, Kansas (the “**Original Declaration**”);

B. Subsequently, Declarant executed and recorded in the Sedgwick County real estate records an instrument entitled “Amended Covenants and Restrictions of Central Park Addition City of Bel Aire, Sedgwick County, Kansas” dated December 21, 2007 (the “**Current Declaration**”) which amended and replaced the Original Declaration in its entirety and *excluded a portion of the land which was subjected to the Original Declaration*. The Current Declaration was recorded at DOC.#/FLM-PG: 28948440 in the Sedgwick County, Kansas real estate records;

C. The Current Declaration was amended by the February 16, 2010 Amendment to Covenants and Restrictions of Central Park Addition City of Bel Aire, Sedgwick County, Kansas as recorded in the Sedgwick County real estate records (with the Current Declaration, as so amended being hereafter referred to collectively herein as the “**Central Park Declaration**”);

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02/16/10

D. Portions of the land referenced in the Original Declaration and Central Park Declaration has been replatted or otherwise modified in accordance with applicable land subdivision laws, rules and regulations so that a legal descriptions of such land now differs from the legal descriptions used in the Original Declaration and the Central Park Declaration;

E. As of the date hereof, Declarant is the Owner of not less than seventy-five (75%) of the single-family Lots in Central Park Addition to the City of Bel Aire, Sedgwick County, Kansas and pursuant to Section 9.3 of the Central Park Declaration, Declarant continues to have the right to amend such instruments; and

F. Declarant desires to further amend the Central Park Declaration as provided below.

NOW, THEREFORE, the Central Park Declaration is hereby further amended by Declarant as follows:


1. The Central Park Declaration is hereby amended to remove the Lots, Common Area and other land described on Schedule 1 hereto from the Central Park Declaration in its entirety, and such removed land shall no longer be subject to the Central Park Declaration or the Original Declaration in any respect.

2. For clarification, as a result of the removal of the land described on Schedule 1 hereto and the removal of land by previous amendments to the Original Declaration and the Current Declaration, the only Lots and Common Area which remain subject to the Central Park Declaration are described on Schedule 2 hereto. The terms Lots and Common Area, as used in the Central Park Declaration, shall exclusively refer to the Lots and Common Area described on Schedule 2 hereto.

3. Except as provided herein, the Central Park Declaration shall remain in full force and effect with its prior terms and provisions.

IN WITNESS WHEREOF, the Declarant has executed this Amendment the day and year first above written.

SECURITY BANK OF KANSAS CITY

By: 
Name: SHAWN T. HOEBENER
Title: VICE PRESIDENT & TRUST OFFICER

STATE OF KANSAS)
)
COUNTY OF Sedgwick) ss:

BE IT REMEMBERED, that on this 17th day of February, 2010, before me the undersigned, a Notary Public in and for the County and State aforesaid, came Shawn Hoebener, duly authorized VP + Trust Officer of Security Bank of Kansas City, Kansas City, Kansas (the "Bank"), a state banking corporation duly organized under the banking laws of the State of Kansas, who is personally known to me to be the same person who executed the within instrument on behalf of said Bank, and such person duly acknowledged the execution of the same to be the act and deed of said Bank.

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



Vicki Bradford
NOTARY PUBLIC

My Appointment Expires:
4-22-11

Schedule 1

Lots and Common Area Removed from Central Park Declaration

The Lots and Reserves contained in the land currently platted as Central Park 3rd Addition, Bel Aire, Sedgwick County, Kansas.

The Lots and Reserves in land currently platted as Central Park 4th Addition (the "4th Addition"), Bel Aire, Sedgwick County, Kansas.

The portion of Reserve "F" which is not listed on Schedule 2 hereto as continuing to be part of the Common Area and Reserves "C," "E" and "K"; together with street and alley rights-of-way therein or contiguous thereto, each located in Central Park Addition, City of Bel Aire, Sedgwick County, Kansas.

The Lots 1-40, inclusive, Block 5; Lots 1-8, inclusive, Block 6; and Lots 1-8, inclusive, Block 7; together with street and alley rights-of-way therein or contiguous thereto, all located in Central Park Addition, City of Bel Aire, Sedgwick County, Kansas.

The Lots and Reserves contained in Elk Creek Addition, City of Bel Aire, Sedgwick County, Kansas.

The Lots contained in Blocks 18, 19, 22 and 23, Central Park Addition, City of Bel Aire, Sedgwick County, Kansas.

Schedule 2**Lots and Common Area Remaining Subject to Central Park Declaration**

Lots 1-16, inclusive, Block 1; Lots 1-21, inclusive, Block 2; Lots 1-21, inclusive, Block 3; Lots 1-38, inclusive, Block 4; Lots 41-56, inclusive, Block 5; Lots 1-8, inclusive, Block 10; Lots 1-8, inclusive, Block 11; Lots 1-8, inclusive, Block 12; and Lots 1-8, inclusive, Block 13; and the Common Area described as (i) the portion of Reserve "B" which has not been replatted in Central Park 4th Addition, Bel Aire, Sedgwick County, Kansas and (ii) the portion of Reserve "F" which is contiguous to any of the foregoing Lots or Reserves, together with all alley rights-of-way therein or contiguous thereto, all in Central Park Addition, Bel Aire, Sedgwick County, Kansas.